

WEST VIRGINIA

STREAM DISTURBANCE PERMITTING REQUIREMENTS

This booklet is for informational purposes only and provides a brief overview of the various permits or certifications required before remedial work is conducted in and around West Virginia streams and wetlands. These activities may include water quality improvement projects, installation of habitat structures, streambank stabilization, and other channel modification measures.

This guide is not intended to replace any West Virginia regulation or related federal requirements. Additional permits, licenses, variances, or similar authorizations may be required by other federal, state, or local laws not addressed in this booklet. All applicants should read and follow pertinent, current regulations when applying for any permit. It is important to note that multiple permits may be required for a single project.



[Long Branch of Paint Creek, Kanawha County](#)

Prepared by:
The West Virginia Watershed Network
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Please send any suggested changes to wrc@wvca.us. If necessary, the document will be updated periodically to reflect the most recent information available.

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SUMMARY OF PERMITS FOR STREAM RESTORATION

Landowner Stream Access Permit Program

For permitting and technical assistance on small stream projects that include:

- Less than 1000 linear ft of stream
- Less than 3000 cubic ft of material
- Excavation
- Streambank Stabilization
- Debris Removal
- Channel Restoration
- Maintenance

Contacts:

- ❑ West Virginia Conservation Agency (304) 558-2204
- ❑ Oak Hill Field Office (304) 469-6415; Morgantown Field Office (304) 285-3118

Construction Stormwater Site Registration and Notice of Intent

For projects disturbing less than 1 acre:

- No Permit Needed

For projects disturbing 1 to 3 acres:

- File Notice of Intent
(10 days prior to construction)

For projects disturbing more than 3 acres:

- Submit Site Registration Application Form
(45 days prior / 90 days in some cases)

Contacts:

- ❑ West Virginia Department of Environmental Protection (304) 926-0495
On the Internet at: www.wvdep.org/dwwm;stormwater/construction.htm

Floodplain Permits

Contact WV NFIP Coordinating Office or local county/municipal permit officer prior to:

- Altering or relocating a stream
- Building or altering new or replacement bridges, culverts or other stream crossings
- Placing fill material or structures, grading, excavating or other development in a stream, streambank or floodplain

Contacts:

- ❑ West Virginia NFIP Coordinating Office (304) 965-2331
- ❑ Local county or municipal permit officer:
On the Internet at: www.wvdhsem.gov/fp_managers/flplain_mgt_llist.html

SUMMARY OF PERMITS CONTINUED:

Stream Activity Application

Prior to working/placing equipment in stream:

- Submit Stream Activity Application to PLC
- Coordinate with District Fisheries Biologist
- All other required permits must be processed

Contacts:

- ❑ West Virginia Public Lands Corporation (304) 558-3225
On the Internet at: www.wvdnr.gov/REM/PLC.shtm
- ❑ West Virginia Division of Natural Resources (304) 558-2771
Application download at: www.wvdnr.gov/fishing/PDFFiles/FISHtourweb04.pdf

Clean Water Act 404 Permits and 401 Certification

Prior to placing fill material into a water of the U.S. including wetlands, contact the U.S. Army Corps of Engineers for a 404 Permit, such as:

- Letter of Permission (For minor projects)
- Individual Permit (Requires comprehensive evaluation)
- Nationwide Permit (NWP), for example:
 - NWP 27. Stream and Wetland Restoration
 - NWP 37. Emergency Watershed Protection
- Regional Permit, for examples:
 - RP for Boat Docks: RP for Abandoned Mine Lands

Contacts

- ❑ US Army Corps of Engineers/Huntington (304) 399-5710
- ❑ US Army Corps of Engineers/Pittsburgh (412) 395-7155
On the Internet at: www.usace.army.mil/
- ❑ West Virginia Department of Environmental Protection (304) 926-0495
On the Internet at: www.wvdep.org/item.cfm?ssid=11&sslid=170

National Environmental Policy Act

For projects involving federal funds or federal action, one of the following is completed:

- Environmental Assessment (EA)
- Finding of No Significant Impact (FONSI)
- Environmental Impact Statement (EIS)
On the Internet at: www.epa.gov/compliance/nepa/index.html

LANDOWNER STREAM ACCESS PERMIT PROGRAM

Purpose: The Landowner Stream Access Permit Program (LSAPP) is a regional permit process designed to provide landowners the opportunity to complete certain types of stream activities with technical assistance from the West Virginia Conservation Agency (WVCA). By cooperating with WVCA, the often-cumbersome permit application process is streamlined, and the landowner is given expert technical advice regarding their proposed stream activities, which may include a project design if necessary.

