Part I – Special Conditions

1. **Authorized Activities**
2. This permit authorizes surface water impacts as follows:
	1. Permanent impacts are to # acre of palustrine forested (PFO) wetland, and # acre (# linear feet (LF)) of stream channel.
	2. Conversion impacts are # acre of palustrine scrub-shrub (PSS) wetland to palustrine emergent (PEM) wetland.
	3. Temporary impacts are to # acre of PEM wetland, and # acre (# LF) of stream channel.
	4. Authorized surface water impacts described under this condition shall be as depicted on the impacts map entitled *Final Impacts Map Name*, dated Date, last revised on Date, and received Date. [optional , and drawn by Name.]

[Ex. of a complex project where best to refer to the impacts table in the JPA/add info, (if using this option, **ensure subsequent attachments are appropriately numbered**)][Use in lieu of 1 above.]

1. The Virginia Department of Environmental Quality (DEQ or department) authorizes the acreage and linear feet of surface water impacts as identified in the *Surface Water Impact Table*, dated Date, and received Date, and attached to this permit as Attachment 1.
	1. Authorized surface water impacts described under this condition shall be as depicted on the impacts map entitled *Final Impacts Map Name*, dated Date, last revised on Date, and received Date. [optional , and drawn by Name.]
2. [Add If Applicable: The permit authorizes the following encroachments into or on non-tidal bottomland in accordance with all applicable permit conditions: list specific activities encroaching into or on non-tidal bottomland that are also being permitted under VWPPP but do not include excluded, waived, or unregulated activities. See also Part I.D.]
3. [Use If Applicable: The permit authorizes the temporary use of mechanical equipment in surface waters in accordance with all applicable permit conditions.]
4. The permittee shall conduct authorized activities as described in the Joint Permit Application datedDate, and received Date, and additional information materials received through insert date of last submittal. Any changes to the authorized activities or impacts map that affect permitted areas shall be submitted to DEQ immediately upon determination that changes are necessary, and DEQ approval shall be required prior to implementing the changes.
5. [Use If Applicable: Surface water impacts resulting from the compensation activities authorized by the approved final compensatory mitigation plan submitted in accordance with Part I.X are authorized under this permit. The permittee shall include a summary of the type and acreage/linear feet of impacts and proposed compensation for these impacts in the final compensation plan. Any additional impacts resulting from the proposed compensation site construction shall be approved by DEQ prior to construction. These additional impacts shall be compensated for, as required by DEQ.]
6. The permittee shall notify DEQ of any changes in authorized impacts to surface waters or any changes to the design or type of construction activities in surface waters authorized by this permit. DEQ approval shall be required prior to implementing the changes. Any additional impacts, modifications, or changes associated with authorized activities in surface waters shall be subject to review and may require modification of this permit.

# Permit Term

1. This permit is valid for **# years** from the date of issuance. [If 15 yr term: A new permit may be necessary if any portion of the authorized activities or any permit requirement (including compensatory mitigation provisions) is not complete at the end of the maximum 15 year permit term. Or If term is less than 15 years: A permit extension may be necessary if any portion of the authorized activities or any permit requirement (including compensatory mitigation provisions) is not complete at the end of the permit term. The permit term, including any extensions, cannot exceed 15 years.

2. The permittee shall notify DEQ in writing at least 180 calendar days prior to the expiration of this permit if an extension or new issuance will be requested.

