# COMMONWEALTH of VIRGINIA

*DEPARTMENT OF ENVIRONMENTAL QUALITY*
*Street address:* 629 East Main Street, Richmond, Virginia 23219
*Mailing address:* P.O. Box 1105, Richmond, Virginia 23218
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

February 21, 2017

Mr. William T. Walker
Chief, Regulatory Branch
U.S. Army Corps of Engineers
803 Front Street
Norfolk, Virginia 23510-1096

**RE: Final Section 401 Certification of Regional Permit 20 for Development of State Owned and Operated Artificial Fin and Shellfish Reefs**

Dear Mr. Walker, Tom

Provided herein is the Commonwealth of Virginia's decision with regard to Section 401 Water Quality Certification for activities authorized by the U.S. Army Corps of Engineers (the Corps) Regional Permit 20 (RP-20) for the Development of State Owned and Operated Artificial Fin and Shellfish Reefs, as public noticed by the Corps on November 8, 2016.

Pursuant to Virginia Water Protection (VWP) Permit Regulation 9 VAC 25-210-130 H, the State Water Control Board is issuing this final Section 401 Water Quality Certification as meeting the requirements of the VWP regulation, after advertising its intention and accepting public comment for 30 days. The public comment period began on January 18, 2017 and ended on February 16, 2017. No comments were received.

The State Water Control Board hereby provides unconditional Section 401 Water Quality Certification for the RP-20 for the Development of State Owned and Operated Artificial Fin and Shellfish Reefs.

Please be aware that the final review for consistency with Virginia's Coastal Resources Management Program (VCP) pursuant to the federal Coastal Zone Management Act of 1972, as amended, is not yet complete. Projects in the Tidewater area of Virginia may require additional coordination with the VCP prior to issuance of an RP-20 until the federal consistency review is complete. A map depicting those localities within the coastal zone can be found at http://www.deq.virginia.gov/coastal/coastmap.html. Questions regarding federal consistency

with VCP should be directed to Bettina Sullivan at (804) 698-4204 or bettina.sullivan@deq.virginia.gov.

Please do not hesitate to contact Steve Hardwick (804) 698-4168; steven.hardwick@deq.virginia.gov or me (804) 698-4105; dave.davis@deq.virginia.gov if you have any questions regarding this Section 401 Water Quality Certification.

Sincerely,

David L. Davis, CPWD, PWS
Director, Office of Wetlands & Stream Protection

CC: Ms. Bettina Sullivan, DEQ OEIR
Ms. Kim Prisco-Baggett; Deputy Chief, Regulatory Branch, Norfolk District Army Corps of Engineers
Ms. Scharlene Floyd, Norfolk District Army Corps of Engineers
Mr. Tony Watkinson; Chief, Habitat Division, Virginia Marine Resources Commission
Regional VWP Managers