Eligible Activities Include:

1. Excavation
2. Streambank stabilization
3. Debris removal
4. Channel restoration
5. Maintenance

Review Process: The process is started by the landowners contact with their local Conservation District Office. After consultation with the appropriate resource providers, the need for a permit is assessed, and if it is necessary, the landowner develops a plan with WVCA to perform the work. In about two weeks, a WVCA review team will recommend the best course of action for the landowner.

This permit program is promoted as a one-stop shop because the WVCA notifies all other government agency permit programs that may be involved in the process. This would normally require many months of planning and preparation on the part of the landowner.

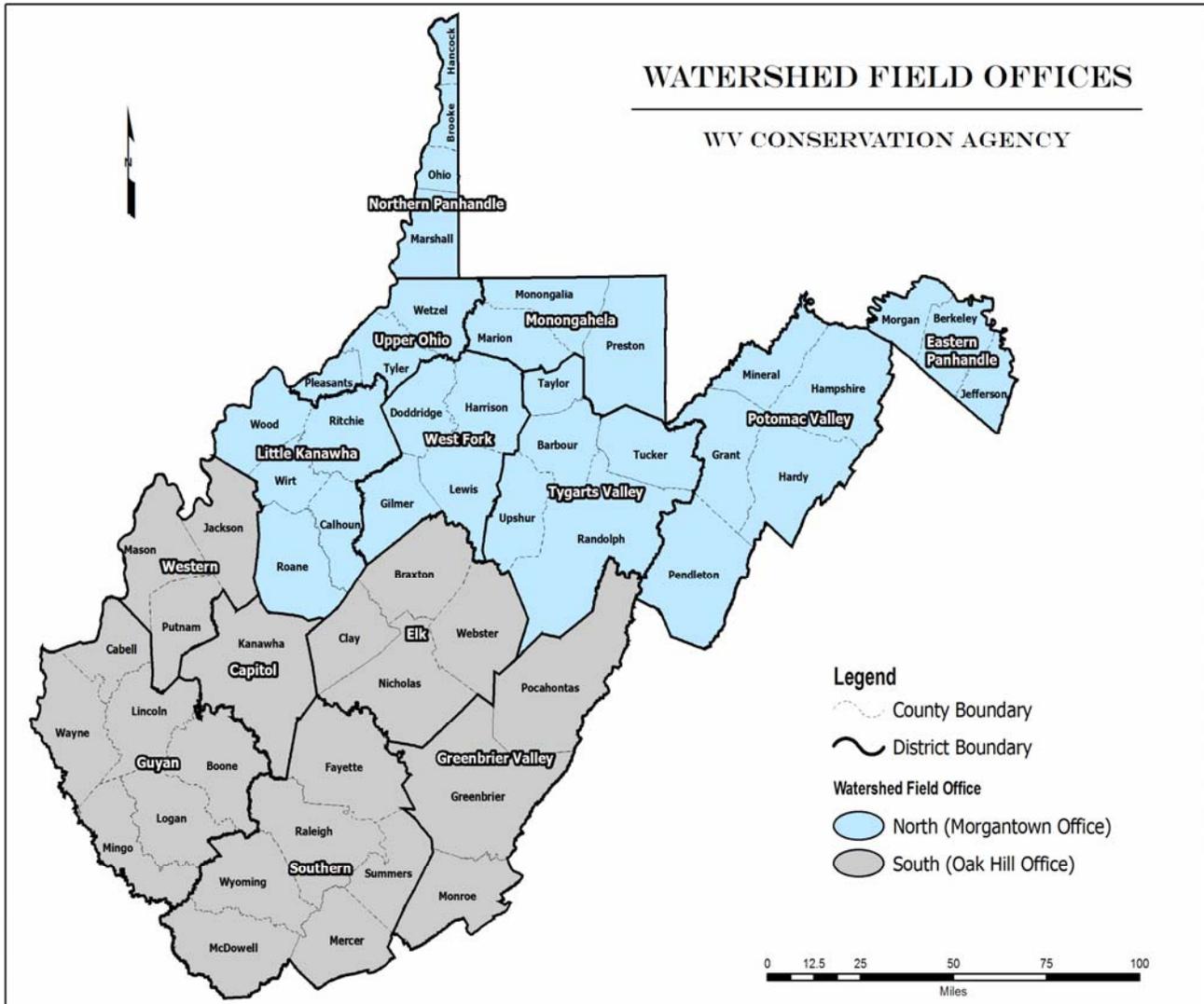
The agencies notified include the West Virginia Division of Natural Resources, Fish Biologists, Stream Design Specialists and Public Lands Corporation; West Virginia Department of Environment Protection's 401 Certification Program; US Army Corps of Engineer's 404 Permit Program; and the US Fish and Wildlife Service, if endangered or threatened species are impacted. In addition, the State Division of Culture and History is notified if important state or cultural resources are known or identified. The WVCA does not notify county floodplain managers or other local organizations.