1. **Standard Project Conditions**
2. The activities authorized by this permit shall be executed in such a manner that any impacts to beneficial uses are minimized. As defined in § 62.1-44.3 of the Code, "beneficial use" means both instream and offstream uses. Instream beneficial uses include, but are not limited to, the protection of fish and wildlife habitat, maintenance of waste assimilation, recreation, navigation, and cultural and aesthetic values. The preservation of instream flows for purposes of the protection of navigation, maintenance of waste assimilation capacity, the protection of fish and wildlife resources and habitat, recreation, cultural and aesthetic values is an instream beneficial use of Virginia’s waters. Offstream beneficial uses include, but are not limited to, domestic (including public water supply), agricultural uses, electric power generation, commercial, and industrial uses.
3. This permit does 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*. [If applicable, add: In accordance with recommendations from the Virginia Department of [Wildlife Resources (DWR)][and Conservation and Recreation (DCR)], the permittee shall comply with the following Time-of-Year Restriction (TOYR) or the most recent TOYR recommended by the agency(ies) for this project: Insert TOYR language. Examples are located in the Chapter 5 References subfolder and were copied from the GP Coverage Letter template.]
4. No activity shall substantially disrupt the movement of aquatic life indigenous to the water body, including those species which normally migrate through the area, unless the primary purpose of the activity is to impound water.
5. Flows downstream of the project area shall be maintained to protect all uses.
6. No activity shall cause more than minimal adverse effect on navigation, and no activity shall block more than half of the width of the stream at any given time.
7. The activity shall not impede the passage of normal or expected high flows, and any associated structure shall withstand expected high flows.
8. Continuous flow of perennial springs shall be maintained by the installation of spring boxes, French drains, or other similar structures.
9. All excavation, dredging, or filling in surface waters shall be accomplished in a manner that minimizes bottom disturbance and turbidity.
10. All in-stream activities shall be conducted during low-flow conditions whenever practicable.
11. Erosion and sedimentation controls shall be placed prior to clearing and grading and maintained in good working order to minimize impacts to state waters. These controls shall remain in place until the area is stabilized and shall then be removed.
12. All construction, construction access, and demolition activities associated with this project shall be accomplished in a manner that minimizes construction materials or waste materials from entering surface waters, unless authorized by this permit. Wet, excess, or waste concrete shall be prohibited from entering surface waters.
13. All fill material placed in surface waters shall be clean and free of contaminants in toxic concentrations or amounts in accordance with all applicable laws and regulations.
14. Measures shall be employed at all times to prevent and contain spills of fuels, lubricants, or other pollutants into surface waters.
15. Machinery or heavy equipment in temporarily impacted wetlands shall be placed on mats or geotextile fabric, or other suitable means shall be implemented, to minimize soil disturbance to the maximum extent practical. Mats, fabrics, or other measures shall be removed as soon as the work is complete in the temporarily impacted wetland.
16. Stream channel restoration activities shall be conducted in the dry or during low flow conditions. When site conditions prohibit access from the streambank or upon prior authorization from DEQ, heavy equipment may be authorized for use within the stream channel. The equipment shall be stationed on cobble bars [Or Insert Alternatives].
17. Temporary disturbances to wetlands, stream channels, and/or streambanks during project construction activities shall be avoided and minimized to the maximum extent practicable.
18. All temporarily disturbed wetland areas shall be restored to preconstruction conditions within 30 calendar days of completing work in the areas, which shall include re-establishing pre-construction contours, and planting or seeding with appropriate wetland vegetation according to cover type (emergent, scrub/shrub, or forested), except for invasive species identified on the Department of Conservation and Recreation’s (DCR’s) Virginia Invasive Plant Species List. The permittee shall take all appropriate measures to promote and maintain the revegetation of temporarily disturbed surface waters through the second year post-disturbance.
19. All temporarily impacted streams and streambanks shall be restored to their original elevations and contours within 30 calendar days following the construction at that stream segment, and the banks shall be seeded or planted with the same vegetative cover type originally present along the banks, including supplemental erosion control grasses if necessary but not including invasive species identified on the Department of Conservation and Recreation’s (DCR’s) Virginia Invasive Plant Species List. [Modify as needed: The permittee shall take all appropriate measures to promote and maintain the revegetation of temporarily disturbed surface waters through the second year post-disturbance.]
20. All materials (including fill, construction debris, excavated materials, and woody materials, that are temporarily placed in wetlands, in stream channels, or on streambanks) shall be placed on mats or geotextile fabric, shall be immediately stabilized to prevent the material or leachate from entering surface waters, and shall be entirely removed within 30 calendar days following completion of that construction activity. After removal, disturbed areas shall be returned to original contours, shall be stabilized, and shall be restored to the original vegetated state within 30 calendar days. [Modify as needed: The permittee shall take all appropriate measures to promote and maintain the revegetation of temporarily disturbed surface waters through the second year post-disturbance.]
21. Temporary in-stream construction features such as cofferdams shall be made of non-erodible materials.
22. Virginia Water Quality Standards shall not be violated in any surface waters as a result of the project activities.
23. All non-impacted surface waters and any required buffers associated with compensation areas that are within the project or right-of-way limits, and that are within fifty feet of any project activities, shall be clearly flagged or demarcated for the life of the construction activity within that area. The permittee shall notify all contractors and subcontractors that *no activities are to occur in these marked areas*.
24. All required notifications and submittals shall include project name and permit number and be submitted electronically to Regional Email@deq.virginia.gov or mailed to the DEQ office stated below, to the attention of the VWP project manager, unless directed in writing by DEQ subsequent to the issuance of this permit: Department of Environmental Quality-Name Regional Office, Address, City, Virginia Zip.
25. All reports required by this permit and other information requested by DEQ shall be signed by the permittee or a person acting in the permittee’s behalf, with the authority to bind the permittee. A person is a duly authorized representative only if *both* criteria below are met. If a representative authorization is no longer valid because of a change in responsibility for the overall operation of the facility, a new authorization shall be immediately submitted to DEQ.
26. The authorization is made in writing by the permittee.
27. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, superintendent, or position of equivalent responsibility. A duly authorized representative may thus be either a named individual or any individual occupying a named position.
28. All submittals shall contain the following signed certification statement:

