

**APPOMATTOX RIVER WATER AUTHORITY
21300 CHESDIN ROAD
PETERSBURG, VIRGINIA 23803**

CONSTRUCTION AND USE PERMIT AGREEMENT

You have requested that Appomattox River Water Authority agree to your construction and use of a dock/boat house (herein called Facility) on Authority owned land in Chesterfield County, Virginia at the location shown on the attached print. The Authority hereby agrees to your request, provided such construction and use is in accordance with the following conditions:

1. You shall construct such Facility substantially in accordance with the attached sketch and in such a manner as not to interfere with the use of the reservoir by your neighbor or others.
2. You shall not permit any nuisance on Authority property nor permit an unsightly structure to be placed or maintained on Authority property during or following the performance of any work or use authorized pursuant to this Agreement. If the Facility is not maintained in good condition, as determined by the Authority, you must repair or remove the Facility at your expense. If the Facility is not repaired or removed within thirty days after written notice by the Authority, the Authority may remove or cause the Facility to be removed and all costs incidental to the removal will be borne by you.
3. You hereby agree to indemnify and save harmless the Authority, its officers, agents, and employees from any and all claims, demands, actions, causes of action, injury or death to persons or damages to property arising out of or resulting directly or indirectly from any action taken by you, your agents, employees, contractors (including presence upon Authority property) pursuant to this Agreement. You further agree to carry a minimum of \$500,000 liability insurance on this Facility as part of your home owners insurance; the Authority will be named as an additional insured and proof of this coverage will be sent to the Authority annually.
4. The work to be performed by you shall comply with all applicable Federal, State, and local laws, ordinances, or regulations. Specifically, you shall obtain all necessary permits for any work performed pursuant to this Agreement, including a building permit from the County.
5. All work performed on Authority property under this Agreement shall be at your sole cost and expense.
6. You shall construct such facility between property lines extended into the water and generally at right angles to the shoreline.
7. This permit shall not constitute an interest in Authority property and the activity herein agreed to shall not in any way interfere with the Authority's lawful operation of its Reservoir and Water Treatment Plant, including flooding Authority land and maintaining the Reservoir in a manner consistent with all rights and privileges conferred upon the Authority. To the extent that any alteration of Authority property, including the erection of a structure thereon, is determined by the Authority to be inconsistent with the safe and efficient operation of the Reservoir and Water Treatment Plant, you shall restore such property to its original condition, or remove such structures when requested to do so, and at your own cost and expense.
8. All structures erected by you on Authority property shall constitute structures appurtenant to your real property. You shall be exclusively responsible for their maintenance, proper repair and upkeep. (See Condition #2)

9. The structure constructed pursuant to this Agreement, shall not be sold separate from the real property to which it is appurtenant. In the event your property is sold, the purchase shall assume in writing, all conditions and responsibilities of this Agreement. This will be done by the purchase completing a new Agreement with the Authority. In the event a subsequent purchaser should not accept the terms of this Agreement, the Authority may elect to remove any structure erected pursuant to this Agreement, and/or restore Authority property to its approximate original condition at your expense.
10. You shall not use this Facility for human habitation.
11. You shall agree to comply with the Authority's August 1991 Policy on use of its land by adjacent property owners. A copy is attached. Any trees, limbs, or other debris which may be cut will be removed from the site.
12. The slopes of any area to be excavated by you or any excavation or dredging activity undertaken pursuant to this Agreement shall comply with the applicable standards, Criteria and Guidelines published in the Virginia Erosion and Sediment Control Handbook, under the authority of the Virginia Soil and Water Conservation Commission.
13. This permit is revocable by the Authority with ninety (90) days written notice.
14. If any provision of this permit, or the application of any provision of Agreement to any person or circumstance is held unenforceable for any reason, the application of such provision to any other person or circumstance, and the remainder of the permit, shall not be affected thereby.
15. In the event the Authority brings suit or retains an attorney to enforce the terms of this Agreement against you, you hereby agree to pay the Authority's court costs and reasonable attorneys fees in connection therewith.
16. Any utilities installed to the structure will be installed underground.

To evidence your acceptance of this Agreement upon the conditions stated above, please sign and return both copies of this Agreement letter.

Yours very truly,

Appomattox River Water Authority

BY: _____

We, the undersigned, hereby agree to and accept the conditions set forth in this letter.

Date: _____

Permittee: _____

Appomattox
River
Water
Authority



21300 Chesdin Road . Petersburg, Virginia 23803 . Phone (804) 590.1145 . FAX (804) 590.9285

Dear

Enclosed is the information concerning the location of a structure (i.e. docks, water breaks, rip-rap, dredging) on Authority property around Lake Chesdin.

The permit that is enclosed must be completed and sent to the Authority with both copies and a check for the \$30.00 permit fee. A copy of a building permit will not be required. A copy of the permit must be sent to the Corps of Engineers Office.

All owners are required to have their insurance companies send a copy of their insurance certificates to the Authority prior to construction and then annually at the time of renewal. Failure to do so will result in the permit being revoked.

I will call you after reviewing the completed application to set up a time to view the site. At a site visit, possible with the Corps of Engineers, we will discuss any revisions that may be necessary. An executed copy of the agreement will be sent to you after Corps and I have approved the application. The copy of the Agreement signed by ARWA is your approval to begin work.

If you have any questions, please do not hesitate to call me.

Sincerely,

Robert C. Wichser
Executive Director

/jbh
enclosure

APPLICATIONS:

1. Complete the "Basic" Application - Pages 1-5
2. Complete the appropriate appendix (ES)
 - A) Piers Appendix "A" & RP-17 Certificate
 - B) Boathouses Appendix "B" & RP-17 Certificate
 - C) Bulkheads Appendix "F"
 - D) Riprap Appendix "H"
 - E) Dredging Appendix "G"
3. Complete the "Authorized Agent" form, if applicable (someone else is doing the application for you).
4. Have adjacent owners complete the "Adjacent Property Owner's Acknowledgment form"
5. Sketch the work location on a plat of the lot
6. On the Lake Chesdin map - circle the work location
7. Check with local County building inspector and planning department for any special requirement of the County (Chest Co residents get County sign off by Planning Dept and Environmental Engineering)
8. A check for \$30.00 payable to Appomattox River Water Authority
9. Sign and return two copies of Construcion and Use Permit Agreement
- To ARWA only
10. Send copy to ARWA (items 1-9)
Send copy to appropriate Corps office (items 1-6) for Bulkheads, Riprap and/or Dredging (not necessary forr Piers or Boathouses).

SUBMITTALS:

1. Complete the appropriate application and appendix
2. Send one copy to:

Appomattox River Water Authority
21300 Chesdin Road
Petersburg, Virginia 23803

3. Send one copy to U.S. ARmy Corps of Engineers
Norfolk District
Southside Field Office
P. O. Box 121
Nottoway, Virginia 23955

POLICY – USE OF AUTHORITY PROPERTY BY ADJACENT PROPERTY OWNERS

By virtue of their deeds to land adjacent to Lake Chesdin (the Lake), all property owners have the right of ingress and egress across Appomattox River Water Authority (ARWA) property from their land to the Lake. Normally, this right is from the 164' contour down to the water.

The ARWA wishes to continue to allow property owners the benefits of access to and use of the Lake and also wants to prevent degradation of water quality within the Lake. The Counties of Chesterfield and Dinwiddie typically require buffers around the Lake as property is developed to further assist in the protection of the Lake. All property owners should maintain ARWA property and adjacent buffers in as much of a natural state as possible.

Upon written approval of the ARWA and Chesterfield or Dinwiddie County, property owners may install water dependent facilities such as boat docks, boat houses, bulkheads, etc. on ARWA property provided that:

1. No trees greater than six (6) inches in diameter may be removed except for dead and/or diseased trees and then only the minimum number of trees necessary to be removed for the construction of any approved water dependent facility.
2. Trees greater than six (6) inches in diameter may have lower branches removed to improve views.
3. Underbrush may be removed to permit better views and passage to the water, however, forest bottom ground cover and root mat may not be removed.
4. Chemicals, fertilizers, pesticides, etc. shall not be applied on ARWA property.
5. Erosion and sedimentation control plans shall be submitted to and approved by the appropriate County agency prior to any site disturbance.
6. Dredging will be considered on an individual case basis.

Special site or case conditions varying from the above may be granted by the Authority Board.

***In October 1990, Chesterfield County adopted the Chesapeake Bay Preservation Ordinance requiring the establishment of 100-foot Resource Protection Areas (RPAs) to protect environmentally sensitive surface waters. The 100-foot RPA located adjacent to the Chesdin Reservoir must be maintained in a manner "that retards runoff, prevents erosion, and filters nonpoint source pollution from runoff." Before ANY removal of vegetation or the installation of paths, sitting areas, docks or other structural features, contact the Chesterfield County Department of Environmental Engineering to ensure compliance with the RPA requirements and avoid violations.*

NOTE: This policy applies to all future development or new uses of Authority property after August 21, 1991.

***ARWA will complete
when submitted***

Received: _____

Structure - check list

1 Application

_____ a) Name: _____
_____ b) Address _____
_____ c) Phone No _____ (H)
_____ (W)

_____ 2 Plans _____ dock _____ boat house _____ sea wall _____ dredging _____ other

_____ 3 Plat with location of structure

_____ 4 Location on lake sketch

Agent agreement _____

_____ 5 ARWA letter agreements signed _____

_____ 6 Abutting property owners approval _____

_____ 7 Chest Co approval (Chest side only) _____

_____ 8 Permit fee _____

_____ 9 Corps of Engineers approval _____

_____ 10 ARWA site visit: _____

_____ 11 ARWA approval: _____

Notes: _____

BASIC APPLICATION FORM

**JOINT PERMIT APPLICATION FOR ACTIVITIES IN
WATERS AND WETLANDS OF THE COMMONWEALTH OF VIRGINIA**

PLEASE PRINT OR TYPE ALL ANSWERS:

If a question does not apply to your project please print N/A (not applicable) in the block or space provided. If additional space is needed, attach extra 8-1/2" x 11" sheets of paper. If you are unsure of a particular term, please refer to the definitions section.

1a. Applicant's name and complete address:
Mr., Mrs., Ms. (circle one)

Telephone numbers:

Home(A/C _____)

Work (A/C _____)

1b. Property Owner's name and complete address:
(if different from above)

Telephone numbers:

Home(A/C _____)

Work (A/C _____)

2. Authorized agent's name
and complete address (if applicable):

Telephone numbers:

Home(A/C _____)

Work (A/C _____)

3. Have you obtained a contractor for the project? Yes No If your answer is "yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgement Form on page 46 with your application.

Contractor's name and complete address:

Telephone numbers:

Home A/C _____

Work (A/C _____)

4. List the name, address, and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay Local and State processing.

Name and complete address:

Telephone number:

(A/C _____)

Not Applicable

5. Please give the name of the waterbody at the project site, the county or city the project is located in, and directions to the site:

Lake Chesdin a tributary to N/A

located in _____
County

Give descriptive directions to the project site from the nearest intersection of two state roads within that county or city and visible points of reference :

IF THE PROJECT SITE IS LOCATED IN AN UNDEVELOPED SUBDIVISION OR PROPERTY, CLEARLY STAKE AND IDENTIFY PROPERTY LINES AND LOCATION OF PROPOSAL. A SUPPLEMENTAL MAP THAT SHOWS HOW THE PROPERTY IS TO BE DIVIDED SHOULD ALSO BE PROVIDED

6. State the project purpose and provide a brief description of the project:

7. Please place a checkmark next to as many of the following that describe your project site:

<input type="checkbox"/> Tidal waters	<input type="checkbox"/> 100 year floodplain	<input type="checkbox"/> Natural
<input type="checkbox"/> Tidal wetlands	<input checked="" type="checkbox"/> Lake or Pond	<input checked="" type="checkbox"/> Man-made
<input checked="" type="checkbox"/> Nontidal waters	<input type="checkbox"/> Mudflats	<input type="checkbox"/> Unknown
<input type="checkbox"/> Nontidal wetlands	<input type="checkbox"/> River	
<input type="checkbox"/> Vegetated Shallows		
<input type="checkbox"/> Other (explain - e.g. Intermittent stream, vernal pool, etc.)		

8. Proposed use (check one):

<input type="checkbox"/> Private	<input type="checkbox"/> Community	<input type="checkbox"/> Commercial
<input type="checkbox"/> Industrial	<input type="checkbox"/> Government	
<input type="checkbox"/> Other (explain):		

9. Will the project impact (flood, drain, excavate, dredge, fill, shade, etc.) wetlands ?
____ Yes ☒ No ____ Uncertain

If your answer is "YES":

A. vegetated wetlands area(s) to be impacted?

tidal ____ square feet nontidal ____ square feet

B. nonvegetated tidal wetlands area(s) to be impacted? ____ square feet

10. Will the project be located at the site of any historic property? (Note: historic properties include but are not limited to archeological sites, Civil War earthworks, graveyards, buildings, bridges, canals, etc.)
____ Yes ____ No If "Yes", please provide a map showing the location.

11. Have you previously contacted the Department of Historic Resources concerning this project?
____ Yes ____ No If "Yes", please provide the following information:

a. VDHR file number: _____

b. Response date: _____

c. Type of response (no effect/no adverse effect, additional information requested, survey requested, further consultation needed): _____

12. Is your project located within a historic district? ____ Yes ____ No ____ Uncertain

If "Yes", please indicate which district: _____

13. Has a survey to locate archeological sites and/or historic structures been carried out on the property?
____ Yes ____ No If "Yes", please provide the following information:

a. Date of survey: _____

b. Name of firm: _____

c. Is there a report on file with the Virginia Department of Historic Resources? _____

d. Was any historic property located? _____

14. Have you previously had a site visit, applied to, or obtained a permit from any agency (Federal, State, or Local) for any portion of the project described in this application or any other project at the site?
____ Yes ____ No If your answer is "Yes", provide the following information:

Name of Representative: _____

Agency

Activity

Application Number

Action Taken (check
the appropriate box)

____ Issued ____ Denied

____ Withdrawn ____ Site Visit

Date Action taken _____

15. a) Has any work commenced or has any portion of the project for which you are seeking a permit been completed? _____ Yes _____ No

b) Are you submitting this application at the direction of any state, local or federal agency? __ Yes __ No
If your answer to either question above is "YES", give details below stating when the work was completed, who performed the work, and which agency (if any) directed you to submit the application. (Please clearly differentiate on your application drawings that portion of the work which has been completed from that which is proposed.)

16. Approximately how long will it take to complete the project after all required permits have been issued?
_____ months

17. Approximate cost of the entire project (materials, labor, etc): \$ _____ Approximate cost of only that portion of the project which affects State Waters (below mean low water in tidal areas or ordinary high water in nontidal areas): \$ _____

18. List the name and complete mailing address of each adjacent property owner to the project.

19. List the name and complete mailing address of each waterfront property owner across the waterway from the project, if the water body is less than 500 feet wide. Also, if the project is within a cove, list the name and address of each property owner located on the cove.

20. All affected property owners must be notified of the proposed plans. If you do this yourself, it will assist us in processing your application. Have you discussed this project with all affected parties and had them sign an Adjacent Property Owner's Acknowledgement Form? _____ Yes _____ No If your answer is yes, the acknowledgement forms must be included with this application.