Following recommendations by the review team, the WVCA submits a plan of work to the appropriate Army Corp of Engineers District and other government agencies. After all parties review the plan, the landowner will receive an approval letter from the Corps of Engineers. Once the landowner receives the letter, work can begin. This process may take as long as one to three months to complete.

Restrictions and limitations: There are certain restrictions and/or projects that may not qualify through the LSAPP. Most of these restrictions are based upon the size of the project. Larger projects such as those encompassing greater than 1000 linear feet of stream or the excavation of more than 3000 cubic yards of material will not qualify for the LSAPP. In addition, there are certain restrictions regarding the removal of woody vegetation. In most cases riparian buffer plantings and no disturbance of existing vegetation are important aspects of all projects. Islands that have woody vegetation cannot be disturbed.

Permit Cost: There are no fees for this permit program.

Contact Information: To find your local Conservation District Office, visit the WVCA on the Internet at: <http://www.wvca.us/districts.cfm> or call the appropriate Watershed Field Office (WFO). The map below indicates the area of coverage for each field office.



Morgantown WFO (304) 285-3118 Servicing Northern WV and the Eastern Panhandle	Oak Hill WFO (304) 469-6415 Servicing Southern WV
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LSAPP information is provided on the Internet at <http://www.lrh.usace.army.mil/permits/>; click on **Regional Permits**. This is a PDF of the public notice document that describes the types of stream restoration work to be performed by the West Virginia Conservation Agency.

CONSTRUCTION STORMWATER NOTICE OF INTENT

Purpose: This permit, issued by the West Virginia Department of Environmental Protection (WVDEP), is structured to reduce the amount of soil entering West Virginia waters during storm events from land disturbing activities by requiring a plan for the installation of best management practices.

Projects that will disturb an area of land that is greater than 1 acre to less than 3 acres are subject to the Notice of Intent (NOI).

Review Process: Submission of the NOI is required 10 days prior to the start of activity. The applicant should not begin construction until written notification has been received from WVDEP. When the construction activity is completed and all disturbed areas stabilized, the responsible party must submit a Notice of Termination to WVDEP.

We highly recommended that you visit WVDEP's Construction Stormwater Section on the Internet at: www.wvdep.org/dwwm/stormwater/construction.htm for current contact information, permit information, manuals and other pertinent information. **Important Note:** Phased projects where phases are less than 1 acre but the total disturbance of all phases is between 1 and 3 acres requires an NOI. Land disturbance does not have to be contiguous to qualify.

Permit Cost: \$300

Contact Information:

WV Department of Environmental Protection
Division of Water and Waste Management
601 – 57th Street, SE
Charleston, WV 25304
(304) 926-0495



[Riparian restoration and streambank repair on Sleepy Creek, Morgan County](#)

CONSTRUCTION STORMWATER SITE REGISTRATION

Purpose: This permit, issued by the West Virginia Department of Environmental Protection (WVDEP), is structured to reduce the amount of soil entering West Virginia waters during storm events from land disturbing activities by requiring a plan for the installation of best management practices.

Projects that will disturb 3 acres or greater of land are subject to the Site Registration.

Review Process: The site registration must be submitted at least 45 days prior to the start of activity.

However, if the proposed project discharges to or upstream of a Tier 2.5 or Tier 3 water, disturbs more than 100 acres, or has an initial grading construction phase of 1 year or greater, the site registration **must be submitted 90 days prior** to construction to allow for public notice.

The applicant should not begin construction until written notification has been received from WVDEP. When construction activity is completed and all disturbed areas stabilized, the responsible party must submit a Notice of Termination to WVDEP.