*“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”*

1. Any fish kills or spills of fuels or oils shall be reported to DEQ immediately upon discovery at Region Prep Phone. If DEQ cannot be reached, the spill or fish kill shall be reported to the Virginia Department of Emergency Management (VDEM) at 1-800-468-8892 or the National Response Center (NRC) at 1-800-424-8802. Any spill of oil as defined in § 62.1-44.34:14 of the Code of Virginia that is less than 25 gallons and that reaches, or that is expected to reach, land only is not reportable, if recorded per § 62.1-44.34:19.2 of the Code of Virginia and if properly cleaned up.
2. DEQ shall be notified in writing within 24 hours or as soon as possible on the next business day when potential environmentally threatening conditions are encountered which require debris removal or involve potentially toxic substances. Measures to remove the obstruction, material, or toxic substance or to change the location of any structure are prohibited until approved by DEQ.

# Activities Encroaching Into or On Non-tidal Bottomland

*[Provided that the condition is not in conflict with VWPPP authorities, insert any conditions specifically provided by VMRC regarding activities encroaching into or on non-tidal bottomland. Examples of VMRC conditions may be added to this template once available.]*

# Stream Modifications, Including Intake/Outfall Structures

1. Redistribution of existing stream substrate for erosion control purposes is prohibited.
2. Material removed from the stream bottom shall not be deposited into surface waters unless otherwise authorized in this permit.
3. Riprap bank stabilization and riprap aprons for outfalls shall be of appropriate size and design to minimize impacts to state waters.
4. For streambank protection activities, structures and backfill shall be placed as close to the streambank as practical, while still avoiding and minimizing impacts to surface waters to the maximum extent practical. No material shall be placed in excess of the minimum necessary for erosion protection.
5. Asphalt and materials containing asphalt or other toxic substances shall not be used in the construction of submerged sills, breakwaters, dams, or weirs.
6. [Include if stream channelization or relocation is approved: Authorized stream channelization or relocation at [Identify Location - Either by Impact No. Or Other] shall be conducted done in the dry, unless specifically authorized by this permit, and all flows shall be diverted around the channelization or relocation area until the new channel is stabilized. The diversion shall be accomplished by leaving a plug at the inlet and outlet ends of the new channel during excavation. Once the new channel has been stabilized, flow shall be routed into the new channel by first removing the downstream plug and then the upstream plug. The new stream channel shall be constructed following the typical sections submitted with the application and should incorporate natural stream channel design principles to the greatest extent practicable. A low flow channel shall be constructed within the channelized or relocated area. The centerline of the channel shall meander, to the extent possible, to mimic natural stream morphology. The rerouted stream flow shall be fully established before construction activities in the old streambed can begin.]
7. [Include if not including the Section for Stormwater Management Structures] Any outfall structure shall be constructed and maintained to prevent downstream sediment deposition, erosion, or scour that may be associated with normal flow and any expected storm flows. Construction shall include the use of an appropriately sized riprap outlet protection apron at the outfall site.

