

## Modifications to USACE State Program General Permit Minimize Duplication of Effort

In October 2002, the Norfolk District Army Corps of Engineers (Corps) issued a State Program General Permit (SPGP-01) for certain residential, commercial, and institutional developments as well as some linear transportation projects. Projects that receive authorization from the Virginia Department of Environmental Quality (DEQ) and meet the special and general conditions of the SPGP qualify for authorization under this SPGP-01. In an effort to streamline the state and federal permitting processes and eliminate much of the duplication, the DEQ requested modifications to the SPGP-01 in 2006. In June 2007, the Norfolk District issued a modified 07-SPGP-01.

The **significant changes** that have occurred as a result of this modification are:

1. The original SPGP was broken into categories, A, B, C; this categorization has been removed.
2. DEQ is responsible for application review and permit issuance, with any conditions, of projects that qualify for the 07-SPGP-01. DEQ will coordinate former Category C permits with the Corps but now there will be no separate authorization issued by the Corps.
3. DEQ is responsible for the initial screening of federally listed species and designated critical habitat that may occur in a project's action area. Dependent upon the results of the database

searches and/or surveys, DEQ will make a preliminary effect determination and coordinate this determination with the Corps and the U.S. Fish and Wildlife Service (USFWS), accordingly, for concurrence. If DEQ (with Corps concurrence) or USFWS determines that the proposed activities may adversely affect federally listed species or designated critical habitat, DEQ will request that the applicant suspend the VA Water Protection (VWP) permit application until the Corps and USFWS have completed the Section 7 formal consultation process.

In an effort to streamline the state and federal permitting process the Corps has modified the State Program General Permit .

4. DEQ staff is responsible for forwarding all appropriate project specific information to the appropriate Corps project manager. The Corps project manager will review the project information and the Virginia Department of Historic Resources (VDHR) Data Sharing

System (DSS) and determine if there is a need for additional cultural resources coordination. The Corps will inform DEQ if additional coordination with VDHR is necessary and DEQ will request that the applicant suspend the VWP permit application until the Corps and VDHR have completed the Section 106 process.

Please contact any of our project managers at Williamsburg Environmental Group, Inc. if you have any questions regarding the modifications to the 07-SPGP-01 and the potential effects these modifications could have on your projects.

**TECHNICAL UPDATE**



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