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# Virginia Water Protection General Permit Coverage

# Complete Application Checklist 2

# Permanent Impacts Equal To or Less Than 1/10 Acres of Wetlands and/or Open Water or 300 Linear Feet of Stream Bed

**If the proposed project is in a surface water or compensation site that is under a deed restriction, conservation easement, declaration of restrictive covenant, or other land use protective instrument, use the *VWP General Permit Coverage Checklist 1.***

**Disclaimer:** Checklists are provided as a tool when applying for a Virginia Water Protection (VWP) individual permit or general permit coverage and for preparing a Joint Permit Application (JPA). Because the JPA is used by several agencies, all applicable sections of the JPA should be completed whether or not the item can be directly associated with a DEQ regulatory requirement. *Item numbers below do not correspond to regulation numbering.* DEQ decisions will be made by applying the State Water Control Law, VWP Permit Program regulations, and VWP Permit Program guidance to the site- and project-specific facts. *Refer to the VWP Permit Program regulations, program guidance, and other references noted herein for details of required information for complete applications*.

DEQ can provide assistance or redirection for questions about this checklist, please contact Dave Davis (dave.davis@deq.virginia.gov; 804-698-4516).

Application status may be viewed on the DEQ Permit Enhancement and Evaluation Platform ([PEEP](https://portal.deq.virginia.gov/peep-search)).

##### Information Required for a complete application is in accordance with the following regulations unless otherwise noted on item in the checklist. The VWP General Permit Regulations are [9VAC25-660](https://law.lis.virginia.gov/admincode/title9/agency25/chapter660/) (WP1); [9VAC25-670](https://law.lis.virginia.gov/admincode/title9/agency25/chapter670/) (WP2); [9VAC25-680](https://law.lis.virginia.gov/admincode/title9/agency25/chapter680/) (WP3); and [9VAC25-690](https://law.lis.virginia.gov/admincode/title9/agency25/chapter690/) (WP4). *Sections 50 and 60 contain Notification and Application requirements.* *Sections 30, 50, 60, and 70 of each VWP general permit regulation,* [*9VAC25-210-116*](https://law.lis.virginia.gov/admincode/title9/agency25/chapter210/section116/)*, and §*[*62.1-44.15:23*](https://law.lis.virginia.gov/vacode/62.1-44.15%3A23/) *should be used as a reference in reviewing the requirements of Conceptual Compensatory Mitigation Plan.*

**For a Complete Application, provide at minimum:**

| **Information Required – WP1, WP2, WP3, WP4** | **Included****(Y, N, or N/A)** | **Page Number(s)****Or Location(s)** |
| --- | --- | --- |
| 1. Applicant Information |  |  |
| 1.a. Legal name of Applicant as registered with the SCC (as applicable). If Applicant is a business, name of contact person; and |  |  |
| 1.b. Mailing address as registered with the SCC (as applicable), phone number, and email address of Applicant and/or contact person |  |  |
| 2. Property owner information, if different from Applicant |  |  |
| 2.a. Legal name of property owner as registered with the SCC (as applicable); |  |  |
| 2.b. Mailing address as registered with the SCC (as applicable), phone number, and email address of Property Owner |  |  |
| 3. Authorized Agent information, if applicable |  |  |
| 3.a. Legal name of authorized agent as registered with the SCC (as applicable); |  |  |
| 3.b. Mailing address as registered with the SCC (as applicable), phone number, and email address of Agent |  |  |
| 4. If applicable, existing VWP general permit tracking number |  |  |
| 5. Project name and proposed project schedule |  |  |
| 6. Project site location information: |  |  |
| 6.a. Physical street address, nearest street, or nearest route number; |  |  |
| 6.b. City or County; |  |  |
| 6.c. Zip code; |  |  |
| 6.d. Parcel number(s), if applicable; |  |  |
| 6.e. Name of impacted water body(ies) or receiving waters; |  |  |
| 6.f. Latitude and longitude at center of site(s) (to nearest second); |  |  |
| 6.g. National Watershed Boundary Dataset fourth order subbasin; and |  |  |
| 6.h. Detailed map: location of site(s), project boundary, and all preservation areas on site(s) |  |  |
| 7. Narrative description of the project (including purpose and need) |  |  |
| 8. Plan-View Drawing(s) (full- or half-size plan sheets) of the project, including at a minimum: |  |  |
| 8.a. North arrow; |  |  |
| 8.b. Graphic scale (recommended maximum scale ratio of 1:200 ft.); |  |  |
| 8.c. Existing and proposed topographic or bathymetric contours; |  |  |
| 8.d. Limits of proposed impacts to surface waters; |  |  |
| 8.e. Location of all existing and proposed structures (fill riprap/outlet protection/channel tie-ins, dredging, excavation, etc.); |  |  |
| 8.f. All delineated state and federal jurisdictional surface waters, including isolated, on the site. Include: |  |  |
| 8.f(1) The Cowardin classification for those surface waters and waterway name, if designated; |  |  |
| 8.f(2) ebb and flood or direction of flow; and |  |  |
| 8.f(3) ordinary high water mark in nontidal areas;[**Note:** See DEQ Memorandum *Recent Supreme Court Decision Sackett v. Environmental Protection Agency (EPA) - Effect in Virginia and How to Move Forward Without Economic Dislocation*, June 29, 2023, for more information about obtaining boundary and feature verifications in VA] |  |  |
| 8.g. Limits of Chesapeake Bay Resource Protection Areas as field-verified by the applicant, and if available, the limits as approved by the locality in which the project site is located, unless the proposed use is exempt from the Chesapeake Bay Preservation Area Designation and Management Regulations ([9VAC25-830](https://law.lis.virginia.gov/admincode/title9/agency25/chapter830/)); and |  |  |
| 8.h. Limits of any areas that are under a deed restriction, conservation easement, restrictive covenant, or other land use protective instrument (i.e., protected areas) |  |  |
| 9. Narrative description of all impacts to surface waters.Include: |  |  |
| 9.a. Type of activity to be conducted in surface waters; |  |  |
| 9.b. Any physical alteration to surface waters; |  |  |
| 9.c.If applicable, wetland impacts identified according to their Cowardin classification. For each classification: the individual impacts quantified in square feet to the nearest whole number, cumulatively summed in square feet, and then the sum converted to acres and rounded to two decimal places using commonly accepted arithmetic principles of rounding; |  |  |
| 9.d. If applicable, individual stream impacts (i) quantified by length in linear feet to the nearest whole number and by average width in feet to the nearest whole number; (ii) quantified in square feet to the nearest whole number; and (iii) when compensatory mitigation is required, the impacts identified according to the assessed type using the Unified Stream Methodology; |  |  |
| 9.e. If applicable, open water impacts identified according to their Cowardin classification, and for each type, the individual impacts quantified in square feet to the nearest whole number, cumulatively summed in square feet, and then the sum converted to acres and rounded to two decimal places using commonly accepted arithmetic principles of rounding; and |  |  |
| 9.f. Either a copy of the approved jurisdictional determination or when unavailable, one of the following:* Preliminary jurisdictional determination from USACE, USDA-NRCS, or DEQ; or
* Other correspondence indicating approval of the boundary(ies) of applicable [state and federal] jurisdictional surface waters from USACE, USDA-NRCS, or DEQ, including wetland delineation data sheets if applicable