# Installation of Utilities

1. All utility line work in surface waters shall be performed in a manner that minimizes disturbance in each area. Temporarily disturbed surface waters shall be restored in accordance with Part I.C.16, C.17, and C.18, unless otherwise authorized by this permit.
2. Material resulting from trench excavation may be temporarily sidecast into wetlands not to exceed a total of 90 calendar days, provided the material is not placed in a manner such that it is dispersed by currents or other forces.
3. The trench for a utility line cannot be constructed in a manner that drains wetlands (e.g., backfilling with extensive gravel layers creating a French drain effect).
4. [Add for natural gas pipelines under § 62.1-44.15:21.J.2: All natural gas pipelines subject to § 62.1-44.15:21.J.2 shall be constructed in a manner that minimizes temporary and permanent impacts to state waters and protects water quality to the maximum extent practicable, including by the use of applicable best management practices that DEQ determines to be necessary to protect water quality.]
5. [Add when applicable and appropriate for a new linear utility project in new easements and/or maintenance corridors (from manual Chapter 2, Appendix A): Conversion within rights-of-way (ROW) may be considered palustrine forested (PFO) to palustrine scrub-shrub (PSS) when integrated vegetation management practices are to be employed, to include: i) No more than once every three years, a portion of the ROW at the edges approximately ten feet wide may be mowed or mulched with a fecon head attachment at approximately five-inches tall in maintained ROW or at 48-inches tall in unmaintained ROW, leaving the center of the ROW intact; ii) Hand clearing (no mechanized clearing) of large trees at or above ground level and leaving to lie in place with root mass intact; iii) Once every three years, woody tree or shrub species within the ROW that have the potential to grow more than ten feet may be treated with selective backpack foliar herbicide application in accordance with any required Annual Standard and Specifications approved by DEQ’s Stormwater Management Program; and iv) Clearing the middle of maintained ROW may only occur for capital improvement projects, leaving root mats intact.]
6. **Road Crossings**
7. Access roads authorized by this permit shall be constructed to minimize the adverse effects on surface waters to the maximum extent practicable and to follow as near as possible pre-construction contours and elevations.
8. Installation of pipes and road crossings shall occur in the dry via the implementation of cofferdams, sheetpiling, stream diversions or other similar structures.
9. All surface waters temporarily affected by a road crossing shall be restored to their original elevations immediately following the removal of that particular temporary crossing. Temporary access roads shall be removed entirely following activity completion.
10. [Include if stream channelization or relocation is approved: Authorized stream channelization or relocation at [Identify Location - Either by Impact No. Or Other] shall be conducted in the dry, unless specifically authorized by this permit, and all flows shall be diverted around the channelization or relocation area until the new channel is stabilized. This work shall be accomplished by leaving a plug at the inlet and outlet ends of the new channel during excavation. Once the new channel has been stabilized, flow shall be routed into the new channel by first removing the downstream plug and then the upstream plug. The stream channelization or relocation shall be constructed following the typical sections submitted with the application and should incorporate natural stream channel design principles to the greatest extent practicable. A low flow channel shall be constructed within the channelized or relocated area. The centerline of the channel shall meander, to the extent possible, to mimic natural stream morphology. The rerouted stream flow shall be fully established before construction activities in the old streambed can begin.]
11. At crossings [Identify the Specific Crossings That Will Be Countersunk - Either by Impact No. Or Other] of streams, pipes and culverts must be installed to maintain low flow conditions and shall be countersunk at both inlet and outlet ends of the pipe or culvert, unless otherwise specifically approved by DEQ on a case-by-case basis, and as follows: The requirement to countersink does not apply to extensions or maintenance of existing pipes and culverts that are not countersunk, floodplain pipes and culverts being placed above ordinary high water, pipes and culverts being placed on bedrock, or pipes and culverts required to be placed on slopes 5.0% or greater. Bedrock encountered during construction must be identified and approved in advance of a design change where the countersunk condition cannot be met. Pipes and culverts 24 inches or less in diameter shall be countersunk three inches below the natural stream bed elevations, and pipes and culverts greater than 24 inches shall be countersunk at least six inches below the natural stream bed elevations. Hydraulic capacity shall be determined based on the reduced capacity due to the countersunk position. In all stream crossings appropriate measures shall be implemented to minimize any disruption of aquatic life movement.