21. Check the appendices below which apply to your project. NOTE: Applicable appendices must be completed and submitted with your application. If you are proposing multiple activities, you may submit one plan view drawing provided all the required information for each activity is included (e.g., if your proposal includes a pier, boathouse and dredging, you may show all activities on a single plan view drawing). A sample drawing for each activity is located in back of the corresponding appendix. Although the sample drawings are condensed so that the plan view, cross section, end view, and vicinity maps are all on one page, you do not have to limit your drawings to one page. Drawings submitted need not be prepared by a professional draftsman.

LIST OF APPENDICES AND ADDENDA	
_____ Appendix A	Private Piers & Marginal Wharves (include completed RP-17)
_____ Appendix B	Boathouses
_____ Appendix C	Marinas & Commercial Piers
_____ Appendix D	Dolphins-Mooring Piles-Buoys Not Associated w/Piers
_____ Appendix E	Boat Ramps
_____ Appendix F	Bulkheads & Associated Backfill
_____ Appendix G	Fill
_____ Appendix H	Riprap & Associated Backfill
_____ Appendix I	Marsh Toe Stabilization
_____ Appendix J	Dredging/Mining/Excavating
_____ Appendix K	Groins & Jetties
_____ Appendix L	Breakwaters
_____ Appendix M	Beach Nourishment
_____ Appendix N	Intake - Outfall Structures
_____ Appendix O	Stream Channel Modifications
_____ Appendix P	Impoundments/Dams
_____ Appendix Q	Utility Crossings
_____ Appendix R	Road Crossings (Bridges-Tunnels-Culverts)
_____ Addendum	Department of Environmental Quality Additional Requirements

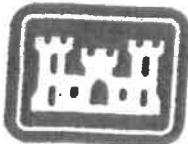
PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the joint permit application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary; but it may not be possible to evaluate the permit application or issue a permit if the information requested is not provided.

ALL APPLICANTS MUST SIGN BELOW I hereby apply for all necessary permits for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions. I certify that the information submitted in this application is true and accurate to the best of my knowledge.

APPLICANT'S SIGNATURE

APPLICANT'S NAME (PRINTED/TYPED)

DATE



U.S. Army Corps
Of Engineers
Norfolk District

**CERTIFICATE OF COMPLIANCE
WITH
ARMY CORPS OF ENGINEERS, NORFOLK DISTRICT
REGIONAL PERMIT RP-17 FOR PRIVATE PIERS**

I, _____, hereby certify that I have read and understand all conditions of the effective Regional Permit RP-17, issued by the Army Corps of Engineers, Norfolk District, Norfolk, Virginia, regulating the construction, maintenance, and repair of **private, non-commercial piers & mooring piles** in certain navigable waters of the United States within the Commonwealth of Virginia. The proposed (work) to be located at:

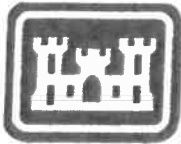
fully complies with all conditions set forth in RP-17.

I agree to make available a copy of this certification and any other documents required by RP-17 to any regulatory representative authorized to visit the project site to ensure permit compliance. If I fail to provide the required documentation upon request, I understand that the representative will have the option of stopping work at the project site until it has been determined that I am in full compliance with all terms and conditions set forth in the regional permit.

Signature of Property Owner or Agent

Date

NOTE: DO NOT SIGN THIS FORM IF YOU ARE CONSTRUCTING A BULKHEAD, RIPRAP REVETMENT, OR PERFORMING ANY OTHER ACTIVITY NOT COVERED BY RP-17. DO NOT SIGN THIS FORM IF YOU HAVE NOT READ THE TERMS AND CONDITIONS OF RP-17. YOU MAY CONTACT THE CORPS AT (804) 441-7652 FOR A COPY OF THE PERMIT.



**U.S. Army Corps
Of Engineers**
Norfolk District

Fort Norfolk, 803 Front Street
Norfolk, Virginia 23510-1096

**CENAO-REG
13-RP-17**

REGIONAL PERMIT

Effective Date: August 14, 2013

Expiration Date: August 14, 2018

I. AUTHORITIES:

13-RP-17, Regional Permit 17 (RP), authorizes the installation and/or construction of open-pile piers, mooring structures/devices, certain covered boat houses, boat lifts, accessory pier structures, osprey poles/ platforms, and devices associated with shellfish gardening, for private use, subject to strict compliance with all conditions and limitations further set out herein.

The intent of this RP is to allow open-pile structures to be built in locations that would not individually or cumulatively impact general navigation. For the purpose of this RP, private use is defined as non-commercial, residential use only and does not include community or government structures (e.g. structures to be used by the residents of a condominium complex, members of a specific homeowners association, commercial piers, military piers, etc.).

The people of the Commonwealth of Virginia are hereby authorized by the Secretary of the Army and the Chief of Engineers pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) to install and/or construct open-pile piers, mooring structures/devices, certain covered boat houses, boat lifts, accessory pier structures, osprey poles/ platforms, and devices associated with shellfish gardening, for private use in certain navigable waters of the United States within the Commonwealth of Virginia, as conditioned, limited, and set out more fully herein.

Activities authorized under this RP do not require further authorization unless the District Engineer determines that overriding national factors of the public interest would require an individual permit (in accordance with 33 CFR Part 325) for a particular project that might generally qualify for this RP **OR** if notification to the Corps is required per the "Section V: NOTIFICATION REQUIREMENTS" listed below.

This RP covers only those activities that comply with the general and special conditions set out below. Activities that do not comply with the conditions, terms, and limitations herein do not qualify for this RP and will require written Department of the Army authorization

II. STATE AND LOCAL APPROVALS:

1. Prospective permittees may be required to obtain additional state and/or local approvals prior to commencement of work in waters of the United States from the Virginia Marine Resources Commission (VMRC) and/or the local wetlands board. You may contact the VMRC at (757) 247-2200 and/or your local government office for further information concerning their permit requirements.
2. The State Water Control Board provided unconditional §401 Water Quality Certification for the 13-RP-17. Therefore, the activities that qualify for this RP meet the requirements of Department of Environmental Quality's (DEQ) Virginia Water Protection Permit Regulation, provided that the permittee abides by the terms and conditions of 13-RP-17.
3. Those activities on the Potomac River extending beyond the mean low water line may require authorization by the Virginia Marine Resources Commission (VMRC) and/or the Maryland Department of Natural Resources. Authorization may also be needed from the Tennessee Valley Authority for projects constructed on the Clinch and Holston Rivers.
4. 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 May 10, 2013 and provided concurrence that this RP is consistent with the VCP.
5. Permittees should ensure that their projects are designed and constructed in a manner consistent with all state and local requirements pursuant to the Chesapeake Bay Preservation Act ("the Act") (Virginia Code 10.1-2100 *et seq.*) and the Chesapeake Bay Preservation Area Designation and Management Regulations (9 VAC 10-20-10 *et seq.*).
6. Authorizations under this RP do not supersede state or local government authority or responsibilities pursuant to the Chesapeake Bay Preservation Act, the Virginia Tidal Wetlands Act, or to any State or local laws or regulations.

III. PROCEDURES:

1. If a proposed project or work complies with all of the criteria and conditions described herein, then no other written authorization from the Corps is required in order to proceed with the installation and/or construction of open-pile piers, mooring structures/devices, certain covered boat houses, boat lifts, accessory pier structures, osprey poles/ platforms, and devices associated with shellfish gardening, for private use. The attached Certificate of Compliance must be completed and a copy must be retained for your records. The original Certificate of Compliance shall be mailed to: U. S. Army Corps of Engineers, Regulatory Branch (CENAO-WR-R), 803 Front Street, Norfolk, Virginia 23510-1096 within 30 days of completion of the project. Assuming

your project meets all terms and conditions of this authorization, your signed certification serves as evidence that your project complies with the 13-RP-17.

2. You must notify the Corps' District Engineer, via the submission of a Joint Permit Application (JPA), and you must receive written notification from the Corps prior to commencing activity if any of the criteria listed in "Section V. NOTIFICATION REQUIREMENTS" are met.
3. This RP covers only those activities that comply with all criteria described in the general and special conditions contained in this announcement. This does not mean that activity outside the limits outlined in the RP cannot be performed; only that such activity is not authorized under this RP and must be approved and authorized by another general or individual permit. If a proposal does not meet the conditions of this RP, a JPA must be submitted to the Corps for review. This application can be obtained by writing to the District at the above address or telephoning (757) 201-7652. With internet access, an application may also be obtained by downloading a copy at the following link: <http://www.nao.usace.army.mil/Missions/Regulatory/JPA.aspx>

IV. PERMIT EXCLUSIONS:

The provisions of this RP **DO NOT** authorize:

1. Structures proposed channelward of the limit lines described in Special Condition #1.
2. Structures proposed that specify or require a mooring plan where moored vessels will extend channelward of the limit lines described in Special Condition #1.
3. Structures proposed outside the areas designated for this RP.
4. Construction where dredging and/or filling in the waterway is proposed as part of the project.
5. Piers intended for commercial or government use including marinas, marine railways, fueling facilities, and toilet facilities.
6. Construction in Broad Creek in Middlesex County, Fisherman's Cove in Norfolk, and the Salt Ponds in Hampton which were the subject of navigational studies which concluded that these waterways were not suitable for this RP.

V. NOTIFICATION REQUIREMENTS:

You must notify the Corps' District Engineer, via the submission of a Joint Permit Application, and receive written permission from the Corps prior to the commencement of the activity if any of the following criteria are met:

1. Notification is required if the proposed construction "may affect" any proposed or listed species or proposed or designated critical habitat or if an Eagle Act permit may be required. Applicants should utilize the Fish and Wildlife Service's Virginia Online Project Review Process to ensure the project will have no effect on threatened or endangered species or their habitat. Applicants can access the on-line project review

process at

http://www.fws.gov/northeast/virginiafield/endspecies/Project_Reviews.html.

2. Notification is required if work will occur in areas that contain submerged aquatic vegetation (SAV). Information about SAV can be found at the Virginia Institute of Marine Science's website at <http://www.vims.edu/bio/sav/maps>. Additional avoidance and minimization measures, such as relocating a structure, time of year restrictions, compensatory mitigation, etc. may be required by the Corps to reduce impacts to SAV.
3. Notification is required for activities occurring in the following two categories of Designated Trout Waters: Class V (Put and Take Trout Waters) and Class VI (Natural Trout Waters), as defined by the Virginia State Water Control Board Regulations, Water Quality Standards (VR-680-21-00), dated January 1, 1991, or the most recently updated publication. The Virginia Department of Game and Inland Fisheries (VDGIF) designated these same trout streams into six classes. Classes I-IV are considered wild trout streams. Classes V and VI are considered stockable trout streams. Information on designated trout streams can be obtained via their Virginia Fish and Wildlife Information Service's (VAFWIS's) Cold Water Stream Survey database.

The waters, occurring specifically within the mountains of Virginia, are within the following river basins:

1. Potomac-Shenandoah
2. James
3. Roanoke
4. New
5. Tennessee and Big Sandy
6. Rappahannock

This notification requirement applies to all waters of the United States within the following counties and cities: Albemarle, Allegheny, Amherst, Augusta, Bath, Bedford, Bland, Botetourt, Bristol, Buchanan, Buena Vista, Carroll, Clarke, Covington, Craig, Dickenson, Floyd, Franklin, Frederick, Giles, Grayson, Greene, Henry, Highland, Lee, Loudoun, Madison, Montgomery, Nelson, Page, Patrick, Pulaski, Rappahannock, Roanoke City, Roanoke Co., Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Staunton, Tazewell, Warren, Washington, Waynesboro, Wise, and Wythe.

4. Notification is required for the construction of a private pier and associated structures in native trout waters and/or anadromous fish use areas. Construction will be conditioned to limit in-stream work within timeframes recommended by the DGIF and/or NOAA Fisheries. Coordination with DGIF and/or NOAA Fisheries Service will be conducted by the Corps. The applicant shall not begin work until notification is received that all coordination has been completed and/or the Corps has provided the applicant with the appropriate time of year restrictions regarding work in native trout waters or anadromous fish use areas.

5. Notification is required if the proposed construction of piers & placing of mooring piles occurs in the following waterways, which have Federal Navigation Channels:
- a. Lower North Landing River from Blackwater Creek to the North Carolina State Line (Atlantic Intracoastal Waterway).
 - b. Hampton Roads (Channel to Newport News, Norfolk Harbor and anchorages).
 - c. Chincoteague Channel and Inlet.
 - d. The Elizabeth River, the Eastern Branch of the Elizabeth River to the Norfolk and Western Railroad Bridge, the Southern Branch of the Elizabeth River to a point 0.8 miles upstream of the I-64 Bridge, and the Western Branch of the Elizabeth River to a point 0.34 miles upstream of the West Norfolk Bridge.
 - e. The James River from Richmond to Hopewell and including Richmond Harbor and the Richmond Deepwater Terminal.
 - f. Little River (Creek) except the Northwest Branch and Pretty Lake.
 - g. Norfolk Harbor Channel, all reaches.
 - h. The York River from the Poropotank River to the Virginia Highway 33 Bridge at West Point.

Maps showing the locations of these projects can be viewed at:

<http://www.nao.usace.army.mil/Missions/Regulatory/RBregional.aspx>.

6. Notification is required if the construction of a pier will be within a waterway containing a Federal Navigation Channel and the required 85-foot setback cannot be met. Written authorization will be given, if appropriate, after coordination with the Norfolk District Corps of Engineers Operations Branch has been completed. Maps showing the locations of these projects can be viewed at:
<http://www.nao.usace.army.mil/Missions/Regulatory/RBregional.aspx>.
7. Notification is required if the construction of a pier will be within a Corps of Engineer Flood Control/Flood Risk Management Project. Maps showing the locations of these projects can be viewed at:
<http://www.nao.usace.army.mil/Missions/Regulatory/RBregional.aspx>.
8. Notification is required for the construction of a structure along the portion of the Upper New River from Glen Lyn, Virginia to the West Virginia/Virginia state line, which has been designated a "study river" by Congress on October 26, 1992. No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river has determined, in writing, that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

VI. SPECIAL CONDITIONS:

1. Piers may not extend more than one-fourth of the distance across the waterway measured from either the mean high water mark to the mean high water mark (including all channelward wetlands) or the ordinary high water mark to the ordinary high water mark (including all channelward wetlands). The measurement should be based on the narrowest distance across the waterway regardless of the orientation of the proposed pier. Authorizing this encroachment assumes that the deep water is located in the center of the waterway. When this is not the case, the RP will not apply, and the proponent needs to submit a JPA and obtain a separate permit from the Corps before commencing work. Those proposed piers that will extend more than 300 feet from mean high water or ordinary high water will not qualify for this RP, and the proponent must submit a JPA.
2. A pier may be constructed in and over wetland areas to allow access. Such piers shall be attached to the upland at a point landward of mean high water. Mooring piles will be permitted in wetland areas for the purpose of boat mooring only if sufficient water depths exist to float the vessel during periods of low water without alteration of the wetland. All piers that cross wetland vegetation shall be an open-pile design, up to five (5) feet wide and have minimum elevation of at least four (4) feet between the decking and the wetlands substrate. The required 4-foot elevation must be achieved at or above the mean high water mark or ordinary high water mark.
3. Subject to any applicable local ordinances, the proposed pier may include no more than two (2) boat lifts, no more than two (2) boat slips, and/or an open-sided roof designed to provide shelter of the pier or boat lifts with a maximum cumulative area of 700 square feet. In cases where such roofs exceed 700 square feet or the number of cumulative boat slips exceeds two, the Corps' 13-RP-18 will be used in lieu of this permit. This permit does not authorize the construction of closed-sided boathouses or other habitable structures.
4. Floatation units will be made of materials that will not become waterlogged or sink if punctured. Floating sections must be braced so they will not rest on the bottom during periods of low water.
5. The remainder of the waterways, not listed in #5 of the "Notification Requirement" section above, containing Corps Federal Project Channels in Virginia (managed by the Corps except for those in the Potomac River Watershed which are managed by the Baltimore District) will require an 85-foot setback from the permitted structure to the toe of the slope of the federally maintained channel unless otherwise noted. A copy of the appropriate Federal Project Channel map can be obtained by writing to the Regulatory Branch at the address on the first page of this RP. Also included are channels maintained by other federal agencies in Skiffes Creek adjacent to Fort Eustis, the James River adjacent to the Maritime Administration, and Back Creek adjacent to Langley Air Force Base. If the 85-foot setback cannot be met, notification to the Corps will be required and written authorization will be given, if appropriate, after

coordination with the Norfolk District Corps of Engineers Operations Branch has been completed.