Permit Cost:

3 – 3.9 acres	\$700
4 – 38.9 acres	\$1170
39 – 76.9 acres	\$1400
77 acres or more	\$1750

Contact Information:

WV Department of Environmental Protection
Division of Water and Waste Management
601 – 57th Street, SE
Charleston, WV 25304
(304) 926-0495



[Stream restoration project Knapps Creek, Pocahontas County](#)

We highly recommended that you visit WVDEP's Construction Stormwater Section on the Internet at: www.wvdep.org/dwvm/stormwater/construction.htm for current contact information, permit information, manuals and other pertinent information. **Important Note:** A phased project where phases are less than 3 acres but the total disturbance of all phases exceeds 3 acres requires a site registration. Land disturbance does not have to be contiguous to qualify.

FLOODPLAIN PERMITS

Purpose: Every county and flood prone municipality in West Virginia participates in the National Floodplain Insurance Program (NFIP), and has an ordinance to regulate development in the floodplain. The ordinance includes a flood map that designates floodplain areas, and establishes a permitting system to regulate new development in the floodplain. Some jurisdictions regulate activities in and around streams regardless of floodplain designation.

The NFIP sets minimum standards for regulating development in the floodplain, and some communities have more stringent requirements. Below are some minimal standards that may apply to stream restoration activities.

- In all floodplain ordinances, the definition of “development” includes dredging, filling, grading and excavation. Most stream restoration projects may therefore be considered “development”, for which a county or community permit is required.
- Floodplain ordinances also regulate the building or altering of new or replacement bridges, culverts or other stream crossings.

Review Process: Before altering or relocating a watercourse in the floodplain, notice of the proposed alteration must be provided by certified mail to all adjacent communities and the State NFIP Coordinating Office. Also consult with the local county, town or city floodplain permit officer about whether a permit is required, and the amount of fee. In reviewing permit applications, the county or community will determine if the proposed project is within the designated floodplain, as well as the specific regulatory standards that pertain to the particular floodplain area. The following are some of the minimum regulatory standards for projects within the different floodplain areas established on flood maps:

- In Approximate A zones, the permit officer must be given written assurance that the flood carrying capacity of the stream will be maintained. On all but extremely small projects this will generally be accomplished by providing a pre- and post-development engineering study demonstrating the project will not cause an unacceptable rise (1-ft. or greater).
- In AE zones with base flood elevations but without a designated floodway, all development may not create more than a 1-ft. cumulative rise in flood elevations. The permit officer may require an engineering study to demonstrate that a 1-ft. cumulative rise will not be exceeded.
- In AE zones with base flood elevations and floodways, hydrologic and hydraulic analysis is required to demonstrate that development will result in no increase to the base flood elevation (zero rise).

Before issuing a permit, the county or community permit officer will require copies of all other permits required by federal or state law.

Permit Cost: Varies

Contact Information:

West Virginia Division of Homeland Security and Emergency Management
Bldg. 1, Rm. EB-80
1900 Kanawha Blvd., East
Charleston, WV 25305
(304) 965-2331
Fax: (304) 965-3216

Note: The NFIP Office is the same address.

To see a list of local floodplain permit officers go to:
http://www.wvdhsem.gov/fp_managers/flplain_mgt_llist.html

For information on floodplain management go to:
http://www.wvdhsem.gov/flplain_mgt1.htm

For information on floodplain regulations go to:
http://www.wvdhsem.gov/flplain_regs.htm

For additional contacts go to:
http://www.wvdhsem.gov/nfip_contacts.htm

For an on-line West Virginia flood-mapping tool go to:
<http://www.mapwv.gov/flood/>

To see FEMA-issued flood maps go to:
<http://www.msc.fema.gov/>



[Bankfull flow over cross vane and step pool in Horseshoe Run, Tucker County](#)

STREAM ACTIVITY APPLICATION

Purpose: Public Land Corporation (PLC) applications are for the protection of water quality and aquatic life and are required when working or placing equipment in the stream. West Virginia Division of Natural Resources (WVDNR) fisheries biologists review applications to ensure high quality streams are protected and that activities such as installation of culverts and re-channelizing streams do not have detrimental effects on habitat.

A PLC stream activity application is not required if you are removing floating woody debris or trash from the stream (i.e. tree limbs and trash blocking the mouth of a culvert or accumulating around the piers of a bridge) if this work can be performed from the streambank without placing equipment in the stream disturbing the streambed.

Review Process: Once you determine your activity requires a PLC application, you must complete the application form and submit it to WVDNR. Direct contact with the District Fisheries Biologist when submitting a PLC application may expedite the process. The permitting process takes 21 days. WVDNR will not process an application until all other required permits have been processed. These include 401 certifications, 404 permits, floodplain applications, etc.

