***[DEQ staff: ensure that VMRC (***[***jpa.permits@mrc.Virginia.gov***](mailto:jpa.permits@mrc.Virginia.gov)***) is copied on this email]***

The Virginia Department of Environmental Quality (DEQ or department) has received your Notice of Planned Change (NOPC) request for General Permit Coverage Tracking Number ##-####. Your NOPC request is approved in accordance with [Choose an item.] - VWP GENERAL PERMIT NO. [Choose an item.] on [Date NOPC email is sent to permittee] Date.

Unless state-only waters impacts occur, the VWP Permit shall constitute the Section 401 Water Quality Certification (WQC) per § 62.1-44.15:20 D of the Code of Virginia. This letter also serves as issuance of individual § 401 water quality certification for purposes of the USACE Nationwide Permits, when applicable. The Section 401 WQC decision neither replaces or supersedes requirements set forth by local, state, federal, and Tribal laws, nor eliminate the need to obtain local, state, federal, and Tribal permits, approvals, consultations, or authorizations, as required, before commencing the proposed activities in surface waters. The permittee shall comply with all conditions, limitations, and other requirements of the VWP general permit; any requirements included in this coverage; the Clean Water Act; and the State Water Control Law and regulations adopted pursuant to it. Nothing in the VWP general permit or coverage shall be construed to relieve the permittee of the duty to comply with all applicable federal and state statutes, regulations, and toxic standards and prohibitions. The general permit and general permit coverage do not constitute, convey, or imply authority to any permittee to unlawfully or incidentally take any threatened or endangered species that is protected by Virginia laws or regulations, pursuant to § 3.2-1000 through -1011; § 29.1-563 through -570; and 4VAC15-20 *et seq*. (§ 62.1-44.6 of the Code of Virginia).

The permit is available at: [staff insert correct link:

[VWP GENERAL PERMIT NO. WP1 FOR IMPACTS LESS THAN ONE-HALF ACRE UNDER THE VIRGINIA WATER PROTECTION PERMIT AND THE VIRGINIA STATE WATER CONTROL LAW](https://law.lis.virginia.gov/admincode/title9/agency25/chapter660/section100/)

[VWP GENERAL PERMIT NO. WP2 FOR FACILITIES AND ACTIVITIES OF UTILITIES AND PUBLIC SERVICE COMPANIES REGULATED BY THE FEDERAL ENERGY REGULATORY COMMISSION OR THE STATE CORPORATION COMMISSION AND OTHER UTILITY LINE ACTIVITIES UNDER THE VIRGINIA WATER PROTECTION PERMIT AND THE VIRGINIA STATE WATER CONTROL LAW](https://law.lis.virginia.gov/admincode/title9/agency25/chapter670/section100/)

[VWP GENERAL PERMIT NO. WP3 FOR LINEAR TRANSPORTATION PROJECTS UNDER THE VIRGINIA WATER PROTECTION PERMIT AND THE VIRGINIA STATE WATER CONTROL LAW](https://law.lis.virginia.gov/admincode/title9/agency25/chapter680/section100/)

[VWP GENERAL PERMIT NO. WP4 FOR IMPACTS FROM DEVELOPMENT AND CERTAIN MINING ACTIVITIES UNDER THE VIRGINIA WATER PROTECTION PERMIT AND THE VIRGINIA STATE WATER CONTROL LAW](https://law.lis.virginia.gov/admincode/title9/agency25/chapter690/section100/)]

Attached to this email are the forms to complete the required Monthly Self-Inspection and Construction Status Update Forms required by the general permit.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 calendar days from the date of service (the date you actually received this decision or the date it was e-mailed to you, whichever occurred first) within which to file with the Director, Department of Environmental Quality, a notice of appeal in accordance with the Rules of the Supreme Court of Virginia. In the event that this decision is served on you by mail, three days are added to that period. Refer to Part 2A of the Rules of the Supreme Court of Virginia for additional requirements governing appeals from administrative agencies.

Alternatively, an owner may request a formal hearing for the formal taking of evidence upon relevant fact issues under Section 2.2-4020 of the Administrative Process Act. A petition for a formal hearing must meet the requirements set forth in Procedural Rule No. 1 - Public and Formal Hearing Procedures (9VAC25-230 *et seq.*). In cases involving actions of the department, such petition must be filed within 30 calendar days after notice of such decision is sent to such owner by certified mail.

Attachments: Construction Status Update Form, Monthly Inspection Form