6. A proponent (permittee or applicant) of work proposed in portions of the following waterways may require an easement to be obtained from the Corps Real Estate Branch to cross government property before any construction can take place:
 - a. James River
 - b. Lynnhaven Inlet and Long Creek
 - c. All Local Cooperation Agreement areas
 - d. Dismal Swamp Canal
 - e. Albemarle and Chesapeake Canal
 - f. Appomattox River
 - g. Atlantic Intracoastal Waterway.
 - h. Craney Island
 - i. Gathright Dam

For further information regarding the government easements, please contact the Norfolk District's Real Estate Office at the address on the first page of this RP or at (757) 201-7735.

7. By accepting this RP, the permittee hereby recognizes the possibility that the structures permitted herein may be subject to damage by waves caused from passing vessels. This RP does not relieve the permittee from taking all proper steps to ensure the integrity of the structures permitted herein and the safety of boats moored thereto from damage from waves. The permittee hereby acknowledges, agrees and admits that the United States is not liable in any way for such damage and that it shall not seek to hold the U.S. liable or involve the U.S. in any actions or claims regarding such damage.
8. All structures will be of suitable materials and practical design so as to reasonably ensure a safe and sound structure.
9. A permit for a certain structure or activity does not imply that future dredging proposals will be approved.
10. The proposed structure(s) (including any moored vessels) should be located on the property in accordance with the local zoning requirements.
11. Devices used for shellfish gardening shall be attached directly to a pier and limited to a total of 160 square feet. Property owners will ensure they are in compliance with the Virginia Marine Resource Commission's Regional permit for shell fish gardening and the applicable Special and General conditions of this permit.
12. If the display of lights and signals on the structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained at the expense of the permittee. The USCG may be reached at the following address and telephone number:

Commander (oan), Fifth Coast Guard District, Federal Building, 431 Crawford Street, Portsmouth, Virginia 23704-5004, telephone number (757) 398-6230.

13. If and when the permittee desires to abandon the authorized activity he or she must restore the area to a condition and must obtain written notice from the District Engineer that such restoration is satisfactory to the District Engineer, unless the permittee is transferring his or her interest to a third party. See general condition number 42.
14. The Secretary of the Army or his/her authorized representative may direct the permittee to restore the waterway to its former condition, with no expense to the United States. If the permittee fails to comply with the directive, the Secretary or his/her representative may restore the area to its former condition, by contract or otherwise, and may obtain reimbursement of the cost thereof from the permittee.
15. No activity may cause more than a minimal adverse effect on an adjacent property owner's right of access to navigable waters.
16. Any structure authorized shall be properly maintained, including maintenance to ensure public safety.

VI. GENERAL CONDITIONS:

The following conditions apply to all activities authorized under Regional General Permits (RP).

1. **Geographic jurisdiction.** This regional permit will authorize work undertaken within the geographical limits of the Commonwealth of Virginia under the regulatory jurisdiction of the U.S. Army Corps of Engineers (Corps).
2. **Compliance Certification.** A Certificate of Compliance must be completed and a copy retained for your records. The original Certificate of Compliance shall be mailed to, U. S. Army Corps of Engineers, Regulatory Branch, 803 Front Street, Norfolk, Virginia 23510-1096 within 30 days of completion of the project.
3. **Other permits.** Authorization does not obviate the need to obtain other Federal, state, or local authorizations required by law or to comply with all Federal, state, or local laws.
4. **Minimal effects.** Projects authorized shall have no more than minimal individual or cumulative adverse environmental impacts, as determined by the Corps.
5. **Discretionary authority.** The Norfolk District Corps of Engineers District Engineer retains discretionary authority to require processing of an individual permit based on concerns for the aquatic environment or for any other factor of the public interest (33 CFR Part 320.4(a)). This authority is exercised on a case-by-case basis.
6. **Single and complete projects.** This RP shall only be applied to single and complete projects. A single and complete project means the total project proposed or accomplished by one owner/developer or partnership and which has independent utility. For linear transportation projects with multiple crossings or encroachments a determination of "single and complete" will typically apply to each crossing of waters that occurs (i.e., single waterbody and/or wetlands) at separate and distinct locations and with independent

utility. However, in cases where there are many crossings in close proximity, numerous crossings of the same waterbody, multiple crossings, or multiple encroachments that otherwise may have more than minimal individual or cumulative impacts; the Corps has the discretion to consider all the crossings cumulatively as one single and complete project.

7. **Independent Utility** A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as single and complete projects with independent utility.
8. **Multiple general permit authorizations.** This Regional Permit may be combined with any Corps general permits (including Nationwide (NWP) or Regional Permits (RP) for a single and complete project, as long as the impacts are considered cumulatively and do not exceed the acreage limit or linear foot limits of the RP/ NWP.
9. **Permit on-site.** The permittee shall ensure that a copy of the RP and the accompanying authorization letter are at the work site at all times. These copies must be made available to any regulatory representative upon request. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be expected to comply with all conditions of any general permit authorization.

General Conditions Related to National Concerns:

10. **Historic properties.** (a) In cases where it is determined that the activity may affect properties listed, or eligible for listing on the National Register of Historic Places, the activity is not authorized until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied. (b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the Corps with the appropriate documentation to demonstrate compliance with those requirements. The Corps will review the documentation and determine whether it is sufficient to address Section 106 compliance for the RP activity, or whether additional Section 106 consultation is necessary. (c) Non-federal permittees must submit a statement to the Corps regarding the authorized activity's potential to cause effects to any historic properties listed, or determined to be eligible for listing on the National Register of Historic Places, including previously unidentified properties. The statement must say which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location or potential for the presence of historic resources can be sought from the Virginia Department of Historic Resources (VDHR) (<http://www.dhr.virginia.gov/>) or Tribal Historic Preservation Officer (THPO), as appropriate, and the National Register of Historic Places. Where an applicant has identified historic properties which the proposed activity may have the potential to affect, the applicant shall not begin the activity until notified by the Corps that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed. (d) Prospective permittees should be aware that Section 110(k) of the NHPA

(16 U.S.C. § 470(h)-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effects created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, explaining the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/ THPO, appropriate Indian tribes if the undertaking occurs on or affect historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have legitimate interest in the impacts to the permitted activity on historic properties.

11. **Discovery of Previously Unknown Remains and Artifacts.** If you discover any previously unknown historic, cultural, or archaeological remains and artifacts while accomplishing activity authorized by this permit, you must immediately stop work and notify the Corps of what has been found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The Corps will initiate Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
12. **Tribal rights.** No activity authorized may impair reserved tribal rights, including, but not limited to, reserved water rights, treaty fishing, and hunting rights.
13. **Federal Lands.** Authorized activities shall not impinge upon the value of any National Wildlife Refuge, National Forest, National Park, or any other area administered by the U.S. Fish and Wildlife Service, U.S. Forest Service, or National Park Service unless approval from the applicable land management agency is provided with the permit application.
14. **Endangered species.** (a) No activity is authorized under any RP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will destroy or adversely modify the critical habitat of such species. No activity is authorized under any RP which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed; (b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the District Engineer with the appropriate documentation to demonstrate compliance with those requirements. (c) Non-federal permittees shall notify the District Engineer if any proposed or listed species or proposed or designated critical habitat may be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, and shall not begin work on the activity until notified by the District Engineer that the requirements of the ESA have been satisfied and that the activity is authorized. Information on the location proposed/listed species and proposed/designated critical habitat can be obtained directly from the U.S. Fish and Wildlife (USFWS) online project review process at http://www.fws.gov/northeast/virginiafield/endspecies/Project_Reviews.html and/or the

NOAA Fisheries Service Protected Resources Division (NOAA PRD), at 55 Great Republic Drive, Gloucester, MA 01930 or via telephone at (978) 281-9328, email: <http://www.nero.noaa.gov/protected/index.html>. Notification must include the name(s) of the proposed or listed species and/or proposed or designated critical habitat that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. The District Engineer will determine whether the proposed activity "may affect" or will have "no effect" to proposed or listed species or proposed or designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete notification. In cases where the non-Federal applicant has identified proposed or listed species or proposed or designated critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activities will have "no effect" on proposed or listed species or proposed or designated critical habitat, or until Section 7 consultation has been completed. (d) As a result of formal or informal consultation with the USFWS or NOAA PRD the District Engineer may add species-specific regional endangered species conditions to the RP. (e) Authorization of an activity by a RP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the USFWS or NOAA PRD, both lethal and non-lethal "take" of protected species are in violation of the ESA.

15. **Essential Fish Habitat.** The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-297; 11 October 1996), requires all Federal agencies to consult with the NOAA Fisheries Service Habitat Conservation Division (NOAA HCD) on all actions, or proposed actions, authorized, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). The EFH Designations within the Northeast Region (Maine to Virginia), dated March 1, 1999, has identified EFH for a number of species and their life stages within Virginia waters. If EFH consultation is required with NOAA HCD, the applicant shall not begin work until the Corps has provided notification that the EFH consultation has concluded.
16. **Migratory Birds and Bald and Golden Eagle Protection Act.** The bald eagle (*Haliaeetus leucocephalus*) is no longer a federally listed threatened or endangered species; therefore, the Endangered Species Act provisions are not applicable to this species. The Bald and Golden Eagle Protection Act (BGEPA) does not require that a federal agency involved in permitting the proposed action conduct coordination. The permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with the Migratory Bird Treaty Act or the BGEPA. The applicant should either obtain "take" permit or a letter of concurrence from USFWS indicating that a permit is not necessary prior to initiating construction activities. You should contact USFWS concerning this matter at U.S. Fish and Wildlife Service, Virginia Field Office, ATTN: Kim Smith, 6669 Short Lane, Gloucester, VA 23061. Information on active bald eagle nests and concentration areas can be obtained in Step 6 of the U.S. Fish and Wildlife Service's online project review system available at: http://www.fws.gov/northeast/virginiafield/endspecies/Project_Reviews_Introduction.html.

17. **Wild and Scenic Rivers.** Currently, there are no designated Wild and Scenic Rivers in the Commonwealth of Virginia; however, the portion of the Upper New River from Glen Lyn, Virginia to the West Virginia/Virginia state line was designated a "study river" by Congress on October 26, 1992. No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river has determined, in writing, that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Impacts that occur in these resource areas will require coordination with the appropriate Federal agency.
18. **Federal navigation project.** Authorized activities may not interfere with any existing or proposed Federal navigation projects.
19. **Navigation.** (a) No authorized activity may cause more than a minimal adverse effect on navigation. (b) 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/her 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, 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.
20. **Floodplains.** All practicable efforts shall be made to conduct the work authorized by this RP in a manner so as to avoid any adverse impact on the Federal Emergency Management Agency (FEMA) designated 100-year floodplain.
21. **Real estate.** Activities authorized under this RP do not grant any Corps or Federal real estate rights. If real estate rights are needed from the Corps, you must contact the Corps Real Estate Office at (757) 201-7735 or at the address listed on the front page of this permit.
22. **Environmental Justice.** Activities authorized under this RP must comply with Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations".
23. **Federal liability.** In issuing this RP, the Federal government does not assume any liability for the following: (a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; (b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest; (c) damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this RP; (d) design or construction deficiencies associated with the permitted work; (e) damage claims associated with any future modification, suspension, or revocation of this permit.

General Conditions Related to Minimizing Environmental Impacts:

24. **Avoidance and minimization.** Except as provided under section 404(b)(2), no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences.(40 CFR Part 230.10(a) Section 404 (b)(1) Guidelines).
25. **Mitigation.** Mitigation in all its forms (avoiding, minimizing, or compensating for resource losses) may be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal. The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site)."
26. **Heavy equipment in wetlands.** Heavy equipment working in wetlands must be placed on mats or other measures must be taken to minimize soil disturbance.
27. **Temporary fills.** All temporarily disturbed waters and wetlands must be restored to preconstruction contours within 6 months of commencing the temporary impact's construction. Impacts that will not be restored within 6 months (calculated from the start of the temporary impacts construction) will be considered permanent unless otherwise approved by the RP. Following restoration of contours, the soil in wetlands must be mechanically loosened to a depth of 12 inches, and the wetlands must then be seeded or sprigged with appropriate native wetland vegetation.
28. **Sedimentation and erosion control.** Appropriate erosion and sediment controls must be employed and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark, must be permanently stabilized at the earliest practicable date.
29. **Aquatic life movements.** No authorized activities may substantially disrupt the necessary life cycle movements of aquatic life indigenous to the waterbody, including those species which normally migrate through the area, unless the activity's primary purpose is to impound water. The Corps has determined that fish and wildlife are most often present in any stream being crossed, in the absence of evidence to the contrary. All permanent and temporary crossings of water bodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. This includes providing invert elevations of culverts at or below the streambed to ensure unrestricted passage of aquatic organisms, where possible.
30. **Discharge of pollutants.** All authorized activities involving any discharge of pollutants into waters of the United States shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the CWA (33 U.S.C. § 1251 *et seq.*) and applicable state and local laws. No discharge of dredged or fill material in association with this authorization may consist of unsuitable material such as trash, debris, car bodies, asphalt, etc.
31. **Obstruction of high flows.** Discharges of dredged or fill material must not permanently restrict or impede the passage of normal or expected high flows.
32. **Waterbird breeding areas.** Discharges of dredged or fill material into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

33. **Native trout and anadromous fishes.** Authorizations for discharges of dredged or fill material into native trout waters or anadromous fish use areas will be conditioned to limit in-stream work within timeframes recommended by the DGIF and/or NOAA Fisheries Service. Coordination with DGIF and/or NOAA Fisheries Service will be conducted by the Corps. The applicant shall not begin work until notification is received that all coordination has been completed and/or the Corps has provided the applicant with the appropriate time of year restrictions regarding work in native trout waters or anadromous fish use areas.
34. **Water supply intakes.** No discharge of dredged or fill material may occur in the proximity of a public water supply intake except where the discharge is for adjacent bank stabilization and/or the Corps has provided specific authorization under this permit.