Application Cost: PLC applications are free of charge.

Contact Information:

Public Land Corporation
State Capitol Complex
Building 3, Room 643
1900 Kanawha Boulevard, East
Charleston, WV 25305-0665
Phone: (304) 558-3225
Fax: (304) 558-6048



[Contractor's work along Sleepy Creek, Morgan County](#)

A PLC application is available on the Internet at: <http://www.wvdnr.gov/REM/PLC.shtm>.

CLEAN WATER ACT SECTION 404 PERMIT AND 401 CERTIFICATION

Purpose: The physical alteration of water bodies in West Virginia, including wetlands and streams, are regulated by federal and state statutes under Section 401 (Certification) and Section 404 (Permits) of the Federal Clean Water Act.

Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (Corps) regulates the discharge of dredged and/or fill material in waters of the U.S. Under Section 10 of the Rivers and Harbors Act of 1899, the Corps regulates work in navigable waters of the U.S.

1. The Corps jurisdiction for waters of the U. S. is based on the definitions and limits of jurisdiction contained in 33 CFR 328, which states navigable waters, their tributaries, and adjacent wetlands are, in part, waters of the U.S. Some examples of jurisdictional waters may include ephemeral, intermittent, and perennial streams, wetlands, lakes, and ponds.
2. The term fill material means material placed in waters of the U.S., where the material has the effect of replacing any portion of a water of the U. S. with dry land or changing the bottom elevation of any portion of a water. Examples of “fill material” include rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure in waters of the U.S. Placement of fill material for construction or maintenance of any liner, berm, or other infrastructure associated with solid waste landfills and placement of overburden, slurry, or tailings or similar mining-related materials are also defined as discharge of fill material and regulated under section 404.
3. Projects involving the discharge of dredged and/or fill material into waters of the U.S. require authorization from the Corps of Engineers.

Section 401 of the Clean Water Act requires that any applicant for a Section 404 permit also obtain a Water Quality Certification from the State. The purpose of the certification is to confirm that the discharge of fill materials will be in compliance with the State’s applicable Water Quality Standards. The West Virginia Department of Environmental Protection (WVDEP), in conjunction with the West Virginia Division of Natural Resources certifies physical alterations under section 401 of the Clean Water Act and state water quality standards [Title 46, Series 1, Legislative Rules Governing Water Quality Standards].

Important Note: Performing unauthorized work in waters of the U.S. or failure to comply with the terms and conditions of an issued permit can have serious consequences. Resolutions to unauthorized or non-compliance work can include mandatory restoration, extensive after the fact permitting, additional compensatory mitigation, and the potential for monetary penalties.

US EPA and the Corps of Engineers have recently issued guidance on the Clean Water Act’s definition of “Waters of the United States.” Read more about the guidance in the [Reference Section](#).

404 Review Process:

- **Jurisdictional Determination:** Prior to submitting a permit application, applicants are encouraged to prepare and submit a Jurisdictional Determination (JD) Report. This report provides descriptions and mapping to identify the limits of a project site, in addition to the limits of waters of the U.S. The JD report typically includes information such as location maps; plan views of all waters of the U.S., field data sheets, and photographs. Upon completion of JDs, applicants are encouraged to design projects to avoid work in waters of the U.S. The permit application process can be avoided if proposed work occurs exclusively in uplands.
- **Pre-Application Meetings:** For complex and/or controversial projects, applicants are encouraged to submit preliminary information to the Corps and request a pre-application meeting. Such meetings provide applicants with early input and feedback on projects, recommendations for avoidance minimization, and consideration of the need for compensatory mitigation. Pre-application meetings may involve Corps project managers, in addition to representatives of federal and state resource agencies.

404 Permit Types: There are two categories of permits pursuant to Section 404 and Section 10. These include Standard Permits and General Permits. Standard Permits include Individual Permits and Letters of Permission (LOPs). General Permits include Nationwide Permits and Regional Permits. Each permit type is further summarized below.

