



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NORFOLK DISTRICT  
FORT NORFOLK  
803 FRONT STREET  
NORFOLK VA 23510-1011

March 24, 2022

CENAO-WR-R  
22-SPGP-RCIR (2021-01800)  
22-SPGP-LT (2022-00286)

Virginia Department of Environmental Quality  
Director, Mr. Michael Rolband  
P.O. Box 1105  
Richmond, Virginia 23218

Dear Mr. Rolband:

The U.S. Army Corps of Engineers Norfolk District Regulatory Branch (Corps) issues two basic categories of permits: general permits for projects with minimal environmental consequence and standard permits for projects that do not meet the terms and conditions of a general permit. General permits include the Nationwide Permits (NWP), Regional Permits (RPs) and Programmatic General Permits (PGP). All general permits must be reissued every 5 years. The Corps' current 17-SPGP-01, for residential, commercial, institutional, and linear transportation projects, expires on May 31, 2022. We are now actively working with the Virginia Department of Environmental Quality (VDEQ) on new 22-SPGP permits. For the 2022 issuance the Corps has proposed splitting the current 17-SPGP into two 22-SPGP permit that are specific to certain activities.

The Corps is requesting VDEQ 401 Water Quality Certification for the following permits:

- **22-SPGP - Residential, Commercial, Institutional and Recreational Developments (RCIR)**, authorizes the discharge of dredged or fill material in non-tidal waters of the United States (WOTUS), including wetlands, associated with certain residential, commercial, institutional, and recreational development (RCIR) projects within the geographical limits of the Commonwealth of Virginia and under the regulatory jurisdiction of the U.S. Army Corps of Engineers, Norfolk District (Corps or Norfolk District).
- **22-SPGP – Linear Transportation (LT)**, authorizes the discharge of dredged or fill material in non-tidal waters of the United States (WOTUS), including wetlands, associated with certain Linear Transportation (LT) projects within the geographical limits of the Commonwealth of Virginia and under the regulatory jurisdiction of the U.S. Army Corps of Engineers, Norfolk District (Corps or Norfolk District).

The attached 22-SPGP-RCIR and the 22-SPGP-LT were drafted in consultation with the VDEQ Virginia Water Protection Program and are scheduled for public notice March 21, 2022. The public notices will be viewable at the following link:  
<https://www.nao.usace.army.mil/Media/Public-Notices/>.

In accordance with 40 CFR §121.6, the Norfolk District of the U.S. Army Corps of Engineers, as the Federal agency, is providing notice to the VDEQ to act on this certification request within sixty (60) days of the receipt date of the request for certification. Should the VDEQ refuse or fail to act on this request by May 24, 2022, the requirement for 401 Water Quality Certification is waived per 40 CFR §121.9.

If you have any questions and/or concerns about 22-SPGP permit (attached), please contact Ms. Anna Lawston via telephone at (540)764-4459 or via email at [anna.r.lawston@usace.army.mil](mailto:anna.r.lawston@usace.army.mil).

Sincerely,

*William T Walker*

William T. Walker  
Chief, Regulatory Branch