General Procedural Conditions:

35. **Inspections.** A copy of this permit and any verification letter must be provided to the contractor and made available at the project site to any regulatory representative. The permittee understands and agrees that the Corps are permitted and allowed to make periodic inspections at any time the Corps deems necessary in order to assure that the activities being performed under authority of this permit are in accordance with the terms and conditions prescribed herein. The Corps reserves the right to require post-construction engineering drawings and/or surveys of any work authorized under this RP, as deemed necessary on a case-by-case basis.
36. **Maintenance.** The permittee shall maintain the work authorized herein in good condition and in conformance with all terms and conditions of this permit. All fills shall be properly maintained to ensure public safety.
37. **Property rights.** This General Permit does not convey any property rights, either in real estate or material, or convey any exclusive privileges, nor does it authorize any injury to property or invasion of rights or any infringement of Federal, state, or local laws or regulations.
38. **Modification, suspension, and revocation.** This RP may be either modified, suspended, or revoked in whole or in part pursuant to the policies and procedures of 33 CFR Part 325.7. Any such action shall not be the basis for any claim for damages against the United States.
39. **Restoration directive.** The permittee, upon receipt of a restoration directive, shall restore the waters of the United States to their former conditions without expense to the United States and as directed by the Secretary of the Army or his/her authorized representative. If the permittee fails to comply with such a directive, the Secretary or his/her designee, may restore the waters of the United States to their former conditions, by contract or otherwise, and recover the cost from the permittee.
40. **Special conditions.** The Corps may impose other special conditions on a project authorized pursuant to this RP that are determined necessary to minimize adverse navigational and/or environmental effects or based on any other factor of the public interest. Failure to comply with all general conditions of the authorization, including special conditions, constitutes a permit violation and may subject the permittee, or his/her contractor, to criminal, civil, or administrative penalties and/or restoration.

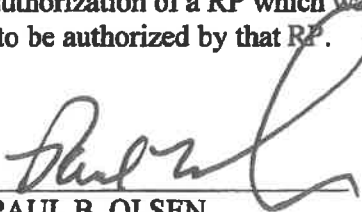
41. **False or incomplete information.** In granting authorization pursuant to this permit, the Corps has relied upon information and data provided by the permittee. If, subsequent to notification by the Corps that a project qualifies for this permit, such information and data prove to be materially false or materially incomplete, the authorization may be suspended or revoked, in whole or in part, and/or the United States may institute appropriate legal proceedings.
42. **Abandonment.** If the permittee decides to abandon the activity authorized under this RP, unless such abandonment is merely the transfer of property to a third party, he/she may be required to restore the area to the satisfaction of the Corps.
43. **Transfer of authorization.** In order to transfer authorization under this RP, the transferee or permittee must supply the Corps with a written and signed, by all appropriate parties, request to make such a transfer. Such transfer is not effective until written approval has been granted by the Corps.
44. **Binding effect.** The provisions of the permit authorization shall be binding on any assignee or successor in interest of the original permittee.

General Conditions Regarding Duration of Authorizations, Time Extensions for Authorizations, and Permit Expiration:

45. **Duration of Activity's Authorization.** Activities authorized under 13-RP-17 must be completed by August 14, 2018. If this RP is reissued at that time, and if this work has not been started or completed, but the project continues to meet the terms and conditions of the revalidated RP, then the project will continue to be authorized. The Corps will issue a special public notice announcing any changes to the Regional Permits when they occur; however, it is incumbent upon you to remain informed of changes to the RPs. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon this RP that do not meet the terms and conditions of the revalidated RP will remain authorized provided the activity is completed within twelve months of the date of this RP's expiration (i.e. August 14, 2019), unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR Part 325.7(a-e). If work cannot be completed by August 14, 2019, you must reapply for separate permit authorization in order to meet current permit criteria.
46. **Expiration of 13-RGP-17.** Unless further modified, suspended, or revoked, this general permit will be in effect until August 14, 2018. Upon expiration, it may be considered for revalidation. Activities completed under the authorization of a RP which was in effect at the time the activity was completed continue to be authorized by that RP.

AUG 13 2013

Date


PAUL B. OLSEN
Colonel, Corps of Engineers
Commanding

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I, _____, own land next to or across the water from
(ADJACENT PROPERTY OWNER'S NAME PRINTED)

the land of _____. I have reviewed the applicant's project drawings dated
(APPLICANT'S NAME)

_____ to be submitted for all necessary Local, State, and Federal permits.
(DATE)

I ☐ HAVE NO COMMENT ☐ DO NOT OBJECT ☐ DO OBJECT to the project.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form, please be sure you have checked the appropriate box above.)

ADJACENT PROPERTY OWNER'S SIGNATURE

DATE

NOTE: IF YOU OBJECT TO THE PROPOSAL - THE REASONS YOU OPPOSE THE PROJECT MUST BE SUBMITTED IN WRITING. AN OBJECTION WILL NOT NECESSARILY RESULT IN DENIAL OF THE PROJECT, BUT, VALID COMPLAINTS WILL BE GIVEN FULL CONSIDERATION DURING THE PERMIT REVIEW PROCESS.

NAO FM 1020, Rev. 15 APR 93

NOTE: Please photocopy this form if additional copies are needed.

NAO FM 1021, Rev 30 APR 93

AGENT CERTIFICATION OF AUTHORIZATION

I _____ hereby certify that I have authorized _____ to act on my behalf and
(APPLICANT'S NAME) (AGENT'S NAME)

take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached.

We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

APPLICANT'S SIGNATURE

AGENT'S SIGNATURE

DATE

DATE

Completion of this form will allow the agent to sign all future application correspondence. Also, please provide the name(s) and complete address(es) of all legal property owner(s) as shown on your recorded deed.

APPLICANT'S AND CONTRACTOR'S ACKNOWLEDGEMENT FORM

I, _____ have contracted _____
(APPLICANT'S NAME) (CONTRACTOR/COMPANY NAME)
to perform the work described in the application signed and dated _____
(DATE)

We will read and abide by all conditions as set forth in all Local, State, and Federal permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Local, State, and Federal statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. **SEE FEDERAL PENALTIES FOR VIOLATIONS AND RELATED STATE CODES.**

In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all terms and conditions.

APPLICANT'S SIGNATURE

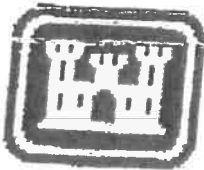
DATE

CONTRACTOR'S SIGNATURE AND TITLE
(if applicable)

DATE

CONTRACTOR'S NAME (PRINTED/TYPED)
OR NAME OF FIRM

CONTRACTOR'S OR FIRM'S ADDRESS



Department of the Army
U.S. Army Corps of Engineers
Norfolk District
Southside Field Office
Post Office Box 121
Nottoway, Virginia 23955

Facsimile Header

FROM:	Edward Graham	OFFICE SYMBOL:	
PHONE:	804-645-8986	FAX:	804-645-8783

TO: DEE HARTMAN	OFFICE SYMBOL:
PHONE:	FAX:

TOTAL PAGES (Incl Header)	#PAGES	DATE	PRECEDENCE
1		6-2-97	

RELEASEE'S SIGNATURE:

Edward Graham

REMARKS

THE CORPS WILL NOT REQUIRE A PERMIT FOR
THE CONSTRUCTION OF ANY BOAT DOCK OR PIER WITHIN
LAKE CHESDIN.

HOPE THIS HELPS.

edg

PIERS AND DOCKS

SPECIFICATIONS:

- A. Structures shall be built between property lines extended into the water and generally at right angles to the shoreline. If this does not effect fair division of space with your neighbor, this consent will be revised to mutually agreed lines.
- B. Structures must be located no closer than 15 feet from adjoining property lines unless written permission is obtained from such adjoining property owner and attached to the agreement between the property owner and Authority as being a part thereof.
- C. Structures, whether permanent, floating or a combination of both may generally be up to 30 feet in length provided in the opinion of the Authority they do not interfere with navigation or rights of others. In some locations such as narrow coves, the maximum length may not be permitted or piers and docks may not be permitted at all. In unusual circumstances, longer piers may be allowed. In coves a dock or pier cannot extend more than $\frac{1}{4}$ of the cove width. Piers or dock must not interfere with normal navigation.
- D. Wood used in construction must be pressure-treated.
- E. Decking, pilings and beams of structures must be of adequate construction to accommodate load requirements of the local building code.
- F. For all new or replacement of floating piers or docks, floatation units shall be constructed of material which will not become waterlogged or sink when punctured.
- G. Piers and Docks shall not be used for human habitation. Household furnishings such as sinks, toilets, showers, etc., are not permitted on these structures.
- H. Metal pilings or beams must be designed by a structural engineer and include a stamps design.
- I. These structures will not normally require Corps of Engineer inspection if signed RP-17 is included with the application.

APPENDIX A - PRIVATE PIERS AND MARGINAL WHARVES

PLEASE COMPLETE THE CHECKLIST AND ANSWER THE QUESTIONS. THE DRAWINGS MUST CONTAIN THE FOLLOWING INFORMATION OR THEY WILL BE RETURNED AS INCOMPLETE:

Plan View Drawing

- _____ north arrow
- _____ waterway name
- _____ existing structures
- _____ benchmarks showing distances to fixed points of reference
- _____ mean low water and mean high water lines (tidal)
- _____ ordinary high water line (nontidal)
- _____ location of vegetated wetlands at the project site
- _____ shoreline, property lines, and location of adjacent property owners (if in a cove or the waterway is less than 500 feet wide, also show the location of the property owner across from the site)
- _____ distance the proposed structure will be located from the adjoining property lines
- _____ width of the waterway (measuring from mean high water to mean high water (tidal) or ordinary high water to ordinary high water (nontidal))
- _____ ebb and flood (tidal) or direction of flow (nontidal)
- _____ location and distance from existing channels (marked and/or unmarked)
- _____ soundings taken at mean low water (tidal) or at full pool level (nontidal) at 10-foot intervals
- _____ channelward encroachment (including mooring piles) relative to mean high and mean low water lines
- _____ dimensions of pier and all L/T-head section, platform, or deck
- _____ distance between the structure and mooring piles

Note: The sample drawing on the next page shows the kinds of information required for the Plan View and Section View. They do not both have to be shown on the same piece of paper. Drawings must be clear, but need not be prepared by a draftsman.

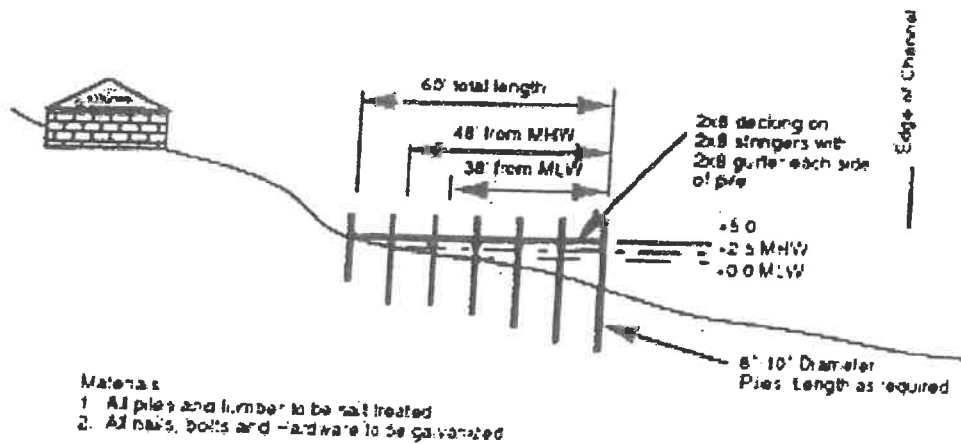
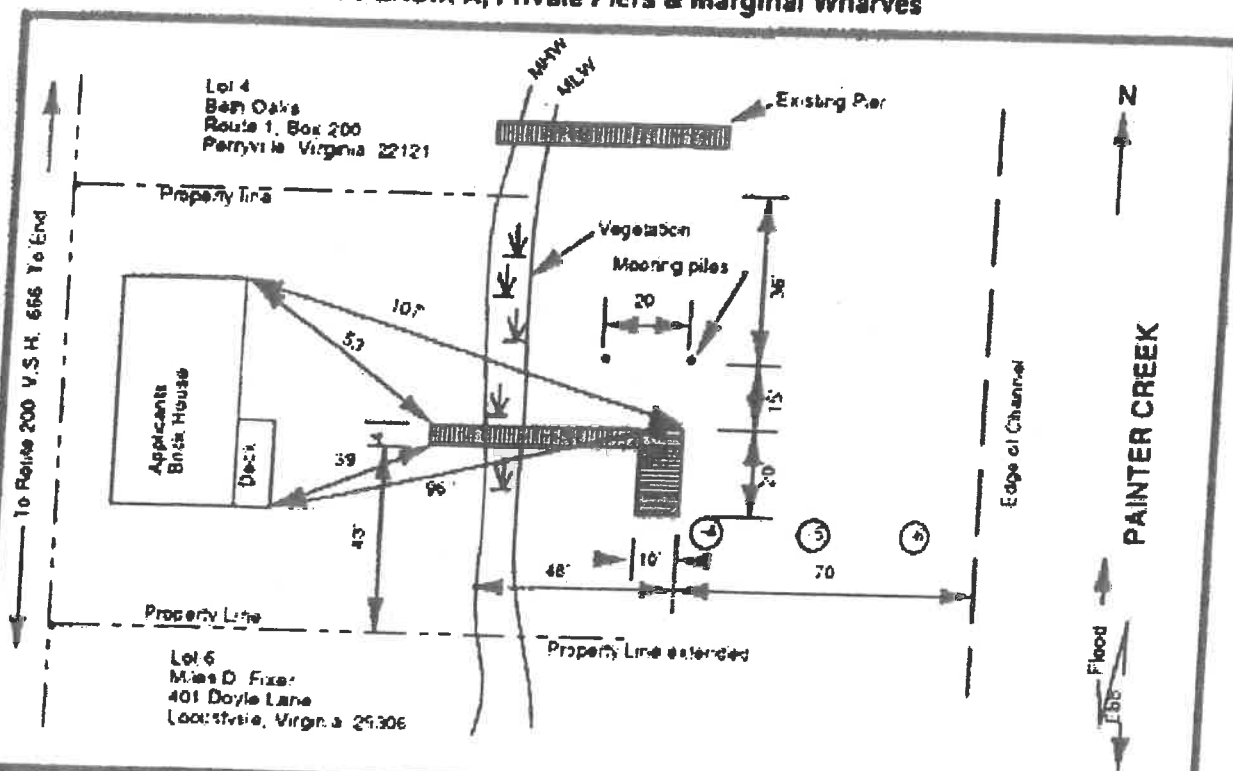
Side View Drawing

- _____ existing contours of the bottom and marsh peat surface
- _____ mean high and mean low water levels (tidal areas)
- _____ ordinary high water level (nontidal areas)
- _____ height of pier over existing bottom or marsh peat surface

_____ **Vicinity Map** The name of the map from which the vicinity map was taken and the exact location of the project site must be included (U.S.G.S. quad sheet, street map, or county map is preferred).

