[ *Send this email to VMRC as soon as possible after determining the likely permitting pathway, in addition to sending any applicable Additional Information Letter with VMRC copy or other correspondence for coordinating with agencies. Send again for any project changes that would change the listed activities or tentative decision in the original email.* ]

To: VMRC [ Beth Howell, [jpa.permits@mrc.Virginia.gov](mailto:jpa.permits@mrc.Virginia.gov) ]

Cc:

Subject: Notification of Tentative VDEQ Action

Hello,

In accordance with the Memorandum of Agreement (MOA) for “Implementation of 2023 Va. Acts Chs. 258 and 259 Regarding Permitting in Non-Tidal Waters of the Commonwealth”, Amended August 16, 2023, the Virginia Department of Environmental Quality (VDEQ) is notifying you that the Virginia Water Protection (VWP) Permit Program has tentatively determined that a VWP general permit coverage or VWP individual permit [is required / is not required] for the [ Project Name ], [ JPA# if known ].

[ *Add if tentatively issuing:* Activities regulated by VDEQ under the VWP Permit Program in non-tidal waters will be addressed if a permit coverage or permit is issued, including:

*Insert a numbered list here generally describing all activities included in the tentative VWP action:*

1. *Example:* Fill of 200 linear feet of [ intermittent ][ perennial ] stream bed.
2. *Example*: Construction activities within surface waters for the installation of an [electrical utility line/waterline/sanitary sewer line etc.] ]

[ *Add if tentatively not issuing:* The following activities in non-tidal waters are not regulated by the VWP Permit Program, or are excluded/waived from permitting, and therefore, may be subject to review and action by the Virginia Marine Resources Commission (VMRC):

*Insert numbered list here generally describing all activities not included in the tentative VWP action:*

1. *Example:* Fill associated with aerial crossings of non-tidal bottomland.
2. *Example:* Activities conducted in non-tidal waters that have no proposed impacts to state waters regulated by DEQ.
3. *Example*: Activities excluded by VWP permit regulations pursuant to 9VAC25-210-60. ]

VDEQ’s tentative decision is subject to change at any time.

Please contact me if you have any questions.

Respectfully,

[ Permit Writer email closing ]