

Water Related Regulations: Which Government Agency Is Responsible?

Overview

(The information in this section was modified from the Virginia Water Resources Research Center's "For the Record," *Virginia Water Central*, April 2000, April 2004, and August 2004 editions)

Federal Water Regulations

Federal regulations cover drinking water safety, water quality in the nation's water bodies, use of navigable waters, wetlands activities, interstate transportation on waterways, certain dams and dam related activities, and many other areas.

Existing Regulations

The *Code of Federal Regulations* (CFR) compiles the rules published in the *Federal Register*. The CFR is divided into 50 titles covering broad areas. Title 40, for example, is "Protection of the Environment" and contains many EPA regulations. Internet users should go to <http://www.gpoaccess.gov/cfr/index.html> for an index of, and links to, all the CFR titles. For paper copies of CFR titles (for a charge), contact the U.S. Government Printing Office (GPO) Access Order Desk at (866)-512-1800 or ContactCenter@gpo.gov.

Agencies Appearing in the *Code of Federal Regulations*

The alphabetical list of agencies with pertinent CFR titles can be found in "Appendix C" of the *U.S. Government Manual* at www.gpoaccess.gov/gmanual/index.html. Internet sites for regulatory information from some key water-related federal agencies are listed below (addresses correct as of 7/15/05):

Environmental Protection Agency – www.epa.gov/epahome/rules.html.

Army Corps of Engineers – www.usace.army.mil/public.html#Regulatory.

Fish and Wildlife Service – laws.fws.gov.

Federal Energy Regulatory Commission – www.ferc.gov/legal/ferc-regs.asp.

National Oceanic and Atmospheric Administration (Northeast Region) – www.nero.noaa.gov/nero/regs/com.html.

Also, "**Regulations.gov**", at www.regulations.gov, is a "one-stop" website to learn about and comment on regulations for any federal agency (the site's search function lets you choose the agency of interest).

State Water Regulations

State regulations cover water-supply and wastewater facilities, aquatic-resource protection and management, fishing, shellfishing, boating, stormwater management, waste management, handling of pesticides and other toxic materials, and many other activities affecting Virginia's water resources. Listed below are the agencies and citizen boards involved in developing water-related regulations in Virginia. Once adopted regulations become effective, they become a part of the *Virginia Administrative Code*. The *Virginia Administrative Code* is available at leg1.state.va.us/000/srr.htm. The print version is available at larger libraries.

Agencies

Agriculture and Consumer Services
Conservation and Recreation
Environmental Quality
Forestry
Game and Inland Fisheries
Health
Marine Resources Commission
Mines, Minerals, and Energy
Potomac River Fisheries Commission
Transportation

Citizen Boards

Chesapeake Bay Local Assistance Board
Conservation and Recreation Board
Forestry Board
Marine Resources Commission
Pesticide Control Board
Soil and Water Conservation Board
Waste Management Board
Water Control Board
Waste Management Facility Operators' Board
Water- and Wastewaterworks Operators' Board

Agencies

(The information in this section was modified from the websites of the respective agencies.)

-- Agriculture and Consumer Services

Virginia Department of Agriculture and Consumer Services (VDACS)

Website: <http://www.vdacs.virginia.gov/>

Central Office Phone Number: (804) 786-2373

Phone Number for Hearing Impaired: 1-800-828-1120

Central Office Address: 1100 Bank Street, Richmond, VA 23219

The VDACS central office is located in the Washington Building on the grounds of the Virginia State Capitol in downtown Richmond.

1. VDACS – Pesticide Application

VDACS administers assigned environmental protection laws and regulations to protect the environment from pesticide misuses. If you have a pesticide-related complaint, contact VDACS's Enforcement and Compliance staff. A team of investigators is available to conduct in-depth investigations to determine whether a pesticide has been misused. For additional information related to these and other services provided by the Office of Pesticide Services, see <http://www.vdacs.virginia.gov/pesticides/index.html>. Contacts for offices are also listed on the website. More contact information is at: <http://www.vdacs.virginia.gov/about/directory-cp.html>.

