Revised 09/30/14 TMB

**Modification of the SPGP**

Modifications of an authorized 12-SPGP-01 can occur in accordance with the 12-SPGP-01 the 12-SPGP-01 SOP. The below provides a summary of USACE coordination requirement but you must read the SOP and any reference emails in this procedures folder.

|  |  |
| --- | --- |
| **Permit Modifications that qualify for a Planned Change for the VWP permit without any previous Section 7 or Section 106 Special Conditions Form or MOA.** | |
| **Information from DEQ to USACE** | **Information From USACE to DEQ** |
| None (No coordination Required) | None (No coordination Required) |
|  | |
| **Modifications to increase impacts that cause a project exceed the ½ or 300 lf thresholds that did not before. Any project that requires a termination and re-issuance for the VWP permit.** | |
| **Information from DEQ to USACE** | **Information From USACE to DEQ** |
| \* A copy of the JPA.  \* A copy of any additional information requests that the VDEQ has forwarded to the applicant.  \* A copy of the SPGP Initial Cultural Resources Screening Form if the VDEQ-CRS determines a Corps Section 106 determination is required in accordance with the SPGP PA.  \* A copy of the IPAC report, SCT and T/E surveys if formal Section 7 consultation is required | \* Notification, in writing, that the Section 106 process has been fulfilled. This should occur only if the VDEQ-CRS has forwarded the project on for further coordination with the Corps. DEQ must receive this prior to authorization of SPGP.  \* Notification that formal Section 7 consultation has been completed (if applicable).  \* Any comments or objections regarding the project and compensation (if the VDEQ does not receive comments within the 15-day review period they can assume the Corps has no comments).  \* A signed Special Conditions Form when applicable  **Notification, in writing, from the VDEQ-CRS or the Corps that the Section 106 process has been completed (regardless of the 15-day suspense date).** |

Generally, there are no specific steps, beyond the coordination, to modify the SPGP authorization in conjunction with the VWPP Permit. If staff runs into a situation in which the SPGP is being modified but the VWP Permit is not they consult with the supervisor.

**Extensions**

The USACE PN dated May 31, 2012 provides information about transition from the 07-SPGP-01 to the 12-SPGP-01.

* Because the SPGP type is identified on the cover page of the permit, staff has to complete a Notice of Planned change to update the permit coverpage with a new SPGP reference.

- The NOPC and SPGP Codes should be entered in CEDS in accordance with CEDs

-Update Filelog

* Note: If the SPGP was issued in a separate letter from the VWP Permit then a NOPC is not necessary to update the SPGP and staff can mail an updated SPGP letter.

**Request to extend an expired 07-SPGP-01 authorizations:**

This will be new issuance of the SPGP and new permit application is required by the USACE, but typically the original JPA and previous permit documents are sufficient to serve as the “new” application and get the project reauthorized.

Staff does not get a new permit number if the VWP is still valid. You process everything under the current VWP CEDS record and permit file.

In these cases, staff should use the original JPA and re-coordinate the project as new SPGP application in accordance with the 12-SPGP-01 SOP for new applications; however, staff should note in the coordination emails that this is a project that was previously authorized under a SPGP that expired and staff should provide the status of the VWP Permit. In addition, staff should attach copies of any of the previous permits or any other significant information, pertaining to previous 106, FWS comments or EPA comments.

Once the SPGP is cleared for issuance in accordance with the SPGP SOP and out procedures, you will complete a VWP NOPC to update the coverpage to include the new SPGP.

Note: If the SPGP was issued in a separate letter from the VWP Permit then a NOPC is not necessary to update the SPGP and staff can mail an updated SPGP letter.