[**Note:** See DEQ Memorandum *Recent Supreme Court Decision Sackett v. Environmental Protection Agency (EPA) - Effect in Virginia and How to Move Forward Without Economic Dislocation*, June 29, 2023, for more information about obtaining boundary verifications in VA] |  |  |
| 9.g. Delineation / Impact map showing:* Geographic area of all delineated surface water boundaries;
* Wetlands, stream, and open water impacts, as applicable, described in same manner as above; and
* Any other surface waters described with Cowardin classification or similar terminology

[**Note:** Also satisfies documentation that verifies the quantity and type of impacts (WP1:Section 50.A.2; WP2:Section 50.A.2)][**Note:** See DEQ Memorandum *Recent Supreme Court Decision Sackett v. Environmental Protection Agency (EPA) - Effect in Virginia and How to Move Forward Without Economic Dislocation*, June 29, 2023, for more information about obtaining boundary verifications in VA] |  |  |
| 10. On-site alternatives analysis for proposed project.Include: |  |  |
| 10.a. On-site measures taken during project design and development to first avoid and then minimize impacts to surface waters to the maximum extent practicable; |  |  |
| 10.b. Specific on-site measures taken to reduce the size, scope, configuration, or density of the proposed project; |  |  |
| 10.c. A review of alternative sites where required for the project, which would avoid or result in less adverse impact to surface waters; |  |  |
| 10.d. Documentation demonstrating the reason the applicant determined less damaging alternatives are not practicable; and |  |  |
| 10.e. Demonstration to the satisfaction of the department that avoidance and minimization opportunities have been identified and measures have been applied to the proposed activity such that the proposed activity in terms of impacts to state waters and fish and wildlife resources is the least environmentally damaging practicable alternative |  |  |
| 11. A written description identifying all upland areas including buffers, wetlands, open water, other surface waters, and compensatory mitigation areas located within the proposed project boundary or permittee-responsible compensatory mitigation areas that are under a deed restriction, conservation easement, restrictive covenant, or other land use protective instrument (i.e., protected areas).Include: |  |  |
| 11.a. The nature of the prohibited activities within the protected areas and Chesapeake Bay Resource Protection Areas (RPAs) as field-verified by the applicant; and |  |  |
| 12. Signature page (from JPA) containing original signature, date, and certification |  |  |

**Optional Items to Assist in Expediting Processing:**

| **Information** | **Included****(Y, N, or N/A)** | **Page Number(s)****Or Location(s)** |
| --- | --- | --- |
| 13. All applicable sections of the Standard JPA, Tidewater JPA, VDOT IACM JPA, or VDOT Spreadsheet (Section 50.B; FORMS)  |  |  |
| 14. Species or habitat information from Virginia Department of Wildlife Resources, Virginia Department of Conservation and Recreation, and/or U.S. Fish and Wildlife Service to assist the department in reviewing and processing an application (Section 50.C) |  |  |
| 15. GIS shape files of project boundary/polygon, impact boundaries/polygons, surface water boundaries/polygons |  |  |
| 16. A table of impacts directly on Delineation / Impact Map required for complete application |  |  |

"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."

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*Applicant Printed Name*

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*Applicant Signature Date*