



Commonwealth of Virginia

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SUBJECT: Guidance Memorandum No. 18-2008 – Virginia Water Protection (VWP) Permit and Compliance Staff Manual

TO: Regional Directors, Regional VWPP/Water Permit Managers, VWPP Staff, Enforcement Staff

FROM : Melanie D. Davenport, Director, Water Permitting Division

A handwritten signature in blue ink that reads 'Melanie D. Davenport'.

DATE: December 19, 2018

COPIES: Virginia Water Protection Permit Program managers; David Davis, Director, Office of Wetlands and Stream Protection; Scott Kudlas, Director, Office of Water Supply; Angela Jenkins, Director, Policy Division

Introduction and Background:

The Virginia Water Protection (VWP) Permit Program Manual (Manual) is a living document that: contains information, forms, and instructions for VWP Permit Program staff regarding the review of permit applications; the issuance, modification, termination, transfer, and waiver of VWP permits; and conducting compliance for the program. The Manual also serves as a tool for process consistency across regional VWP Permit Program offices. A separate manual in the DEQ Office of Water Supply and Planning addresses in more detail the permitting of specific activities related to surface water withdrawals and water supply projects.

This Manual undergoes periodic updates and revisions through a collaborative process. The purpose of this guidance is to update the 2016 Manual primarily due to Virginia statutory amendments; changes to associated federal and/or state laws and regulations; and recent decisions made regarding the processing of VWP permits over the last two years.

This guidance supersedes the following Guidance Memoranda, identified herein for official rescinding based on a comprehensive review of existing guidance and decisions made by the VWP Permit Program in October 2018:

- DEQ Guidance Memorandum GM16-2007 *Virginia Water Protection (VWP) Permit Program Staff Manual - Memo* (February 3, 2017, amended February 21, 2017).
- DEQ Guidance Memorandum GM09-2009 *Resolving Unpermitted Impacts to Surface Waters with Enforcement Actions* (July 28, 2009)
- DEQ Guidance Memorandum GM10-2002 *Virginia Water Protection Permit Program Noncompliance Determination and Enforcement Referral Guidance* (January 22, 2010)
[Note: this does not include any non-VWPPP portions of DEQ Guidance Memorandum No. 02-2010 (*Water Compliance Auditing Manual dated May 23, 2002, amended March 25, 2008*) or the 1999 Enforcement Manual.]

Electronic Copy:

In keeping with DEQ initiatives on Pollution Prevention and digital government, an electronic copy of this guidance in PDF format is available internally for DEQ staff on DEQNET at <http://deqnet/documents/index.asp?path=%2Fdocs%2Fwater%2FWater%5Fpermit/VWP%5FPermit%5FProgram>. An electronic copy of this guidance is also available on the Virginia Town Hall at <http://townhall.virginia.gov/L/GDocs.cfm#>. The Manual will not be printed in hard copy for distribution but can be printed for individual needs from these electronic sources.

Contact Information:

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Disclaimer:

This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate or prohibit any particular action not otherwise required or prohibited by law or regulation. If alternative proposals are made, such proposals will be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.