- **Individual Permit:** Individual permits involve the comprehensive evaluation of specific information related to a proposed project. The process includes the solicitation of input from the public and resource agencies through publication and distribution of a public notice, an evaluation of the aquatic resource effects of the project relative to the Section 404(b) (1) Guidelines, full public interest review pursuant to the National Environmental Policy Act of 1969 (NEPA), and ultimately the preparation of an environmental assessment (EA) or environmental impact statement (EIS). The review time of an Individual Permit varies depending on the overall impacts, level of complexity, and degree of controversy.
- **Letter of Permission:** Letters of permission (LOPs) are a form of abbreviated standard permit process. This process includes coordination with federal and state resource agencies. LOPs may be used to authorize activities subject to Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, or both. Proposed work being evaluated through this process includes projects that are minor in nature, would not have significant individual or cumulative impacts on environmental values, and should encounter no appreciable opposition. LOP procedures serve to reduce administrative procedures and expedite permit decisions. The review time for LOPs varies depending on the level of agency coordination required, but may range from one to several months.

- **Nationwide Permits:** Nationwide permits (NWP) are a type of general permit issued nationally for a category of activities that are typically similar in nature and result in not more than minimal adverse individual and cumulative impacts and satisfy other public interest factors. Some NWPs and/or established thresholds require applicants to submit a Pre-construction Notification to the Corps prior to commencing regulated work, while other NWPs may be used by applicants without prior notification, provided applicants comply with all terms and conditions of the NWPs, including any applicable Regional Conditions. Some examples of NWPs include NWP 12 for Utility Line Activities, NWP 14 for Linear Transportation Projects, NWP 21 for Surface Coal Mining Operations, NWP 27 for Stream and Wetland Restoration and NWP 37 for Emergency Watershed Protection and Rehabilitation. The review time for most NWPs is 45 days from receipt of a complete application. Some NWPs, including those associated with mining, do not have specified timeframes.
- **Regional Permits:** Regional Permits (RPs) are a type of general permit issued on a statewide or regional basis for a category of activities that are typically similar in nature and result in not more than minimal adverse individual and cumulative impacts and satisfy other public interest factors. Regional Permits are coordinated with federal and state resource agencies during their development and provide an expedited permit process for types of work resulting in minimal adverse individual and cumulative effects. Some examples of RPs include the Regional Permit for Boat Docks, the Regional Permit for Stream Restoration by Individual Landowners, and the Regional Permit for Abandoned Mine Lands (being finalized). The review time for RPs is generally similar to those associated with NWPs, typically 45 days from receipt of a complete application.

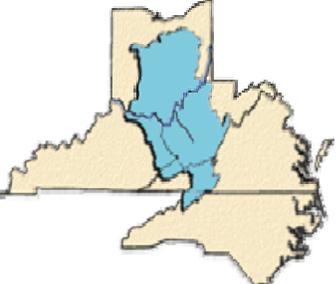
401 Certification: An applicant for a 404 permit must also submit an application to the state for certification under Section 401. The state is required to determine application completeness within 60 days of receipt. The applicant must then publish a class 1 legal advertisement in a local newspaper for a 30-day comment period. The state has up to one year to issue, deny, or waive certification. Since the Section 404 permit is contingent on the state's certification, the Corps may not issue a permit if state certification is denied.

Permit Cost: 401 permit application fee: \$ 250
404 permit application fee: Not to exceed \$100.00

For a brochure on 401 Certification regarding streams and wetland go to:
http://www.wvca.us/news/upload/wvwn_publications/931_rb-cwa%20627.pdf

For a brochure about stream restoration after flooding go to:
http://www.wvca.us/news/upload/wvwn_publications/930_Strm%20Rstoratn%20after%20Flooding.pdf

Contact Information:

<p>U.S. Army Corps of Engineers, Huntington District</p> <p>CELRH, Huntington 502 Eighth Street Huntington, WV 25701 (304) 399-5710</p> <p>District Website http://www.lrh.usace.army.mil/permits</p> <p>Headquarters Website http://www.usace.army.mil/</p> 	<p>U.S. Army Corps of Engineers, Pittsburgh District</p> <p>Attention: CELRP-OP-F Federal Building 1000 Liberty Avenue Pittsburgh, PA 15222-4186 Phone: 412-395-7155 FAX: 412-644-4211</p> <p>District Website http://www.lrp.usace.army.mil/ Includes portions of western Pennsylvania, northern West Virginia, eastern Ohio, western Maryland and southwestern New York</p>	<p>For Section 401 Certification - for all filling activities, except coal and quarries:</p> <p>West Virginia Department of Environmental Protection / Division of Water and Waste Management 601 - 57th Street, SE Charleston, WV 25304 (304) 926-0495</p> <p>West Virginia Department of Environmental Protection's Website http://www.wvdep.org</p>
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[Pre-application meeting with Corps, Deckers Creek, Monongalia County](#)

THE NATIONAL ENVIRONMENTAL POLICY ACT

Purpose: The National Environmental Policy Act (NEPA) requires federal agencies to integrate environmental values into their decision-making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.

