

DEQ PERMIT APPLICATION FOR NEW OR EXPANDED MINOR SURFACE WATER WITHDRAWALS



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Newport News, Virginia 23607-0756
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PURPOSE

This form is intended for use by applicants who propose to withdrawal water from a surface water body(ies) in the Commonwealth of Virginia that total *less than* 90 million gallons per month in accordance with Virginia Water Protection Permit Regulation 9 VAC 25-210-80 C, and for any encroachment requiring permits from the Virginia Marine Resources Commission (VMRC) pursuant to Chapters 12, 13, and 14 of Title 28.2 of the Code of Virginia. Please note that other Federal, State, or local laws and regulations may apply to your project. Other resource protection agencies and local governments, such as local erosion and sediment control programs, health departments, and localities subject to the Chesapeake Bay Preservation Act, do not use this application form and may have different informational requirements. The *applicant* is responsible for contacting these agencies for information regarding their permitting requirements.

*If the structures, equipment, or methods for withdrawing the surface water involve disturbing or flooding wetlands, or permanent construction involving Submerged lands (beds of bays, rivers or creeks), **Please Do Not Use This Form** to apply.* Instead, visit the U.S. Army Corps of Engineers web site <http://www.nao.usace.army.mil/Regulatory/JPA.html> and use the Standard Joint Permit Application form to apply. Some examples of withdrawals for which this APPLICATION FOR NEW OR EXPANDED MINOR SURFACE WATER WITHDRAWALS may be used are: suction pipes or hoses placed on the ground surface and/or over the bank of a stream; suction pipes or hoses placed on top of the stream bed (this example does not apply in wetlands); and suction pipes or hoses fixed to the piling of an existing, permanent dock, or fixed to an existing floating dock. In these examples, and others not stated here, no digging or dumping of material occurs in a wetland, or on submerged lands.

The following instructions and information are designed to assist you in applying for permits for minor water withdrawals. These instructions do not supersede information requirements contained in any applicable regulations covering the proposed activities.

INSTRUCTIONS

Complete all sections of the form with as much information as possible. Attach a set of 8 ½ x 11 inch drawings, detailing all components of the proposed withdrawal water, such as pumps, pipes, hoses, screens, supports, utilities, intakes, etc. If you cannot include all of your project site on one page at a scale no smaller than 1" = 200', submit a set of 8 ½ x 11 inch match-line drawings **and** a set of large-sized drawings at a scale no smaller than 1" = 200'. If oversized drawings are used, attach **five** copies of the oversized drawings to your application. Municipal, golf course, and mining users should include cross-sectional drawings having the additional information noted below, as a minimum. Drawings should include the following information *at a minimum*:

- ❖ Name of project
- ❖ North arrow
- ❖ Scale
- ❖ Waterway name, if designated
- ❖ Existing contours
- ❖ Proposed contours (if available)
- ❖ Width of waterway from the mean high water level to the mean high water level (tidal areas), or the ordinary high water mark to the ordinary high water mark (nontidal areas)
- ❖ Direction of flood and ebb (tidal areas), and/or direction of flow in nontidal areas (if applicable)
- ❖ Mean low water level and mean high water level (tidal areas), or ordinary high water mark (nontidal areas)
- ❖ Existing and proposed structures, labeled as 'existing' or 'proposed', and their dimensions.

Submit this form and additional answer sheets to the VMRC at the address noted at the top of this form.

Do not send any permit application fees with the application, as fees are subject to change. Permit application fees required by DEQ for VWP permits are provided on DEQ's Website at <http://www.deq.virginia.gov> or on the Commonwealth of Virginia's Website at <http://leg1.state.va.us/000/reg/TOC.HTM> under 9 VAC 25-20 et seq. A DEQ project manager will contact you regarding the proper fee and submittal requirements after receiving your application package. After being contacted by the DEQ, mail the permit application fee and the Permit Application Fee Form to the DEQ address provided on Fee Form. Please note that when completing DEQ's Permit Application Fee Form, make sure that the applicant name and facility (project) name are the same as those reported in your application. Water withdrawals for agriculture are exempt from permit application fees. VMRC permit fees are \$25.00 for projects costing \$10,000 or less and \$100 for projects costing more than \$10,000. The proper fee is paid at the time of permit issuance by VMRC. VMRC staff will send the permittee a letter notifying him/her of the proper fee and submittal requirements.

PROCESSING AFTER APPLICATION

VMRC will assign a permit application number to your application and then distribute copies of the application to the other applicable regulatory agencies. The initial application for surface water supply projects that requires both an individual Virginia Water Protection Permit and a Virginia Marine Resources permit under § [28.2-1205](#) shall be advertised concurrently by the Department of Environmental Quality and the Virginia Marine Resources Commission. Such advertising shall be paid for by the *applicant*. All agencies will conduct separate but concurrent reviews of your project. Please be aware that while one application was submitted, each agency must issue a separate permit (or a notification that no permit is required). Therefore, *make sure that you have received all necessary authorizations, or documentation that no permit is required from each agency, prior to beginning the proposed work.*

During the application review process, site inspections may be necessary to evaluate a proposed project. Failure to allow an authorized representative of a regulatory agency to enter the property, or to take photographs of conditions at the project site, may result in either a permit application withdrawal or a permit denial.