12. When countersinking culverts in streams, the permittee shall install the structure and any riprap or ancillary features in a manner to ensure reestablishment of the stream channel within 15 days post construction. When installing culverts in any surface water, the permittee shall install the culvert and ancillary features in a manner that will maintain the pre-construction hydrologic regime. Surface water depth within the impact area shall be consistent with depths upstream and downstream of the impact area.
13. Stream bottom elevations at road crossings shall be measured at the inlet and outlet of the proposed structure and recorded prior to construction and within one week after the completion of construction to ensure that the design elevations were met. This information shall be recorded on the *Monthly VWP Permit Inspection Checklist* (Attachment 2)completed after the crossing is installed.
14. **Stormwater Management Structures**
15. The outfall and overflow structure shall be constructed and maintained to prevent downstream sediment deposition, erosion, or scour that may be associated with normal flow and any expected storm flows. Construction shall include the use of an appropriately sized riprap outlet protection apron at the outfall site.
16. Draining of a stormwater management facility shall be performed by a method that prevents downstream sediment deposition, erosion, or scour.
17. Maintenance excavation shall follow the stormwater management plan approved by the Virginia Stormwater Management Program Authority, and shall not exceed the original contours or designated maintenance areas of the facility.
18. **Projects Involving a Golf Course**
19. The application of fertilizers, herbicides, insecticides, fungicides, and other pesticides shall be prohibited within buffer zones, unless otherwise approved by DEQ for the control of invasive species. A buffer zone of at least [enter width between 20 and 100 feet, or use default of 100 feet in Resource Protection Areas] shall be established from the boundaries of surface waters, including preserved and compensation wetlands, naturally occurring and man-made ponds, and perennial and intermittent streams.
20. All clearing in preserved wetlands to accommodate golf course flight paths shall be performed by hand or hand-held machine. Land disturbing activities in these areas shall be prohibited. Stumps may be ground by rubber-tired grinders placed on mats or geotextile fabric, or by other suitable measures that minimize soil disturbance to the maximum extent practical.
21. A Nutrient and Integrated Pest Management Plan approved by DCR shall be implemented prior to turf establishment.
22. **Projects Involving a Marina**
23. All pilings and steel bulkheads shall be driven. Jetting shall be prohibited unless authorized by this permit.
24. Timber bulkheading shall be backed by filter cloth.
25. All gasoline and other petroleum product pumping facilities shall be located at or above mean high water. All gasoline/oil storage facilities shall comply with the Federal Oil Spill Pollution Prevention Plan, Federal Register, dated December 11, 1973, Volume 38, No. 237.
26. Boat maintenance and repair facilities shall be designed and maintained so that residues from bottom scrapings, painting and other discharges or spills do not enter surface waters.
27. No machinery or vehicles may enter surface waters in connection with this project, and all work done along the shoreline shall be accomplished to prevent alterations of the existing grade that may cause erosion and/or failure of any existing bulkhead.
28. Prior to commencement of marina operations, a fuel spill control plan, a boat cleaning and maintenance plan, and a stormwater management plan shall be submitted for review by DEQ.
29. Adequate pumpout facilities for boat holding tanks shall be provided. Signs shall be conspicuously posted giving the location of these facilities.
30. Signs shall be conspicuously posted at the marina stating that the State Water Control Law prohibits the discharge of sewage, oil, or other waste materials into surface waters.
31. There shall be no overnight mooring of boats with direct-flush toilets that are not equipped with a Y-valve to allow pump out. No overboard discharge of untreated sewage or other wastes shall be allowed from vessels using the marina facility.
32. Within six months of commencement of the new marina fueling operations, a copy of the facility Spill Prevention Control and Countermeasures (SPCC) Plan (required in accordance with 40 CFR 112) shall be submitted to DEQ in accordance with the notification provisions of Part I.C of these permit conditions.