Review Process: The NEPA process consists of an evaluation of the environmental effects of a federal undertaking including its alternatives. There are three types of analysis. The three types include: (1) categorical exclusion determination; (2) preparation of an environmental assessment (EA) and/or finding of no significant impact (FONSI); and (3) preparation of an environmental impact statement (EIS).

1. An undertaking may be excluded from a detailed environmental analysis if it meets certain criteria, which a federal agency has previously determined as having no significant environmental impact. A number of agencies have developed lists of actions, which are normally excluded from environmental evaluation under their NEPA regulations.
2. A federal agency prepares a written environmental assessment (EA) to determine whether or not a federal undertaking would significantly affect the environment. If the answer is no, the agency issues a finding of no significant impact (FONSI). The FONSI may address measures, which an agency will take to reduce potentially significant impacts.
3. If the EA determines that the environmental consequences of a proposed federal undertaking may be significant, an EIS is prepared. An EIS is a more detailed evaluation of the proposed action and alternatives. The public, other federal agencies and outside parties may provide input into the preparation of an EIS and then comment on the draft EIS when it is completed. If a federal agency anticipates that an undertaking may significantly impact the environment, or if a project is environmentally controversial, a federal agency may choose to prepare an EIS without having to first prepare an EA. After a final EIS is prepared and at the time of its decision, a federal agency will prepare a public record of its decision addressing how the finding of the EIS, including consideration of alternatives, were incorporated into the agency's decision-making process.

Go to: <http://ceq.eh.doe.gov/nepa/nepa.net.htm> for a complete text of NEPA;

Go to: <http://www.epa.gov/compliance/nepa/index.html> for NEPA requirements; and

Go to: <http://www.epa.gov/compliance/nepa/submiteis/index.html> for information about submitting an EIS.

Important Note: If a project is federally funded or requires federal authorization, an EA may be required.

**NOTIFYING WEST VIRGINIA'S DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF ENVIRONMENTAL ENFORCEMENT**

As a good measure, you may want to notify your regional West Virginia Department of Environmental Protection Office of Environmental Enforcement (EE) of your upcoming project. This will open the lines of communication in the event that a problem occurs from your project site. In most cases EE is notified of an activity if it requires a Public Lands Permit.

Office Locations

Office	Mailing address	Telephone	Fax
		All West Virginia area codes are (304)	
Charleston Headquarters	601 - 57th Street, Charleston, WV 25304	926-0470	926-0488
Fairmont	2031 Pleasant Valley Road, Fairmont, WV 26554	368-3960	368-3953
Romney	HC 63, Box 2545, Romney, WV 26757	822-7266	822-3687
Teays	PO Box 662, Teays, WV 25569	757-1693	757-3873
Oak Hill	116 Industrial Drive, Oak Hill, WV 25901	465-1919	465-1524
Parkersburg	2311 Ohio Avenue, Parkersburg, WV 26101	420-4635	420-4554
Wheeling	131-A Peninsula Street, Wheeling, WV 26003	238-1220	238-1006

Staff Contacts

Office	Employee	Title
Charleston Headquarters	<u>Michael A. Zeto</u>	Chief Inspector
Fairmont - Water and Waste	<u>Larry L. Betonte</u>	Assistant Chief Inspector
Charleston - Hazardous Waste/UST	<u>Tom Fisher</u>	Assistant Chief Inspector
Charleston Headquarters	<u>Richard Pino</u>	Assistant to the Chief Inspector
Charleston Headquarters	<u>Joe Sizemore</u>	Assistant to the Chief Inspector
Charleston - Dam Safety	<u>Brian Long</u>	Program Manager
Charleston - UST	<u>Gil Sattler</u>	Program Manager
Charleston - Hazardous Waste	<u>Chris Gatens</u>	Environmental Inspector Supervisor
Fairmont - Water and Waste	<u>Bradley C. Swiger</u>	Environmental Inspector Supervisor
Fairmont - Hazardous Waste	<u>Jamie Fenske</u>	Environmental Inspector Supervisor
Romney - Water and Waste	<u>Jack A. Fleshman</u>	Environmental Inspector Supervisor
Teays - Water and Waste	<u>Cynthia Musser</u>	Environmental Inspector Supervisor
Oak Hill - Water and Waste	<u>John Fredericks</u>	Environmental Inspector Supervisor
Teays - Compliance Monitoring	<u>Charles Moses</u>	Environmental Inspector Supervisor

ADDITIONAL INFORMATION FROM THE INTERNET

Important Note: The credibility of each of the web pages included here has not been thoroughly investigated. Apply the normal standards of Internet research to your investigation of each website in order to determine its veracity. The West Virginia Watershed Network (WVWN) provides these web pages because they may have information of interest to a wide audience. WVWN does not necessarily endorse the views expressed or the facts presented at these sites, nor endorse any commercial product that may be advertised or available on the sites.