For certain Federal and State permits, a public notice is published in a newspaper having circulation in the project area, mailed to adjacent property owners, and/or posted on the agency's Web page. The public may comment on the project during a designated comment period, which varies from agency to agency. Some agencies accept comments during the permit review process, while others only accept comments on draft permits. Comments are evaluated and a decision is made whether to issue a permit, issue a permit with special conditions, or to deny a permit. *You may be responsible for bearing the costs for advertisement of public notices and will be notified of your responsibility accordingly.*

Protested applications for VMRC permits which can not be resolved, projects costing over \$500,000 involving encroachment over State-owned subaqueous land, and all projects affecting tidal wetlands in localities without a Local Wetlands Boards (LWBs) will be scheduled for public hearings by VMRC at their regularly scheduled monthly commission meetings. Public hearings will be held by LWBs in tidewater localities that have adopted and administer the tidal wetlands ordinance. All interested parties will be officially notified regarding the date and time of the hearing and Commission meeting procedures. The Commission will make a decision on the project at the meeting unless a decision for continuance is made. If a proposed project is approved, a permit or agency correspondence is sent to the applicant. In some cases a notarized signature, as well as processing fees and royalties, are required before the permit is validated. If the project is denied, the reason(s) for denial will be provided in writing.

APPLICATION FORM

FOR AGENCY USE ONLY

Application Number:

Applicant(s) - PLEASE PRINT OR TYPE ALL ANSWERS TO THE QUESTIONS BELOW. If a question does not apply to your project, please print N/A (not applicable) in the space provided. ***If additional space is needed, attach extra 8 ½ x 11 inch sheets of paper.***

1. PROJECT LOCATION INFORMATION

(Attach a copy of a map, such as a USGS topographic map or similar map showing all locations of all withdrawals associated with the application. Include an arrow indicating the North Direction.)

City/County:

If your project crosses the boundaries of two or more localities, please name those localities:

Name of waterbody or waterbodies from which the water withdrawal occurs: _____

Tributary(ies) to: _____

Latitude and longitude of withdrawal point(s) (degrees, minutes, seconds): _____ - _____ - _____ / _____ - _____ - _____

8- digit USGS Hydrologic Unit Code (HUC) (See www.epa.gov/surf/): _____

If known, indicate the 10-digit and 12-digit USGS HUCs (see http://www.dcr.virginia.gov/soil_&_water/ku.shtml):

Contributing drainage area at withdrawal point(s): _____ square miles

If a return flow is proposed, provide the following:

Name of waterbody or waterbodies where the discharge occurs: _____

Tributary(ies) to: _____

Latitude and longitude of discharge point(s) (degrees, minutes, seconds): _____ - _____ - _____ / _____ - _____ - _____

8- digit USGS Hydrologic Unit Code (HUC) (See www.epa.gov/surf/): _____

If known, indicate the 10-digit and 12-digit USGS HUCs (see http://www.dcr.virginia.gov/soil_&_water/ku.shtml):

For interbasin transfer of water resources proposed from either the Chowan River, New River, Potomac River, Roanoke River, Big Sandy River or Tennessee River basins to another river basin, provide the following information:

For the destination location (discharge point) of the transfer:

8- digit USGS Hydrologic Unit Code (HUC) (See www.epa.gov/surf/): _____

If known, indicate the 10-digit and 12-digit USGS HUCs (see http://www.dcr.virginia.gov/soil_&_water/ku.shtml):

Latitude and longitude: _____ - _____ - _____ / _____ - _____ - _____

2. APPLICANT(S), AGENT, AND PROPERTY OWNER(S)

The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity. The agent is the person or company that is authorized to represent the applicant(s).

Applicant(s)			Agent (if applicable)		
Mailing address			Mailing address		
City	State	Zip Code	City	State	Zip Code
Phone number w/area code	Fax (if applicable)		Phone number w/area code	Fax (if applicable)	
E-mail (if applicable)			E-mail (if applicable)		
Property owner(s) (if different from applicant)					
Mailing address					
City	State	Zip code			
Phone number w/area code	Fax (if applicable)				
E-mail (if applicable)					

3. PUBLIC NOTIFICATION (Attach additional sheets if necessary)

- Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500 feet in width. If your project is located within a cove, you will need to provide names and mailing addresses for all property owners within the cove.
- If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.

Property owner's name	Mailing address	City	State	Zip code
Name of newspaper having general circulation in the area of the project: _____				
Address and phone number (including area code) of newspaper _____				

4. WATER WITHDRAWALS (DOCUMENTATION OF ALL WITHDRAWALS ASSOCIATED WITH THE PROJECT)

Describe the proposed use of the water withdrawal and the time period over which this amount is to be withdrawn. Include justification for the proposed withdrawal demand. *Insert additional 8.5" x 11" pages if necessary.*

Golf courses must provide documentation to justify the amount of water withdrawal, such as the amount of acreage under irrigation, the acreage of fairways versus greens, and the potential evapotranspiration deficit and assumed irrigation efficiency.

