Date

Applicant Contact Person Name **SENT VIA EMAIL:** email address

Applicant Legal Name **RECEIPT CONFIRMATION REQUESTED**

Address

City, State Zip

Re: Joint Permit Application No. ##-####

 Project Name, County/City, Virginia

 Notice of Preliminary Decision to Tentatively Deny Application

Dear Applicant Contact Person First and Last Names:

The Virginia Department of Environmental Quality (DEQ or department) has reviewed your application for the above-referenced project, including additional information received through Date. Based on our review, we are unable to conclude that the requirements of VWP Permit Program Regulation 9VAC25-210-10 *et seq.* have been met. As such, this letter serves to notify you of the department’s preliminary decision to tentatively deny the above referenced application for a Virginia Water Protection (VWP) Permit.

Our specific reasons for this preliminary decision to tentatively deny, per 9VAC25-210-230, are as follows. [Explain reason(s) specific to project – Ex.: As submitted, we believe that the project fails to adequately avoid and minimize impacts to state waters to the maximum practicable extent. In addition, the proposed compensatory mitigation plan is insufficient or unsatisfactory for the proposed impacts and fails to achieve no net loss of existing wetland acreage and function. As such, we have significant concern that the effect of this project's impacts, together with other existing or proposed impacts to wetlands, will cause or contribute to a significant impairment of state waters or fish and wildlife resources.]

Should you elect to withdraw your application, no VWP permit will be issued at this time. Should you elect to proceed as originally proposed, the department may deny the application and advise you pursuant to Procedural Rule No. 1 (9VAC25-230-10 *et seq.)* of your right to a public hearing to consider the denial.

Please contact DEQ at [select processing office email and phone #] Choose an item. or Choose an item. if you have any questions.

Respectfully,

Name

Regional Director

cc: Authorized Agent Name, Company

 Name, U.S. Army Corps of Engineers

 Beth Howell, Virginia Marine Resources Commission, Building 96, 380 Fenwick Road, Ft. Monroe,

VA 23651, or jpa.permits@mrc.Virginia.gov