Information from other states and programs

A Holistic Approach to Stormwater Management

http://www.civil.ryerson.ca/stormwater/menu_5/index.htm

California Stormwater Best Management Practices Handbook: Introduction to BMPs

http://www.cabmphandbooks.com/Documents/Construction/Section_3.pdf

Chesapeake Bay Program's BMPs Questions and Answers

http://www.chesapeakebay.net/pubs/waterqualitycriteria/doc-bmp_Q_and_A.pdf

Erosion and Sediment Control: A Guide for Individual Building Sites

<http://www.cdiowa.org/PDF%20Documents/Const.%20Site%20Brochure.pdf>

Erosion and Sediment Control for Development Sites

http://www.co.gwinnett.ga.us/departments/planning/pdf/erosion_and_sediment_control_for_development_sites.pdf

Erosion and Sediment Control Magazine: Erosion and Sediment Control at Construction Sites

http://www.forester.net/ec_0009_make.html

Georgia Green Industry Association

<http://ggia.giyp.com/groups.asp?cc=GGIA&mID=10&biz=1>

Kentucky Erosion Prevention and Sediment Control Field Guide

http://www.kutc.ku.edu/pdffiles/esc_guide.pdf

Management Measures for Erosion and Sediment Control

<http://www.epa.gov/nps/agmm/chap4c.pdf>

Natural Resources Conservation Service (NRCS): Backyard Conservation

<http://landcare.sc.egov.usda.gov/images/pdf/backyardbooklet.pdf>

North Carolina's Stormwater Best Management Practices

http://h2o.enr.state.nc.us/su/documents/BMP_Manual.pdf

Tennessee Erosion and Sediment Control Handbook

http://state.tn.us/environment/wpc/sed_ero_controlhandbook/1.Introduction.pdf

Information specific to West Virginia

Sediment and Erosion Control Ordinance for Berkeley County, West Virginia

http://www.berkeleycountycomm.org/images/ordinances_pdf/storm_water_management.pdf

West Virginia BMPs for Controlling Sediment and Erosion from Logging Operations

<http://www.wvforestry.com/BMP%20Book%20Complete.pdf>

WVDEP Brochure: 401 Certification for West Virginia's Streams and Wetlands

http://www.wvca.us/news/upload/wvwn_publications/931_rb-cwa%20627.pdf

WVDEP Brochure: Stream Restoration after Flooding

http://www.wvca.us/news/upload/wvwn_publications/930_Strm%20Rstoratn%20after%20Flooding.pdf

West Virginia Department of Environmental Protection's Permit Guides

<http://www.wvdep.org/item.cfm?ssid=36&ssid=218>

West Virginia Department. of Transportation: Erosion and Sediment Control Manual

<http://www.wvdot.com/engineering/files/EROSION/Erosion2003.pdf>

WATERS OF THE UNITED STATES

EPA and the Corps of Engineers have jointly issued a legal memorandum that interprets the June 19, 2006 Supreme Court decision in the consolidated cases *Rapanos v. U.S.* and *Carabell v. U.S.* (known as the [Rapanos decision](#)). The guidance is being released to Corps of Engineers and EPA field offices to ensure nationwide predictability, reliability, and consistency in identifying wetlands, streams and rivers subject to the Clean Water Act (CWA). The EPA/Corps guidance reflects the agencies' intent to provide maximum protection for the Nation's aquatic resources under the CWA as interpreted by the Supreme Court in *Rapanos*. To ensure such decisions are made in a timely manner, the agencies have released concurrently with the guidance a Memorandum of Agreement laying out a process with specific short timeframes, when necessary, for reaching interagency agreements on jurisdictional calls. In addition, a series of questions and answers provides additional information.

Go to: <http://www.epa.gov/owow/wetlands/guidance/CWAwaters.html> for more information.

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