Agricultural users must supply documentation justifying their requested withdrawal amount, such as type of crop, acres irrigated, inches of water applied, and frequency of application.

Other users of withdrawals for purposes other than those described above must provide sufficient documentation to justify the requested withdrawal amounts.

5. WATER WITHDRAWALS USE, NEED, AND ALTERNATIVES

Provide for each withdrawal associated with the project, the following information. For projects where the withdrawal is expected to increase over time, such as municipal withdrawals, these values should be given for the end of the permit term (typically 15 years).

Proposed maximum instantaneous withdrawal: _____ gpm

Proposed average daily withdrawal: _____ mgd

Proposed maximum daily withdrawal: _____ mgd

Proposed maximum monthly withdrawal: _____ (specify units)

Proposed maximum annual withdrawal: _____ (specify units)

If the withdrawal is not 100% consumptive, provide the proposed monthly consumptive volume: _____ (specify units)

Discuss any seasonal variations in the withdrawal patterns:

Golf courses must provide the total amount of water expected to be withdrawn in a drought year and in an average year.

Agricultural users may provide withdrawal information in units such as acre-inches or acre-feet of water, DEQ will convert these values to gallons after receiving your application.

Intake:

Velocity of withdrawal: _____ fps

Screen mesh size: _____ inches / _____ mm

If other sizing units, please specify: _____

Provide a description of the proposed intake:

Provide a description of available water storage facilities. Include the volume, depth, normal pool elevation, unusable storage volume. If applicable, stage-storage relationship at the impounding structure and volume or rate of withdrawals from the storage facility.

For withdrawals proposed on an impoundment, provide a description of flow or release control structures. Include type of structure, size, capacity, and the mechanism used to control release.

5. WATER WITHDRAWALS USE, NEED, AND ALTERNATIVES (continued)

Provide an alternatives analysis for the proposed water withdrawal project, including a discussion of all alternatives analyzed; a narrative outlining the opportunities and status of regional efforts undertaken; and the criteria used to evaluate each alternative. The analysis must address all of the criteria contained in 9 VAC 25-210-115.C.2 and 9 VAC 25-210-115.C.3. For projects that will alter instream flows, include a discussion of the alternative sources of water supply available to support operations during times of reduced instream flow.

Provide information from the water supply plan that covers the area in which the proposed water withdrawal project is located. Include information from the plan that pertains to projected demand, analysis of alternatives, and water conservation measures. Discuss any discrepancies between the water supply plan and the proposed project. For projects that propose a transfer of water resources from the Chowan River, New River, Potomac River, Roanoke River, Big Sandy River or Tennessee River basins to another river basin, information should be provided from the water supply plans for both the source and receiving basins.

For proposed projects that involve a public surface water supply withdrawal or projects that will alter instream flows, provide the following information required by 9 VAC 25-210-115.A and B:

Existing supply sources, yields, and demands: _____

Peak day withdrawal: _____

Average daily withdrawal: _____

Safe yield: _____

Lowest daily flow of record: _____

Types of water uses: _____

Existing water conservation measures and drought response plan, including what conditions trigger implementation: _____

Projected demands over a minimum 30-year planning period: _____

Projected demands in local or regional water supply plan (9 VAC 25-780 et seq.) or demand for the project service area, if that is smaller in area: _____

Statistical population (growth) trends: _____

Projected demands by use type: _____

Projected demands without water conservation measures: _____

Projected demands with long-term water conservation measures: _____

6. PUBLIC COMMENTS/ISSUES FOR INTERBASIN TRANSFERS

For interbasin transfer of water resources proposed from either the Chowan River, New River, Potomac River, Roanoke River, Big Sandy River or Tennessee River basins to another river basin, summarize on separate sheets of paper any coordination and/or notice provided to the public, local/state government, and interested parties in the affected river basins and identify any issues raised.

7. APPLICANT(S) AND/OR AGENT CERTIFICATIONS

READ ALL OF THE FOLLOWING CAREFULLY BEFORE SIGNING

I am hereby applying for permits typically issued by DEQ, VMRC, the U.S. Army Corps of Engineers, and Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions.

In addition, 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, including the possibility of fine and imprisonment for knowing violations.

Applicant's name (printed or typed)	Second applicant's name (printed or typed)
Applicant's signature	Second applicant's signature
Date	Date

CERTIFICATION OF AUTHORIZATION TO ALLOW AGENTS TO ACT ON APPLICANTS' BEHALF (IF APPLICABLE)

I, _____, hereby certify that I have authorized _____
 (APPLICANT'S NAME) (AGENT'S NAME)
 to act on my behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

Applicant's signature	Second applicant's signature	Agent's signature
Date	Date	Date