1. Number of vessels to be moored at the pier: _____
2. Provide the registration number of vessel(s):
registration _____ type of vessel _____
registration _____ type of vessel _____
registration _____ type of vessel _____
3. Give type (e.g. sail, power, skiff, etc.) and size of vessel(s) to be moored at the pier:
_____ type _____ length _____ width _____ draft _____
_____ type _____ length _____ width _____ draft _____
_____ type _____ length _____ width _____ draft _____

APPENDIX A, Private Piers & Marginal Wharves



Adjacent Property Owners:

1. Ben Oaks
2. Miss D. Fizer

Plan &
Cross Sectional
View
Evans Pier Project
Scale 1" = 40'

Proposed private pier project
in Painter Creek at Marsh Bay

County of West
Applicant J. J. Evans

Sheet 1 of 1 Date 1-29-92

BOAT-HOUSES AND BOAT-SHELTERS

SPECIFICATIONS:

- A. Structures shall be built between property lines extended into the water and generally at right angles to the shoreline. If this does not effect fair division of space with your neighbor, this consent will be revised to mutually agreed lines.
- B. Structures must be located no closer than 15 feet from adjoining property lines unless written permission is obtained from such adjoining property owner and attached to the agreement between the property owner and Authority as being a part thereof.
- C. Boat-houses and Boat-shelters, may generally be up to 400 sq. feet in overall size provide they do not interfere with navigation. In some locations such as narrow coves, the maximum length may not be permitted or boat-houses and boat-shelters may not be permitted at all. Normally structures extending more than fifteen feet above the normal water line (158' above mean sea level) will not be allowed. In coves a dock or pier cannot extend more than $\frac{1}{2}$ of the cove width. Piers or dock must not interfere with normal navigation.
- D. Wood used in construction must be pressure treated.
- E. Metal pilings or beams which may be used shall have a minimum section thickness of 3/16 inch. Local building codes prevail on structural member sizes and loading requirements.
- F. Boat-houses and Boat-shelters shall not be used for human habitation. Household furnishing such as sinks, toilets, showers, etc., are not permitted inside or on top of these structures.
- G. These structures will not normally require Corps of Engineer inspection if signed RP-17 is included with the applicattion.

APPENDIX B-BOATHOUSES

PLEASE COMPLETE THE CHECKLIST AND ANSWER THE QUESTIONS. THE DRAWINGS MUST CONTAIN THE FOLLOWING INFORMATION OR THEY WILL BE RETURNED AS INCOMPLETE:

Plan View Drawing

Note: The sample drawing on the next page shows the kinds of information required for the Plan View and Section View. They do not both have to be shown on the same piece of paper. Drawings must be clear, but need not be prepared by a draftsman.

- _____ north arrow
- _____ waterway name
- _____ existing structures
- _____ benchmarks showing distances to fixed points of reference
- _____ mean low water and mean high water lines (tidal)
- _____ ordinary high water line (nontidal)
- _____ location of vegetated wetlands at the project site
- _____ shoreline, property lines, and location of adjacent property owners (if in a cove or the waterway is less than 500 feet wide, also show the location of the property owner across from the site)
- _____ width of the waterway (measuring from mean high water to mean high water (tidal) or ordinary high water to ordinary high water (nontidal))
- _____ ebb and flood (tidal) or direction of flow (nontidal)
- _____ location and distance from existing channels
- _____ channelward encroachment (including mooring piles) relative to mean high and mean low water lines
- _____ dimensions of the boathouse, catwalks, or other structures
- _____ distance between the structure and mooring piles
- _____ soundings taken at mean low water (tidal) or at ordinary high water (nontidal) at 10-foot intervals

End View Drawing

- _____ mean high and mean low water levels (tidal)
- _____ ordinary high water level (nontidal)
- _____ dimensions of the proposed boathouse
- _____ height above mean high and mean low water level
- _____ material to be used for construction

_____ **Vicinity Map** The name of the map from which the vicinity map was taken and the exact location of the project site must be included (U.S.G.S. quad sheet, street map, or county map is preferred).

1. Give type (e.g. sail, power, skiff, etc.) and size of vessel(s) to be moored at the boathouse:

_____ type _____ length _____ width _____ draft
_____ type _____ length _____ width _____ draft
_____ type _____ length _____ width _____ draft

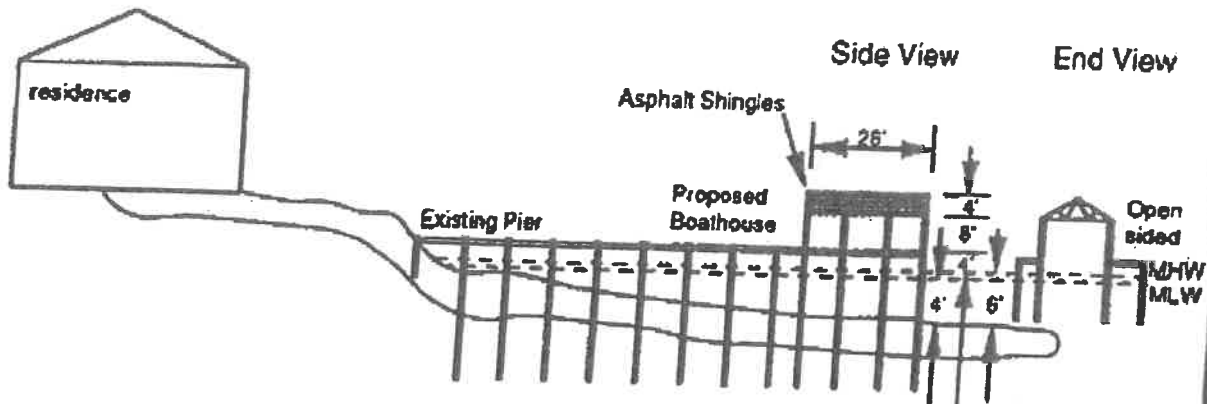
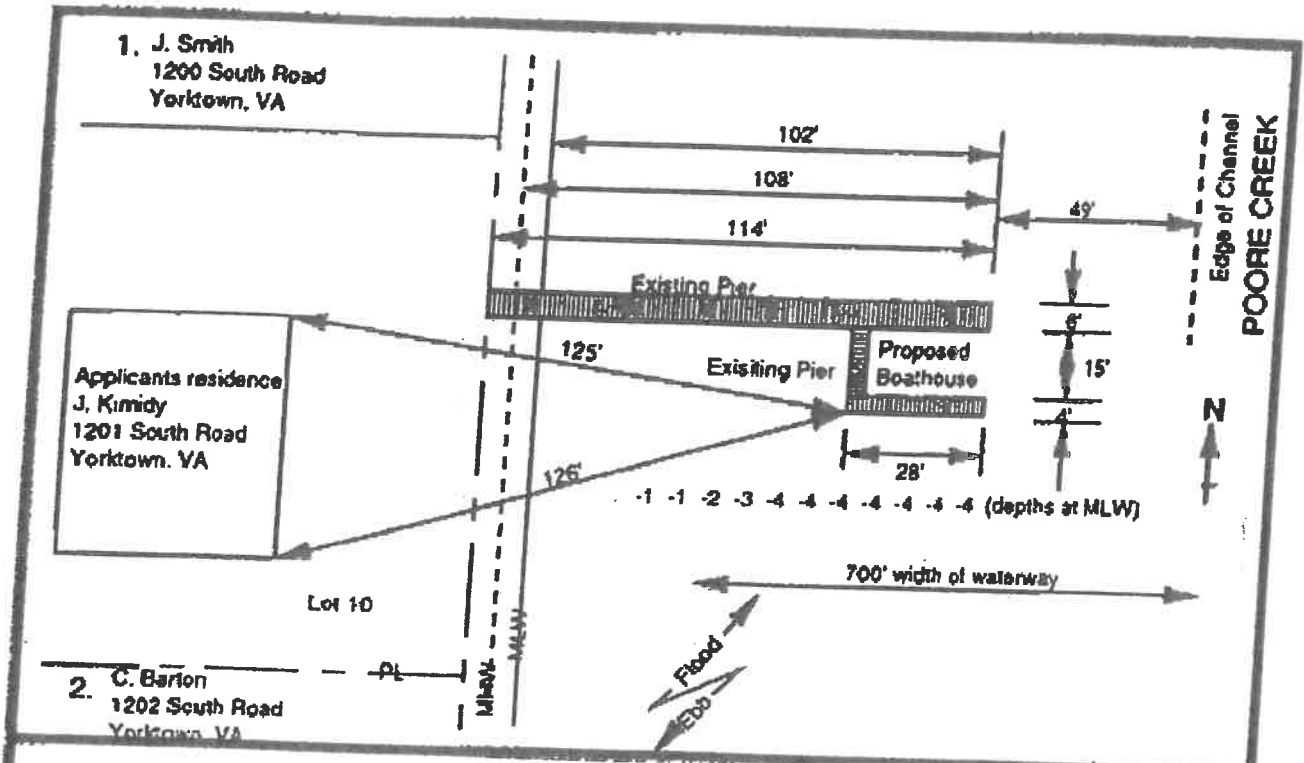
2. Will the sides of the boathouse be enclosed? _____ Yes _____ No

3. Provide the registration number of vessel(s):

registration _____
registration _____
registration _____

type of vessel _____
type of vessel _____
type of vessel _____

APPENDIX B, Boathouses



Adjacent Property Owners:

1. J. G. Smith
2. C. E. Barion

Plan & Cross Sectional View J. Kimidy Boathouse Scale 1" = 40'

Proposed Boathouse
In Poore Creek at Isle of Wight

County of West

Applicant J. Kimidy

Sheet 1 of 1 Date 1/29/92

APPENDIX C --MARINAS AND COMMUNITY PIERS

PLEASE COMPLETE THE CHECKLIST AND ANSWER THE QUESTIONS. THE DRAWINGS MUST CONTAIN THE FOLLOWING INFORMATION OR THEY WILL BE RETURNED AS INCOMPLETE:

Plan View Drawing

- ☐ north arrow
- ☐ waterway name
- ☐ existing structures
- ☐ benchmarks showing distances to fixed points of reference
- ☐ mean low water and mean high water lines (tidal)
- ☐ ordinary high water line (nontidal)
- ☐ location of vegetated wetlands at the project site
- ☐ shoreline, property lines, and location of adjacent property owners (if in a cove or the waterway is less than 500 feet wide, also show the location of the property owner across from the site)
- ☐ width of the waterway (measuring from mean high water to mean high water (tidal) or ordinary high water to ordinary high water (nontidal))
- ☐ ebb and flood (tidal) or direction of flow (nontidal)
- ☐ location and distance from existing channels
- ☐ channelward encroachment (including mooring piles) relative to mean high and mean low water lines
- ☐ length, width and other pertinent dimensions of the structures
- ☐ distance between the structures and mooring piles
- ☐ soundings taken at mean low water (tidal) or at ordinary high water (nontidal) at 10-foot intervals
- ☐ proposed structures for collection and handling of hazardous material (include settling tanks for collection of travel lift washdown water, paint chips, etc.)
- ☐ location of gasoline storage tanks

Cross Section Drawing

- ☐ dimensions of covered structures including roof height above mean high and mean low water level
- ☐ material to be used for construction
- ☐ existing contours of the bottom
- ☐ mean high and mean low water levels (tidal)
- ☐ ordinary high water level (nontidal)
- ☐ height above mean high/mean low/ordinary high water line
- ☐ height of structure(s) over the bottom or marsh peat surface

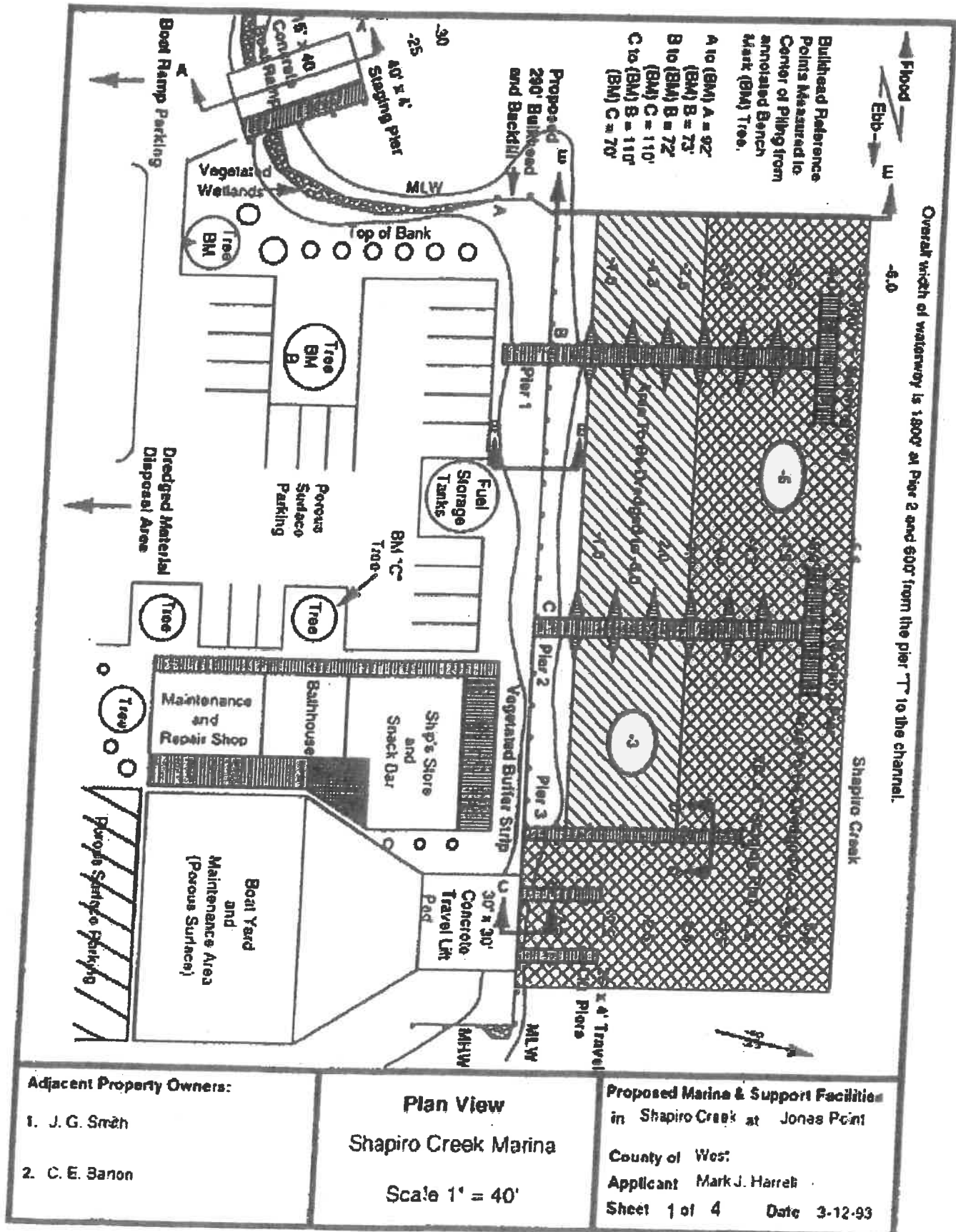
☐ **Vicinity Map** The name of the map from which the vicinity map was taken and the exact location of the project site must be included (U.S.G.S. quad sheet, street map, or county map is preferred).

