



Changes to DEQ General Permits Became Effective August 1, 2006

The Virginia Department of Environmental Quality (DEQ) Virginia Water Protection (VWP) General Permits for non-tidal impacts have been changed, effective August 1, 2006. There is no longer a distinction between perennial and intermittent streams in the permit thresholds, however, stormwater management facilities in perennial streams still may not be authorized under a general permit. The maximum stream impact allowed has been reduced from 2,000 linear feet to 1,500 linear feet and only the linear footage of stream impacts is counted towards permit thresholds.

The following is a summary of the impact thresholds for the General Permits:

DEQ VWP Impact Thresholds Effective August 1, 2006				
General Permit	WP1	WP2	WP3	WP4
Activity	Impacts < ½ Acre	Utility Lines	Linear Transportation	Development
Old Thresholds	Less than ½ acre, including ≤125 LF perennial stream and ≤ 1,500 LF intermittent stream	Up to 1 acre, including ≤ 500 LF perennial stream and ≤ 1,500 LF intermittent stream	Up to 2 acres, including ≤ 500 LF perennial stream and ≤ 1,500 LF intermittent stream	Up to 2 acres, including ≤ 500 LF perennial stream and ≤ 1,500 LF intermittent stream
New Thresholds	Less than ½ acre and ≤ 300 LF of stream channel	Up to 1 acre and ≤ 1,500 LF of stream channel	Up to 2 acres and ≤ 1,500 LF of stream channel	Up to 2 acres and ≤ 1,500 LF of stream channel
Duration	3 years (unchanged)	7 years (was 3 years)	7 years (was 5 years)	7 years (was 5 years)

The thresholds for reporting-only permits remain the same (up to 1/10 acre of permanent impacts, including up to 300 linear feet of stream impacts). The stream impact thresholds for General Permit Modifications have increased from 50 linear feet to 100 linear feet (the threshold for wetland and open water impacts is still ¼ acre). In addition, the duration of the permits have been extended: WP2 has increased from 3 to 7 years, and WP3 and WP4 have both increased from 5 to 7 years. The duration of the WP1 did not change; it is still 3 years.

Permit applications received by July 31, 2006 would have been grandfathered under the old regulations. The new VWP General Permit regulations will be effective until August 1, 2016.

The full DEQ regulations for General Permits can be found at the following link:
<http://www.deq.virginia.gov/wetlands/permitfees.html>

For more information, please contact any one of our WEG offices: Williamsburg (757) 220-6869; Richmond (804) 267-3474; Herndon (703) 437-3096; Fredericksburg (540) 785-5544; or email info@wegnet.com