2. VDACS – Agricultural Stewardship Act (ASA)

The ASA gives farmers an opportunity to correct a water quality problem voluntarily before any enforcement action is taken. The objective is to work with farmers and local Soil and Water Conservation Districts to resolve, in a timely and commonsense manner, water quality problems reported to VDACS concerning nutrients, sediment, and toxins from agricultural activities.

Complaints should be sent to the VDACS Commissioner's Office, which administers the ASA. If a complaint is under the jurisdiction of the ASA, the local Soil and Water Conservation District is contacted and given the opportunity to investigate. After a complaint is investigated, the Commissioner's Office reviews the findings and determines if the complaint is founded and requires further action under the ASA. If so, the farmer is required to develop a plan to correct the problem and then complete plan implementation within eighteen months. The Commissioner's Office contacts complainants to inform them of the findings. The ASA does not cover agricultural activities subject to water quality permits from the Department of Environmental Quality, forestry activities, air pollution, odor concerns, and landfills or waste problems that do not involve agricultural products and that have no clear water quality impact.

3. VDACS – Endangered Species

Two state agencies, the Department of Game and Inland Fisheries and the Department of Agriculture and Consumer Services have legal authority for endangered and threatened species and are responsible for their conservation in Virginia. A third state agency, the Department of Conservation and Recreation, Division of Natural Heritage produces an inventory of the Commonwealth's natural resources and maintains a data bank of ecologically significant sights.

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-- Coast Guard

U.S. Coast Guard Headquarters

Website: <http://www.uscg.mil/USCG.shtm>

Headquarters Address: 2100 Second Street, SW, Washington, DC 20593

The mission of the Coast Guard includes maritime safety, mobility, and security; national defense; and protection of natural resources. The Coast Guard Office of Law Enforcement covers fisheries laws at sea. Its fisheries priorities include: 1. protecting the U.S. Exclusive Economic Zone from foreign encroachment, 2. enforcing domestic fisheries law, and 3. enforcing international fisheries agreements. The Marine Safety, Security, and Environmental Protection's Program Regulatory website: <http://www.uscg.mil/hq/g-m/regs/reghome.html> offers information regarding proposed and final Federal regulations affecting commercial vessel safety, port safety and security, and marine safety and environmental protection. The U.S. Coast Guard Environmental Standards Division (G-MSO-4) develops and maintains standards, regulations, and guidelines for industry, the states, and the public, to implement laws and treaties on marine environmental protection.

To report drunken or unsafe boating, environmental crimes, or other waterway violations, contact the Coast Guard at (877) 249-2824. For Maritime Search and Rescue Emergencies in the Atlantic area, call the Atlantic Area Command Center: (757) 398-6390, located in Portsmouth, Virginia (5th District).

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-- Conservation and Recreation

Virginia Department of Conservation and Recreation (DCR)

Website: <http://www.dcr.virginia.gov/>

Central Office Phone Number: 804-786-1712

Address: 203 Governor Street, Suite 206, Richmond, VA 23219-2019

1. DCR – Soil and Water Conservation

DCR is responsible for enforcing regulations concerning non-point source pollution (NPS), which occurs mainly through stormwater runoff. DCR is responsible for the issuance, denial, revocation, termination and enforcement of National Pollutant Discharge Elimination System (NPDES) programs related to municipal separate storm sewer systems (MS4) and construction activities (The Department of Environmental Quality manages the remaining NPDES program). For Storm Water Management, DCR oversees regulated activities undertaken on state and federal property, while localities (counties, cities, towns) have the option to establish a local Stormwater Water Management program to regulate these same activities on private property in their jurisdiction.

Owners / operators of construction activities equal to or larger than one (1) acre are required to apply for registration coverage under the General Permit for Discharges of Stormwater From Construction Activities. Owners / operators of construction activities larger than 2,500 square feet and less than one (1) acre located in Chesapeake Bay Preservation localities are also required to apply for registration for coverage. If you are concerned about the effects of runoff leaving a nearby construction site, contact the local governing body responsible for erosion and sediment control in your area. Most land disturbance is regulated by local ordinances under the Virginia Erosion and Sediment Control Law.

DCR's Soil and Water Conservation Program has developed a set of "yellow pages" for many of Virginia's major watersheds (<http://www.dcr.virginia.gov/sw/wsheds.htm>). Each set of yellow pages contains telephone numbers to sources of information.