1. Have you obtained the State Health Department's approval for sanitary facilities?
☐ Yes ☐ No (You are required to obtain this approval or a variance before a VMRC permit can be issued.)
2. Will petroleum products or other hazardous materials be stored or handled at the facility?
☐ Yes ☐ No If your answer is yes, please include your spill contingency plan
3. Will the facility be equipped to offload sewage from boats? ☐ Yes ☐ No
4. Indicate the number and type of slips:

	Wet Slips	Dry Storage
Existing		
Proposed		

THE DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIRES APPLICANTS TO SUBMIT THE ADDENDUM LOCATED AT THE END OF THIS APPLICATION

APPENDIX C, Marinas



APPENDIX E - BOAT RAMPS

PLEASE COMPLETE THE CHECKLIST AND ANSWER THE QUESTIONS. THE DRAWINGS MUST CONTAIN THE FOLLOWING INFORMATION OR THEY WILL BE RETURNED AS INCOMPLETE:

Plan View Drawing

- _____ north arrow
- _____ waterway name
- _____ existing structures
- _____ benchmarks showing distances to fixed points of reference
- _____ mean low water and mean high water lines (tidal)
- _____ ordinary high water line (nontidal)
- _____ location of vegetated wetlands at the project site
- _____ shoreline, property lines, and location of adjacent property owners
- _____ width of the waterway (measuring from mean high water to mean high water (tidal) or ordinary high water to ordinary high water (nontidal))
- _____ ebb and flood (tidal) or direction of flow (nontidal)
- _____ dimensions of ramp
- _____ location and distance from existing channels
- _____ channelward encroachment relative to mean high and mean low water lines

Note: The sample drawing on the next page shows the kinds of information required for the Plan View and Section View. They do not both have to be shown on the same piece of paper. Drawings must be clear, but need not be prepared by a draftsman.

Cross Section Drawing

- _____ material to be used for construction
- _____ existing contours of the bank and surface
- _____ mean high and mean low water levels (tidal)
- _____ ordinary high water level (nontidal)

Vicinity Map The name of the map from which the vicinity map was taken and the exact location of the project site must be included (U.S.G.S. quad sheet, street map, or county map is preferred).

1. Will any excavation be required to construct the boat ramp? ____ Yes ____ No
If yes, explain how and where you plan on disposing of the excavated material: _____

2. What type of design and materials will be used (e.g. open pile design with salt treated lumber or concrete slab on gravel bedding, etc.)? _____

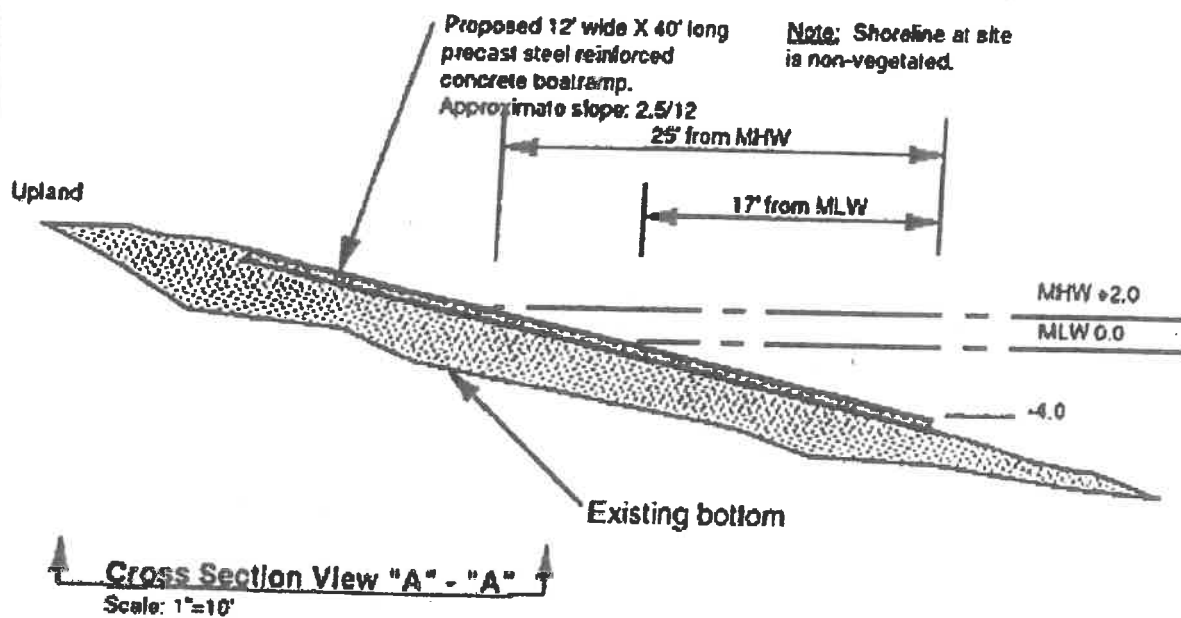
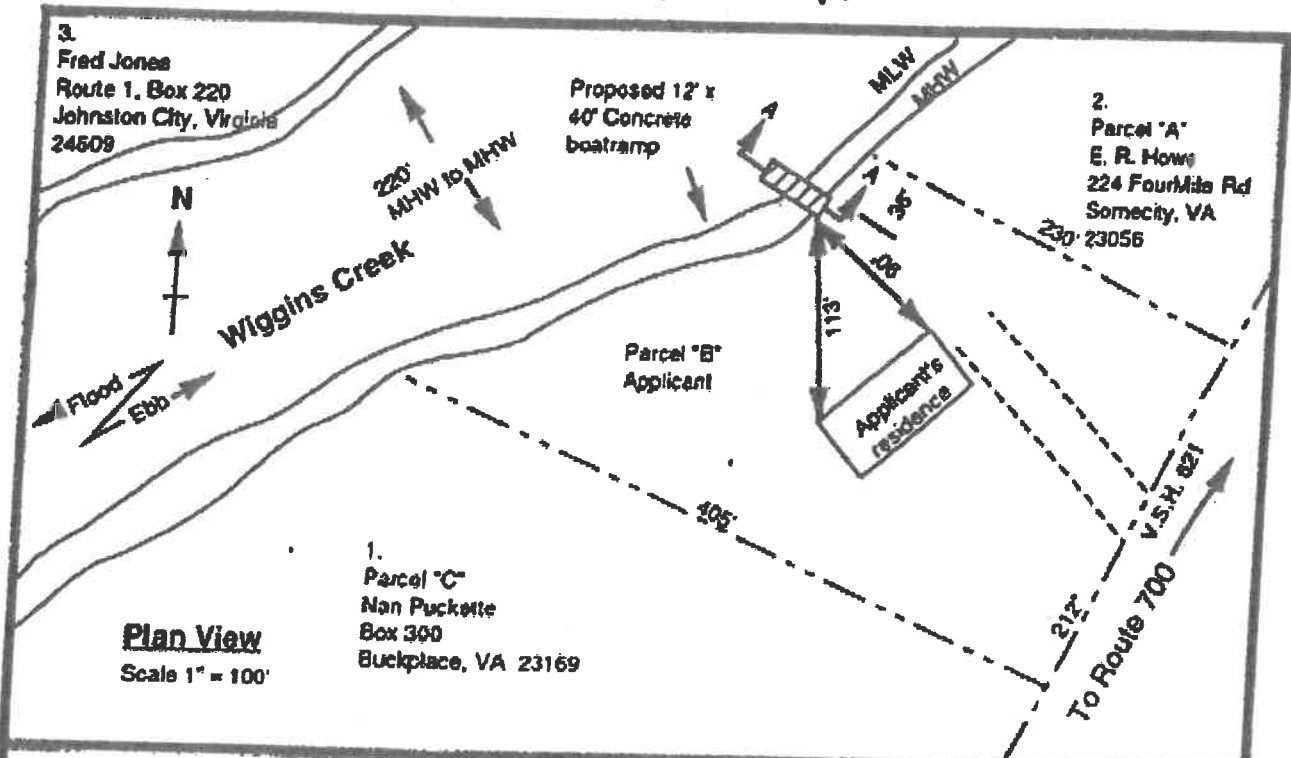
3. Please give the location of the nearest public boatramp: _____

4. Will any other structures be installed concurrent with the boatramp installation (e.g. tending pier, groin, etc.)? ____ Yes ____ No If "Yes", please include the appropriate appendices.
5. Will any portion of the project be placed on wetlands? ____ Yes ____ No
If your answer is yes, indicate the square footage and type of area(s) to be impacted:

	Tidal	Nontidal
Vegetated wetlands	sf	sf
Non-vegetated wetlands	sf	-----
Subaqueous land	sf	sf

FOR COMMERCIAL BOATRAMPs, THE DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIRES APPLICANTS TO SUBMIT THE ADDENDUM LOCATED AT THE END OF THIS APPLICATION

APPENDIX E, Boat Ramps



Adjacent Property Owners:

1. Nan Puckette
2. Elizabeth R. Howe
3. Fred Jones

Plan & Cross Sectional View

Hill Boatramp Project

Proposed boatramp project
in Wiggins Creek at Lewisville Bay

County of West
Applicant Carlton L. Hill

Sheet 1 of 1 Date 3-19-93

BULKHEAD AND RIPRAP

SPECIFICATIONS

- A. Bulkhead or riprap material may be placed between property lines extended into the water. If this does not effect fair division of space with your neighbor, this consent will be revised to mutually agreed lines.
- B. Bulkhead or riprap may be located up to the adjoining property lines.
- C. Bulkhead and riprap material must be positioned to extend into lake no more than the normal elevation contour line (158 feet above mean seal level, the dam spill way top elevation).
- D. The bulkhead must be constructed prior to any backfilling activities.
- E. All bulkhead backfill and riprap materials must be obtained from an upland source.
- F. The bulkhead must be a solid structure constructed of treated wood, concrete slabs, metal sheet piles, or similar materials. A structure made of tires, riprap rubble, asphalt, car bodies, tree limbs, or similar materials is not considered a bulkhead and are not allowed within the project boundaries of the Lake.
- G. The bulkhead must be structurally tight so as to prevent seepage of backfill material through the bulkhead or filter cloth and gravel may be used.
- H. Riprap material must consist of clean rock or masonry materials such as marl, brick, or broken concrete. Materials such as tires, car bodies, scrap metal, paper products, tree limbs, wood debris or similar material are not considered riprap and are not allowed within the project boundaries of the Lake.
- I. No excavation is permitted except for that which may be required for installation of the bulkhead wall, deadmen, cables, etc.
- J. This type of structure will require Corp of Engineer inspection and approval.

Dee Hartman

From: Graham, Edward B NAO02 [Edward.B.Graham@NAO02.USACE.ARMY.MIL]

Sent: Wednesday, May 29, 2002 3:08 PM

To: Dee Hartman

Subject: Conditions

Bank stabilization activities necessary for erosion prevention provided the activity meets all of the following criteria:

- a. No material should be placed in excess of the minimum needed for erosion protection;
- b. The bank stabilization activity should be less than 500 feet in length;
- c. The activity will not exceed an average of one cubic yard per running foot placed along the bank below the plane of the ordinary high water mark;
- d. No material should be placed in any special aquatic site, including wetlands;
- e. No material is of the type or is placed in any location or in any manner so as to impact surface water flow into or out of any wetland area;
- f. No material is placed in a manner that will be eroded by normal or expected high flows (properly anchored trees and tree tops may be used in low energy areas); and,
- g. The activity is part of a single and complete project.
- h. Provide a detailed plan for approval with cross sections and dimensions for evaluation. The plan should identify jurisdictional waters and wetlands.

<<~AUT0013.jpg>>

Dredging

- a. Provide a detailed plan for approval with cross sections, dimensions and quantities for evaluation. The plan should identify jurisdictional waters and/or wetlands.
- b. Any proposed dredge areas are to connect to existing lake bottoms.
- c. Dead end canals are considered undesirable.
- d. All excavated materials must be removed entirely to an approved high ground location and secured to prevent reentering the water.
- e. Wetlands dredging is considered undesirable.
- f. The activity is part of a single and complete project.

<<~AUT0014.jpg>>

5/30/2002

APPENDIX F - BULKHEADS & ASSOCIATED BACKFILL

PLEASE COMPLETE THE CHECKLIST AND ANSWER THE QUESTIONS. THE DRAWINGS MUST CONTAIN THE FOLLOWING INFORMATION OR THEY WILL BE RETURNED AS INCOMPLETE:

Plan View Drawing

- _____ north arrow
- _____ waterway name
- _____ existing structures
- _____ benchmarks showing distances to fixed points of reference
- _____ mean low water and mean high water lines (tidal)
- _____ ordinary high water line (nontidal)
- _____ channelward encroachment relative to mean high/mean low/ordinary high water lines
- _____ location of vegetated wetlands at the project site
- _____ shoreline, property lines, and location of adjacent property owners
- _____ ebb and flood (tidal) or direction of flow (nontidal)
- _____ return walls (if applicable)
- _____ connection with existing bulkhead(s) (if applicable)
- _____ proposed riprap scour protection (if applicable)
- _____ proposed backfill
- _____ length of bulkhead

Note: The sample drawing on the next page shows the kinds of information required for the Plan View and Section View. They do not both have to be shown on the same piece of paper. Drawings must be clear, but need not be prepared by a draftsman.