33. "No Wake" signs shall be conspicuously posted to reduce the wave energy produced by boat traffic. “No Wake” signs shall be especially prominent in the vicinity of the fuel pumps and sewage pump-out station.
34. Boat maintenance at individual slips shall be restricted to those activities that can be performed without hazardous, toxic or solid materials entering surface waters.
35. **Dredging Activities**
36. Dredging is permitted to a maximum allowable depth of # feet below mean low water, including advance maintenance and overdepth allowance. [If applicable: Dredging depths shall not exceed the maximum depth of any connecting or adjacent state waters immediately outside the area to be dredged.]
37. Dredging shall be accomplished in a manner that minimizes disturbance of the bottom and minimizes turbidity levels in the water column.
38. Dredging and excavation shall be limited to the minimum necessary to conduct the permitted activities. The dredged channel width shall not exceed # feet at the top of the dredge cut and # feet at the bottom of the channel. The maximum channel length shall be no longer than # linear feet.
39. A dredged material management plan for the designated upland disposal site shall be submitted and approved 30 calendar days prior to the initial dredging activity.
40. Double handling of dredged material in state waters shall not be permitted.
41. All dredged materials pumped by hydraulic method via pipeline to the disposal area will be done in such a manner as to prevent leakage or discharge into state waters. In the event of a ruptured pipeline, dredging/disposal operations shall immediately cease until repairs are accomplished.
42. Side slope cuts of the dredging area shall not exceed a two-horizontal-to-one-vertical (2:1) slope to prevent slumping of material into the dredged area.
43. A buffer of four times the depth of the dredge cut shall be maintained between the bottom edge of the design channel and the channelward limit of wetlands, or a buffer of 15 feet shall be maintained from the dredged cut and the channelward edge of wetlands, whichever is greater. This landward limit of buffer shall be flagged and inspected prior to construction.
44. All dredge material shall be transported via barges, or watertight trucks if transport on public roads is required, for disposal at an approved upland site, provided that all required permits for the facility are valid. If watertight trucks are not available, dredged material shall be dewatered (e.g., drained of all free water) prior to transport to the final disposal site on public roads. No hazardous materials shall be disposed of at this site.
45. During transport, dredge material shall be handled in accordance with the transport operation’s spill prevention plan. In the event of a spill, the response portions of the plan shall be implemented immediately.
46. Barges or trucks used for the transportation of dredged material shall be filled in such a manner as to prevent the overflow of dredged materials.
47. During off-loading, dredge material shall not be handled directly over open water. The off-loading operation shall be conducted in a manner that prevents any discharge of liquids or solids to state waters.
48. The dredge material dewatering area shall be of adequate size to contain the dredge material and to allow for adequate dewatering and settling out of sediment prior to discharge back into state waters. Runoff from precipitation shall be diverted around the dewatering area.
49. The dredge material dewatering area shall utilize an earthen berm or straw bales covered with filter fabric along the edge of the area to contain the dredged material, filter bags, or other similar filtering practices, any of which shall be properly stabilized prior to placing the dredged material within the containment area.
50. Pipeline outfalls and spillways shall be located at opposite ends of the dewatering area to allow for maximum retention and settling time. Filter fabric shall be used to line the dewatering area and to cover the outfall pipe to further reduce sedimentation to state waters. [Insert following sentence when dewatering area is small or does not contain soils conducive to retaining water without assistance from a fabric liner: Filter fabric shall also be used to line the basin portion of the dewatering area.]
51. Adequate ground cover or seeding shall be applied to the outside bank of the earthen berm immediately after constructing the berm to minimize soil runoff.
52. Overtopping of the dredge material containment berms with dredge materials shall be strictly prohibited.
53. A post-dredging bathymetric survey shall be submitted to DEQ within 30 calendar days following completion of the dredging activity.
54. Each dredging cycle may remove no more than # cubic yards of material, with no greater than # cubic yards removed over the term of the permit.
55. **Project Construction Monitoring and Submittals (Impact Sites)**

