

STATE WATER CONTROL BOARD  
NOTICE OF INTENT TO PROVIDE SECTION 401 WATER QUALITY CERTIFICATION  
OF BALTIMORE DISTRICT ARMY CORPS OF ENGINEERS TOTAL MAXIMUM DAILY  
LOAD REGIONAL PERMIT (TMDL RGP)  
July 01, 2014

Pursuant to Virginia Water Protection Permit Regulation 9 VAC 25-210-130 H, the State Water Control Board (Board) is giving notice of its intent to provide Section 401 Water Quality Certification for activities authorized by the above referenced U.S. Army Corps of Engineers (USACE) Baltimore District Regional Permit after considering public comment for a 30-day period starting July 01, 2014.

On May 16, 2014, the U.S. Army Corps of Engineers (USACE) Baltimore District published a notice of their proposed issuance of the Total Maximum Daily Load Regional Permit (TMDL RGP). This proposed regional permit authorizes activities in waters of the U.S., including jurisdictional wetlands that are part of an overall watershed strategy (e.g., Chesapeake Bay TMDL Watershed Implementation Plan (WIP)) whose purpose is to meet nutrient and sediment load reduction targets under the Chesapeake Bay TMDL mandates. This TMDL RGP is proposed to provide a streamlined form of Department of the Army authorization for certain recurring activities that are similar in nature, have minimal individual and cumulative adverse effects on the aquatic environment, and satisfy other public interest review factors. The USACE notice and proposed TMDL RGP can be found at:

<http://www.nab.usace.army.mil/Missions/Regulatory/PublicNotices/PublicNoticeView/tabid/16587/Article/23636/spn14-28-public-hearing-regarding-the-proposed-total-maximum-daily-load-regiona.aspx>

The State Water Control Board hereby proposes unconditional §401 Water Quality Certification for TMDL RGP.

The Board can only issue final Section 401 Certification of a nationwide or regional USACE permit if the permit meets the requirements of the VWP regulation and after advertising and accepting public comment for 30 days on its intent to provide certification.

The State Water Control Board will issue its final §401 Water Quality Certification for activities authorized by the above referenced USACE Baltimore District permits at the end of the 30 day comment period and after any comments received are considered. Written comments, including those by email, must be received no later than 5:00 p.m. on August 01, 2014 and should be submitted to David L. Davis at the address given below. Only those comments received within this period will be considered by the Board. Written comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. **CONTACT PERSON:** For additional information, contact: David L. Davis, Director, Office of Wetlands & Stream Protection - Department of Environmental Quality, P. O. Box 1105, Richmond, Virginia 23218, Phone (804) 698-4105, or E-mail [dave.davis@deq.virginia.gov](mailto:dave.davis@deq.virginia.gov).