Cross Section Drawing

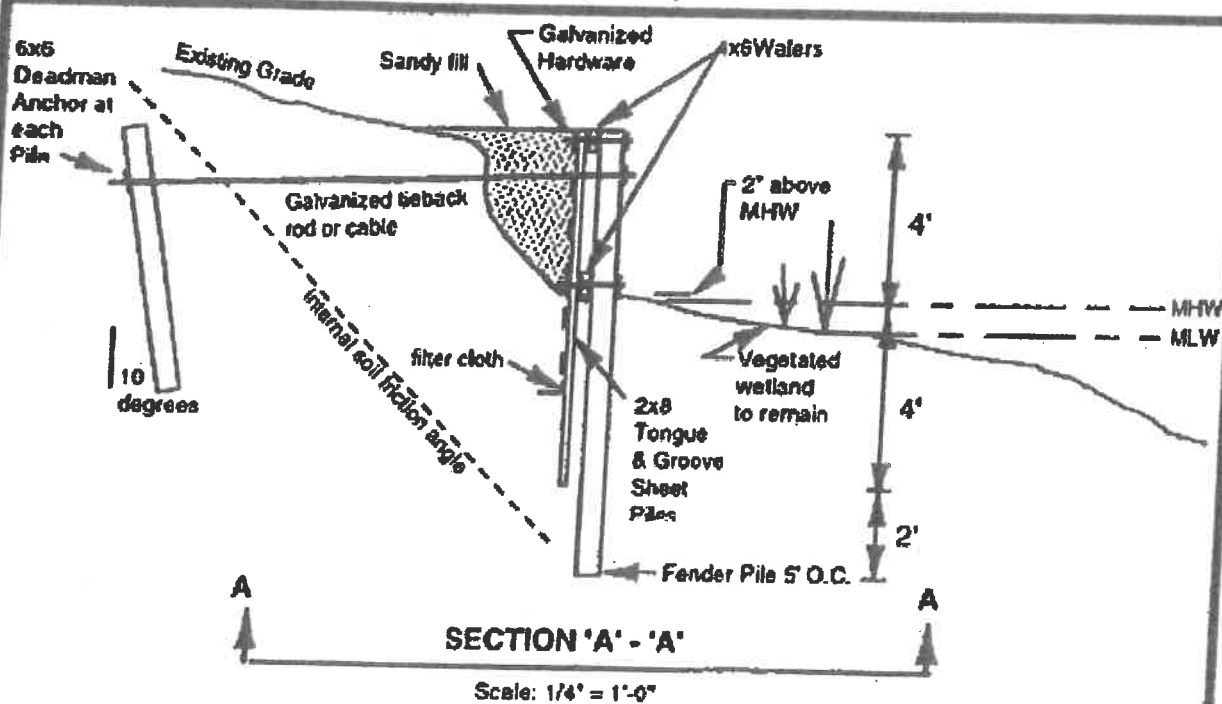
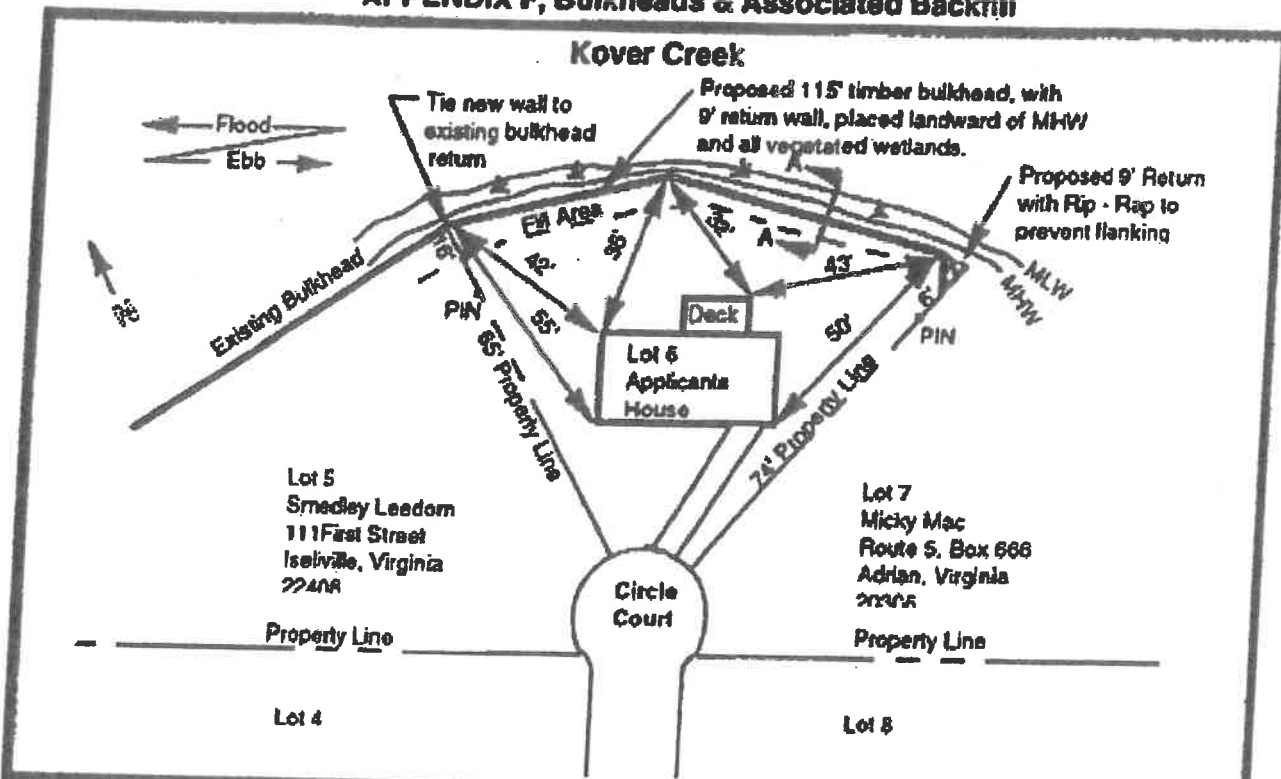
- _____ design & dimensions including all structural components (i.e. deadmen, knee braces, sheeting, etc.)
- _____ material to be used for construction
- _____ existing contours of the bottom and marsh peat surface
- _____ mean high and mean low water levels (tidal)
- _____ ordinary high water level (nontidal)
- _____ proposed backfill
- _____ base width and height of proposed riprap scour protection (if applicable)
- _____ filter cloth

_____ **Vicinity Map** The name of the map from which the vicinity map was taken and the exact location of the project site must be included (U.S.G.S. quad sheet, street map, or county map is preferred).

1. a) Is any portion of the project maintenance or replacement of an existing and currently serviceable bulkhead and/or backfill? _____ Yes _____ No Linear feet existing: _____
 b) If yes, is it possible to construct the new bulkhead no greater than 2 feet channelward of the existing bulkhead? _____ Yes _____ No If your answer is "No", explain: _____
2. Describe type of construction and materials to be used, including source of backfill material and its composition (e.g. 80% sand, 15% clay and 5% silt), and all fittings for the bulkhead: _____
3. Will any portion of the project be placed on wetlands or subaqueous land? _____ Yes _____ No
 If your answer is yes, indicate the square footage and type of area(s) to be impacted:

	Tidal	Nontidal
Vegetated wetlands	_____ sf	_____ sf
Non-vegetated wetlands	_____ sf	_____ sf
Subaqueous land	_____ sf	_____ sf

APPENDIX F, Bulkheads & Associated Backfill



Adjacent Property Owners:

1. Smedley Leedom
2. Mickey Mac

**Plan &
Cross Sectional
View
Williams Bulkhead
Scale 1" = 40'**

**Proposed bulkhead project
in Kover Creek at Ibiscan Bay**

County of West
Applicant Bruce Williams

Sheet 1 of 1 Date 2/24/33

APPENDIX H - RIPRAP REVETMENT & ASSOCIATED BACKFILL

PLEASE COMPLETE THE CHECKLIST AND ANSWER THE QUESTIONS. THE DRAWINGS MUST CONTAIN THE FOLLOWING INFORMATION OR THEY WILL BE RETURNED AS INCOMPLETE:

Plan View Drawing

- ☐ north arrow
- ☐ waterway name
- ☐ existing structures
- ☐ benchmarks showing distances to fixed points of reference
- ☐ mean low water and mean high water lines (tidal)
- ☐ ordinary high water line (nontidal)
- ☐ location of vegetated wetlands at the project site
- ☐ shoreline, property lines, and location of adjacent property owners
- ☐ ebb and flood (tidal) or direction of flow (nontidal)
- ☐ channelward encroachment relative to mean high/mean low/ordinary high water lines
- ☐ connection with existing bulkhead or riprap structures (if applicable)
- ☐ proposed backfill
- ☐ length of revetment

Note: The sample drawing on the next page shows the kinds of information required for the Plan View and Section View. They do not both have to be shown on the same piece of paper. Drawings must be clear, but need not be prepared by a draftsman.

Cross Section Drawing

- ☐ proposed backfill
- ☐ mean high and mean low water levels (tidal)
- ☐ ordinary high water (nontidal)
- ☐ existing contours of the shoreline and/or bank
- ☐ dimensions of proposed revetment
- ☐ filter cloth
- ☐ buried toe or riprap apron
- ☐ proposed grading of existing bank relative to mean high/ordinary high water

Vicinity Map The name of the map from which the vicinity map was taken and the exact location of the project site must be included (U.S.G.S. quad sheet, street map, or county map is preferred).

1. What will be the average amount of material (placed below the plane of mean high water or ordinary high water) per linear foot of shoreline? _____ cu.yd(s).per ft. **OR** _____ ton(s) per ft.
2. What type of material will be used for construction of the riprap revetment (e.g. quarry stone, cinder blocks, etc.)?

3. What will be the average weight of the:

Core material (bottom layers) _____ pounds per stone
 Armor material (top 2 layers) _____ pounds per stone

If the revetment will be backfilled, describe the composition of the material to be used (e.g. 80% sand, 15% clay and 5% silt):

What is the source of the backfill material? _____

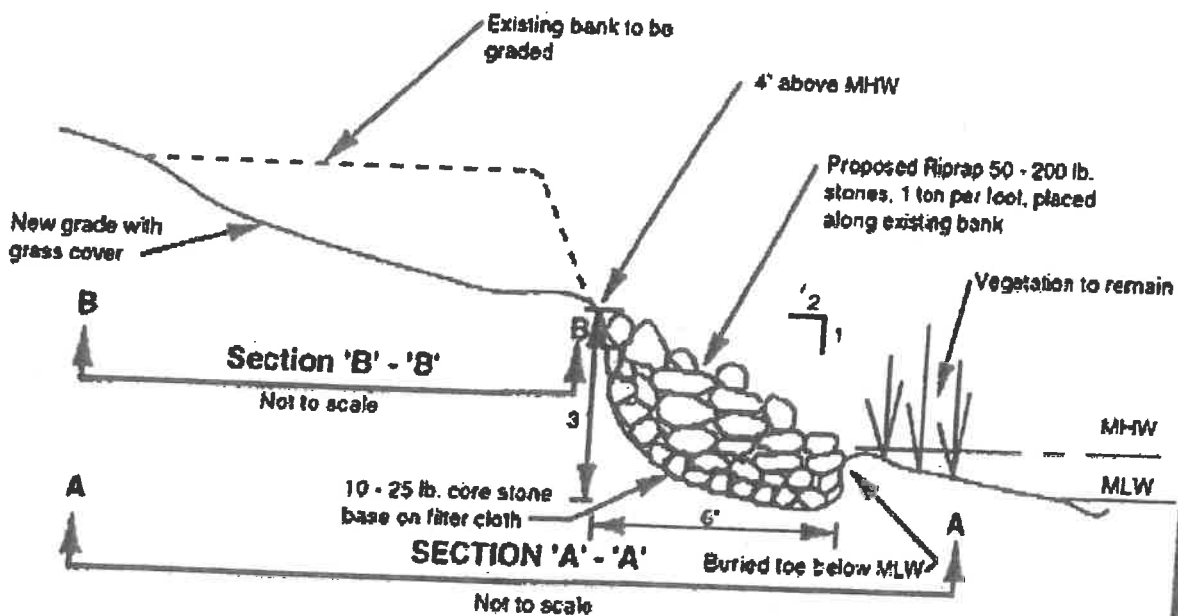
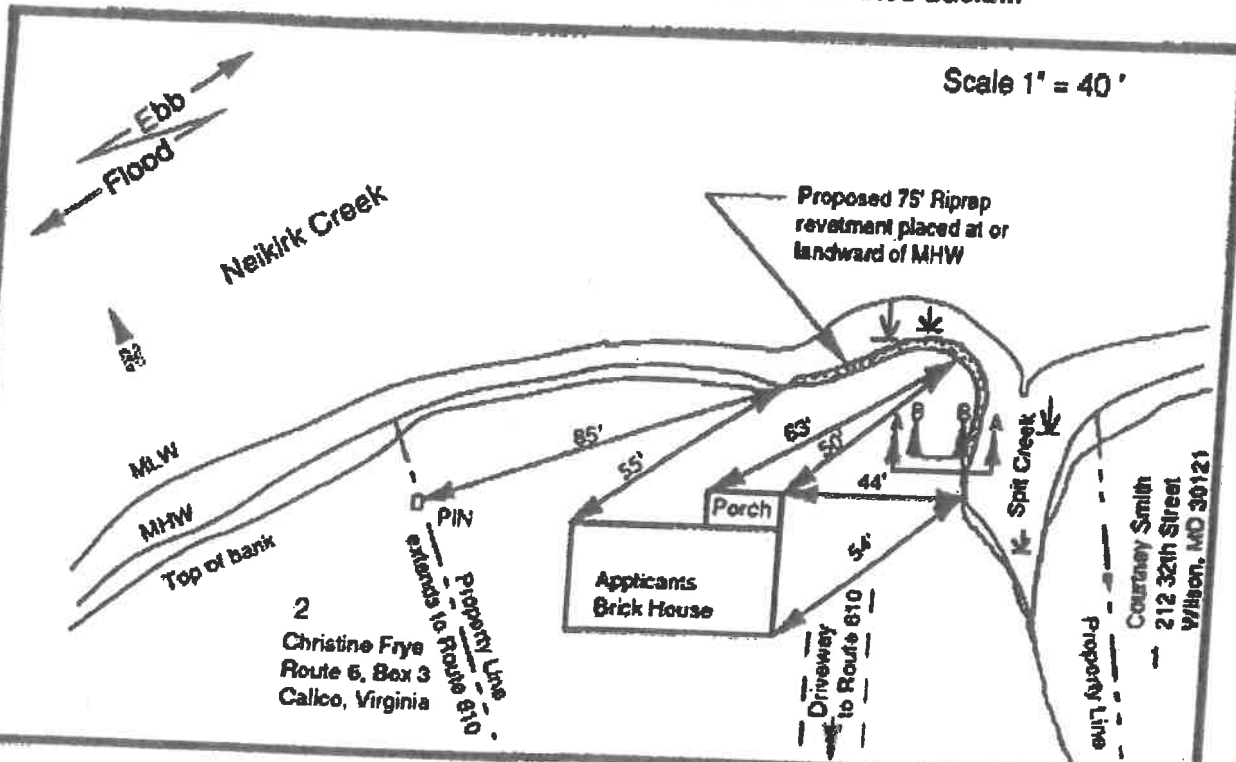
Will any portion of the project be placed on wetlands or subaqueous land? _____ Yes _____ No
If your answer is yes, indicate the square footage and type of area(s) to be impacted:

	Tidal	Nontidal
Vegetated wetlands	_____ sf.	_____ sf.
Non-vegetated wetlands	_____ sf.	_____ sf.
Subaqueous land	_____ sf.	_____ sf.

THE DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIRES APPLICANTS TO SUBMIT THE ADDENDUM CATED AT THE END OF THIS APPLICATION

APPENDIX H, Riprap Revetment & Associated Backfill

Scale 1" = 40'



Adjacent Property Owners:

1. Courtney Smith
2. Christine Frye

Plan & Cross Sectional View Berg Riprap Revetment

Proposed Revetment Project
in Neikirk Creek at Roadley Bay

County of Culpeper
Applicant: Bart Berg

Sheet 1 of 1 Date 3-17-93

The drawing or map must be drawn with dark pencil or ink on standard or legal size white paper and must include but not be limited to showing the following on one or more sheets as necessary:

- 1) A detailed plan showing the full scope of the work to be accomplished to include the length, width and depth of the area to be dredged, total number of cubic yards of materials to be removed and any existing or proposed man-made and natural features.
 - 2) All property boundaries and names of adjacent property owners.
 - 3) Designated spoil disposal areas for dredged material.
 - 4) Fill areas to include the type and quantity of estimated fill material.
 - 5) Location and type construction of any fill or dredged material retaining structure (dikes, bulkhead, etc.)
- B. A typical cross-sectional diagram of the proposed work must be furnished. The depth or elevation of the proposed excavation, fill or structure relative to existing ground level and normal pool elevation must be shown.
- C. An overall location map must be furnished. This map must show the location of the project relative to major waterways, roads and towns or communities in the area. This map may be drawn as an insert map in a corner or the detailed plan.
- D. All dredging will be done in such a manner as to allow the existing shoreline contours to remain as they are, unless specifically allowed.
- E. Boat slips dredged landward of the normal, 158' contour, water level are required to be bulkhead with material to prevent shoreline erosion.
- F. Dredging will not be allowed below 154 feet above m.s.l. or four feet below the dam spillway elevation.
- G. The proximity of the shoreline and existing or future structures may limit the depth and/or slope of proposed dredging.
- H. All dredging shall be sloped at a minimum of 1 to 1 tying back to existing contours.
- I. All dredging spoils, temporary or permanent, will be contained by an approved erosion control method and will not be stored on Authority lands. An erosion control plan shall be submitted with the application. The plan must contain a final spoil disposal site.
- J. Dredge spoils may be used as backfill for bulkheads that have been approved.
- K. If Wood is used in construction must be pressure-treated. L. See individual requirements for piers, boat houses, bulkheads, etc., placed in conjunction with dredging activity, listed under separate cover.
- M. Structures placed in conjunction with dredging activity shall not be used for human habitation. Household furnishing such as sinks, toilets, showers, etc., are not permitted on these structures.