1. The permittee shall submit written notification at least **ten (10) calendar days** prior to the initiation of land disturbance or construction activities in permitted areas. The notification shall include preconstruction photographs, projected schedule for initiating and completing work at each permitted impact area.

1. Preconstruction photographs shall be taken at each impact area prior to initiation of activities within impact areas.
2. Photographs shall depict the impact area and the nonimpacted surface waters immediately adjacent to and downgradient of each impact area.
3. Each photograph shall be labeled to include the following information: permit number, impact area number, date and time of the photograph, name of the person taking the photograph, photograph orientation, and photograph subject description.

[Modify the *Monthly VWP Permit Inspection Checklist* and the *VWP Permit Construction Status Update Form* to include the specific project information (Permit Number and Project Name) as well as include the impact numbers, any road crossing information, and the issuance date (on final)]

1. Site inspections shall be conducted **once every calendar month** and recorded on the *Monthly VWP Permit Inspection Checklist* (Attachment 2)by the permittee or the permittee’s qualified designee during active construction within authorized surface water impact areas. Monthly inspections shall be conducted in the following areas: all authorized permanent and temporary impact areas; all avoided surface waters, including wetlands, stream channels, and open water; surface water areas within 50 feet of any land disturbing activity; and all on-site areas designated for permanent preservation. The *Monthly VWP Permit Inspection Checklist* (Attachment 2) shall be completed in its entirety for each monthly inspection and shall be kept on-site and made available for review by DEQ staff upon request during normal business hours.
2. The *VWP Permit Construction Status Update Form* (Attachment 1) enclosed with this permit shall be completed in June and December of every year for the duration of this permit. The *VWP Permit Construction Status Update Form* (Attachment 1) shall include reference to the VWP permit authorization number and one of the following statements for each authorized surface water impact location:
	1. Construction activities not yet started;
	2. Construction activities started;
	3. Construction activities started but are currently inactive, or;
	4. Construction activities complete.
3. The *VWP Permit Construction Status Update Form* (Attachment 1) shall be submitted and must be received by DEQ no later than January 10 and July 10 of every year.
4. The permittee shall notify DEQ within 24 hours of discovering impacts to surface waters including wetlands, stream channels, and open water that are not authorized by this permit. The notification shall include photographs, estimated acreage and/or linear footage of impacts, and a description of the impacts.

6. The permittee shall submit written notification of completion within 30 calendar days after the completion of all activities in all permitted impact areas authorized under this permit.

1. **Compensatory Mitigation – Credit Purchases**

[Include for wetland and/or stream credit purchases as compensation.]

1. As compensation for permanent wetland impacts, the permittee shall purchase # wetland mitigation credit(s). As compensation for permanent stream impacts, the permittee shall purchase # USM stream mitigation credits or Stream Condition Units (SCUs). All compensatory mitigation credits shall be purchased from a DEQ-approved mitigation bank, an approved in-lieu fee (ILF) program, or a combination thereof. The bank or program must be authorized and approved by DEQ to sell credits in the area in which the impacts will occur and have credits available (as released by DEQ). Any credit sale shall be in accordance with the approved Mitigation Banking Instrument or ILF Program Instrument. Purchase of required mitigation credits shall occur first through the purchase of available released credits followed by the purchase of advance credits. Multiple banks or programs may be used to fulfill compensation requirements. Documentation of the purchase of # wetland and # USM stream mitigation credits or Stream Condition Units (SCUs) shall be submitted to and received by DEQ prior to initiating work in the impact areas authorized by this permit.
2. [Include where phased compensation is approved by DEQ - *Review all compensation conditions to ensure none conflict with the intent of phasing.*]This permit authorizes the compensation requirement be met in phases. The permittee shall provide compensation sufficient to mitigate authorized surface water impacts associated with each respective phase prior to initiating construction activities in those surface water impacts. The phased compensation requirement is considered met for the purpose of this condition when the permittee submits the following to DEQ, as applicable:
	1. Documentation that wetland and stream credits required to compensate for authorized surface water impacts associated with that phase were acquired and debited from the ledger of a DEQ-approved mitigation bank, in-lieu fee fund, or a combination thereof, sufficient to compensate for authorized surface water impacts associated with that phase of the project.
	2. The permittee shall submit to DEQ by January 10 of any year a summary of the amount of surface water impacts initiated, amount of compensation completed and compensation requirement remaining and status of initiating any remaining surface water impacts and completing any remaining compensation requirement.
3. [If applicable, add mitigation credit purchase for canebrake rattlesnake – see example in Chapter 5 References folder.]
4. [Include for *wetland* permittee responsible mitigation/compensation]**Compensatory Mitigation – Permittee Responsible Wetland Mitigation/Compensation**

As compensation for permanent wetland impacts, the permittee shall provide compensation in accordance with Appendix A of this permit.

1. [Include for *stream* permittee responsible mitigation/compensation]**Compensatory Mitigation – Permittee Responsible Stream Mitigation/Compensation**

As compensation for permanent stream impacts, the permittee shall provide compensation in accordance with Appendix B of this permit.