**Mod for Partial Transfer of Permit**

[Cc the original permittee on new permit issuance]

[The new individual permit should use the most recent Special Conditions template and the Cover Page’s Activity Description section needs to reference the partial permit request]

Date

Original Permittee Contact Person First and Last Names [New Permittee will be Cc’d and receive new permit]

Original Permittee Legal Name (Original Permittee) **SENT VIA E-MAIL:** email address

Address **RECEIPT CONFIRMATION REQUESTED**

City, State Zip

Re: Virginia Water Protection (VWP) Individual Permit Nos. ##-#### [original] and ##-#### [new]

Original Project Name and New Project Name, County/City, Virginia

 Approval of Minor Modification for Partial Transfer of Permit

Dear Original Permittee Contact Person First and Last Names:

The Virginia Department of Environmental Quality (DEQ or department) received your minor modification request on Date. In the letter dated Date, you or Agent Name requested to transfer a portion of the impacts currently authorized by VWP Individual Permit No. ##-#### to New Permittee Legal Name.

In accordance with 9VAC25-210-180.E.4, § 401 of the Clean Water Act (33 U.S.C. § 1341), and the attached Transfer Agreement Form, DEQ approves the requested transfer as noted below. Accordingly, New Permittee Legal Name agrees to abide by all conditions of the new permit. [Describe compensation – Ex.: Each permittee will be responsible for their respective compensation. Or: The compensatory mitigation is outlined within each permit cover page and special conditions; however, DEQ received documentation of credit purchase for all authorized impacts on Date(s).]

| VWP IP No. ##-#### |
| --- |
| Project Information | Impacts: [list impacts][expand table as necessary] |
| Project Name: | Project name | Permanent/Temporary | Impact # & Type |
|  | Permittee Legal Name | Permanent/Temporary | Impact # & Type |
| Permittee: [original] | Legal Address |  |  |
|  | City, State Zip |  |  |
|  |
| VWP IP No. ##-#### |
| Project Information | Impacts: [list impacts][expand table as necessary] |
| Project Name: | Project name | Permanent/Temporary | Impact # & Type |
|  | Permittee Legal Name | Permanent/Temporary | Impact # & Type |
| Permittee: [new] | Legal Address |  |  |
|  | City, State Zip |  |  |

DEQ has determined that this request qualifies for a minor permit modification in accordance with 9VAC25-210-180.E.6. [List all revised permit conditions – Ex.: Part I.A.1-2, Part I.F.4, Part I.1-5 of the VWP Individual Permit No. ##-#### were modified to reflect the minor permit modification.] The attached VWP individual permit has been modified to reflect all of the above changes.

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.

This letter is an official component of the permit, please retain this letter in your files. 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 VWPP Program Manager

Enclosures: Modified Permit Cover Page, Modified Part I – Special Permit Conditions, Part II - General Conditions, [confirm attachment order as older IPs had Monthly checklist before CSU form] Attachment 1- *VWP Permit Construction Status Update Form*, Attachment 2- *Monthly VWP Permit Inspection Checklist*, Transfer Agreement Form

cc: New Permittee, Company

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