APPENDIX J - DREDGING/MINING/EXCAVATING

PLEASE COMPLETE THE CHECKLIST AND ANSWER THE QUESTIONS. THE DRAWINGS MUST CONTAIN THE FOLLOWING INFORMATION OR THEY WILL BE RETURNED AS INCOMPLETE:

Plan View Drawing

- ☐ north arrow
- ☐ waterway name
- ☐ existing structures
- ☐ width of the waterway, measuring from mean high water to mean high water (tidal) or ordinary high water to ordinary high water (nontidal)
- ☐ ebb and flood (tidal) or direction of flow (nontidal)
- ☐ location and dimensions of area proposed to be dredged
- ☐ benchmarks showing distances to fixed points of reference
- ☐ mean low water and mean high water lines (tidal), or ordinary high water line (nontidal)
- ☐ location and aerial extent of vegetated wetlands at the project site
- ☐ shoreline, property lines, and location of adjacent property owners
- ☐ location of existing channels
- ☐ location of dredged material disposal area if located on-site**
- ☐ location and dimensions of buffer zone between dredge cut and vegetated wetlands
- ☐ existing depths in the project area based on mean low water (tidal) or ordinary high water (nontidal)

Note: The sample drawing on the next page shows the kinds of information required for the Plan View and Section View. They do not both have to be shown on the same piece of paper. Drawings must be clear, but need not be prepared by a draftsman.

Cross Section Drawing for Dredge Area

- ☐ existing contours of the bottom
- ☐ dredge cut - slopes, average depth, bottom & top width
- ☐ existing depths based on mean low water (tidal)
- ☐ existing depths based on ordinary high water (nontidal)
- ☐ proposed project depths (after dredging)

Cross Section Drawing for Disposal Area

- ☐ proposed berms
- ☐ proposed spillways
- ☐ ponding depth of dredged material

Vicinity Map The name of the map from which the vicinity map was taken and the exact location of the project site must be included (U.S.G.S. quad sheet, street map, or county map is preferred).

**For off-site disposal areas provide a drawing that includes the location, dimensions, benchmarks, berms and/or spillways, and how the material will be transported.

1. How many cubic yards of material will be dredged by/from:

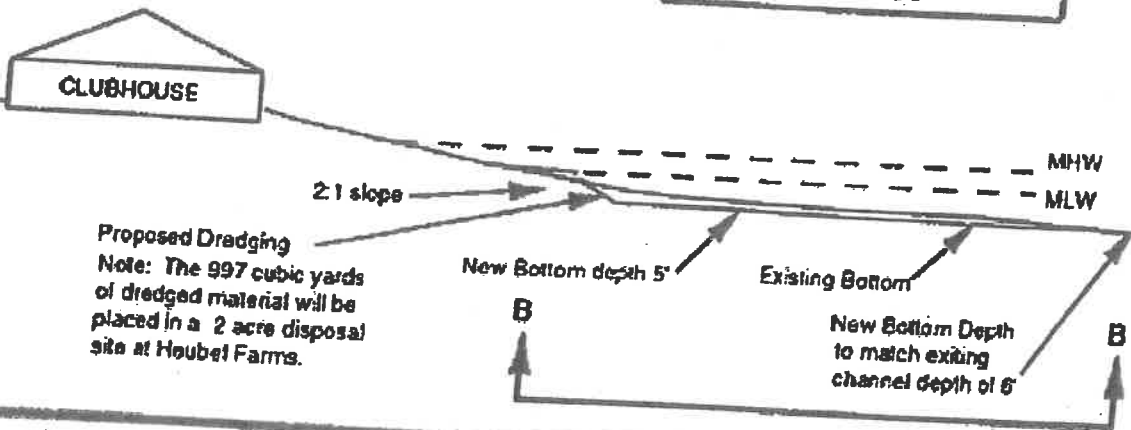
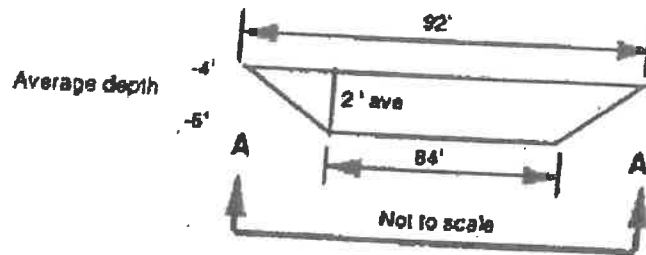
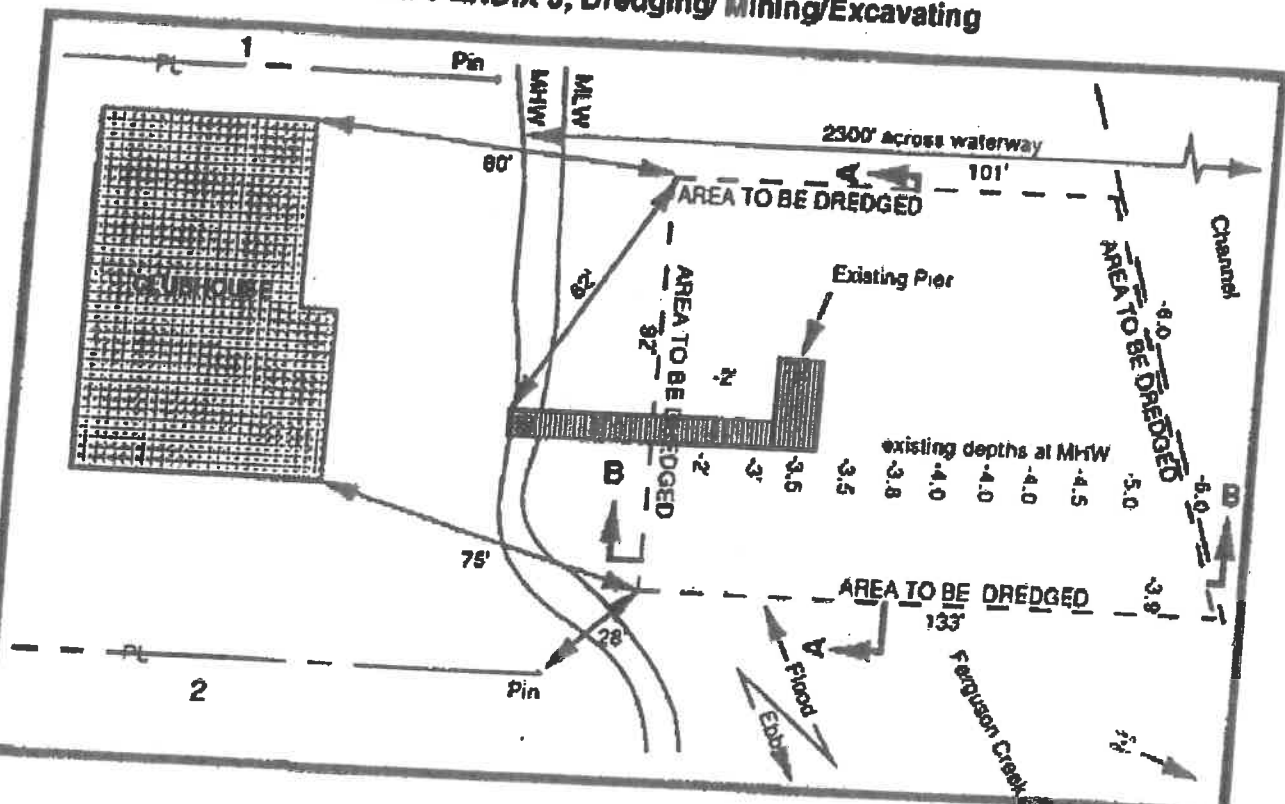
	NEW			
	Hydraulic	Dragline	Clamshell	Other
Vegetated Wetlands				
Non-Veg. Wetlands				
Subaqueous Land				
Total				

	MAINTENANCE			
	Hydraulic	Dragline	Clamshell	Other

2. State the composition of the material (e.g. clay 25%, sand 25%, silt 50%): _____
3. How will the dredged material be retained to prevent re-entry into the waterway? _____
4. Will the dredged material be used for any commercial purpose? ☐ Yes ☐ No
5. For mining projects: a. Explain the operation plans on a separate sheet of paper. e.g. frequency (e.g. every 6 wks), duration (Apr - Sep), cubic yards to be removed per operation, temporary storage, handling of dredged material, how equipment will access the dredge site.
b. have you applied for a permit from the VA Dept of Mines, Minerals, & Energy? ☐ Yes ☐ No
6. What is the approximate drainage area and average stream flow? _____ square miles _____ cfs
7. If maintenance dredging, when was dredging last performed? _____ (provide documentation).

THE DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIRES APPLICANTS TO SUBMIT THE ADDENDUM LOCATED AT THE END OF THIS APPLICATION

APPENDIX J, Dredging/ Mining/Excavating



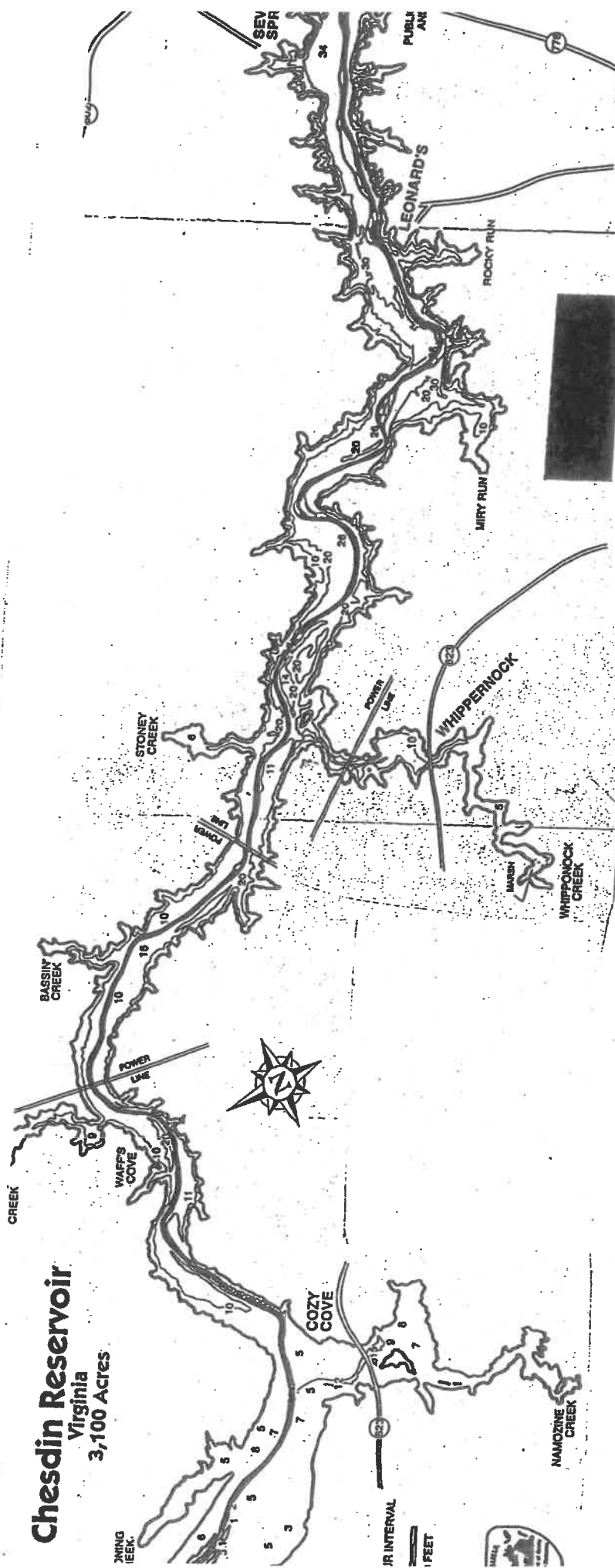
Adjacent Property Owners:

1. J. G. Cundiff
2. C. E. Bigelow

**Plan &
Cross Sectional
View
Grabb Dredging Project**
Scale 1" = 40'

**Proposed dredging project
In Ferguson Creek at Sneed Bay**
County of Byrd
Applicant R. J. Grabb
Sheet 1 of 1 Date 1/29/92

Chesdin Reservoir Virginia 3,100 Acres



Reservoir Administered to
 Appomattox River Water Auth

BOARD OF SUPERVISORS

G. F. CURRIN, JR., CHAIRMAN
BERMUDA DISTRICT

MAURICE B. SULLIVAN, VICE CHAIRMAN
MIDLOTHIAN DISTRICT

G. H. APPELGATE
CLOVER HILL DISTRICT

HARRY G. DANIEL
DALE DISTRICT

JESSE J. MAYES
MATOACA DISTRICT

CHESTERFIELD COUNTY

P.O. Box 40

CHESTERFIELD, VIRGINIA 23832-0040



LANE B. RAMSEY
COUNTY ADMINISTRATOR

October 18, 1990

CHESTERFIELD COUNTY RESIDENTS:

In addition to the requirements of the Appomattox River Water Authority, various departments of Chesterfield County must review plans for construction to assure compliance with applicable codes and conditions. Therefore, the attached form must be presented to the noted County Departments along with a sketch locating the proposed construction site.

With your assistance, we can continue to preserve both the water quality and beauty of Chesterfield County for the future.

CTR/OCT86/dmm

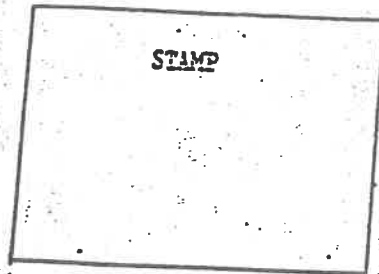
THE FOLLOWING INFORMATION PERTAINS TO PROPERTIES LOCATED IN CHESTERFIELD COUNTY:

Confirmation of building permit requirements must be directed to the Chesterfield County Department of Building Inspections at (804) 748-1057. If a building permit is not required for the proposed structure, plans must be submitted directly to the Departments of Planning (748-1050) and Environmental Engineering (748-1035) for approval. The information noted below must be completed by representatives of these departments prior to submittal to the Appomattox River Water Authority. Please contact these departments in advance to schedule a review meeting with an appropriate staff member.

1. The Department of Environmental Engineering has reviewed the attached plans for compliance with applicable codes and ordinances and offers the following comments:

☒ Approved ☐ Disapproved

Signature of Environmental
Engineering Official



2. The Department of Planning has reviewed the attached plans for compliance with applicable codes and ordinances and offers the following comments:

☒ Approved ☐ Disapproved

Signature of Planning Official