2. DCR – Chesapeake Bay Local Assistance -- <http://www.cblad.virginia.gov/>

DCR's Chesapeake Bay Local Assistance program addresses the impact of land use upon the waters that feed the Chesapeake Bay. It participates in the Multi-jurisdictional Chesapeake Bay Program and implements the Commonwealth of Virginia's Chesapeake *Bay Preservation Act* and the associated regulations. The Chesapeake Bay Preservation Act established a cooperative relationship between the Commonwealth and local governments aimed at reducing and preventing nonpoint source pollution. The Bay Act Program is designed to improve water quality in the Chesapeake Bay and its tributaries by requiring the use of effective conservation planning and pollution prevention practices when using and developing environmentally sensitive lands. The Virginia General Assembly designed the act to enhance water quality and still allow reasonable development to continue.

The Bay Act created a unique partnership between the state and local governments in Tidewater Virginia. Each Tidewater locality must adopt a program based on the regulations adopted by the Local Assistance Board. The regulations, like the Bay Act, recognize local government responsibility for land use decisions. The regulations are designed to establish a framework for compliance but do not dictate precisely what local programs must look like.

Local governments must amend their zoning ordinances, subdivision ordinances, and comprehensive plans to incorporate water quality protection measures consistent with the Bay Act Regulations. The regulations address non-point source pollution by identifying and protecting certain lands called Chesapeake Bay Preservation Areas. The lands that make up these preservation areas are those that have the potential to impact water quality most directly.

3. DCR – Dam Safety and Floodplain Management

The purpose of DCR's dam safety program is to provide for safe design, construction, operation and maintenance of dams to protect public safety. According to the *Virginia Dam Safety Act* and *Dam Safety Regulations*, no person or entity shall construct, begin to construct, alter or begin to alter an impounding structure until the Virginia Solid and Water Conservation Board has issued a construction permit. All dams in Virginia are subject to the Dam Safety Act unless specifically excluded (For exclusions, see <http://www.dcr.virginia.gov/sw/damsafty.htm>). For questions, contact DCR's Dam Safety Program staff at (804) 371-6095 or e-mail dam@dcr.virginia.gov.

The *Virginia Flood Damage Reduction Act* of 1989 works to improve Virginia's flood protection programs and place related programs in one agency. Floodplain Management Program staff work with localities to establish and enforce floodplain management zoning. Localities write their own standards, using minimum standards as guidelines. Local governments can set more restrictive standards. Floodplain zoning regulates how development is allowed within floodplains. The program's main goal is to protect people and their property from unwise floodplain development. For more information about flooding issues, floodplain management or the National Flood Insurance Program, please email, call or write:

Corey Garyotis, PE, CFM, NFIP Coordinator (804) 786-8073,

E-mail corey.garyotis@dcr.virginia.gov

David Gunn, PE, Floodplain Engineer, (804) 786-1369, E-mail david.gunn@dcr.virginia.gov

Mark Slauter, Floodplain Program Planner, (804) 371-6135,

E-mail mark.slauter@dcr.virginia.gov

4. DCR – Natural Heritage Program

The Natural Heritage Program represents a comprehensive effort to inventory and preserve the animal, plant and natural community resources of the Commonwealth of Virginia.

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-- Environmental Protection

U.S. Environmental Protection Agency (EPA)

Headquarters Website: <http://www.epa.gov/>

Headquarters Phone Number: 202-272-0167

Headquarters Address: Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460

EPA Region 3 Website: <http://www.epa.gov/region03/index.htm>

EPA Region 3 Phone Number: 215-814-5700

EPA Region 3 Address: 1650 Arch Street, Philadelphia, PA 19103-2029

The EPA Office of Water is responsible for implementing the *Clean Water Act* and *Safe Drinking Water Act*, and portions of the *Coastal Zone Act Reauthorization Amendments of 1990*; *Resource Conservation and Recovery Act*; *Ocean Dumping Ban Act*; *Marine Protection, Research and Sanctuaries Act*; *Shore Protection Act*; *Marine Plastics Pollution Research and Control Act*; *London Dumping Convention*; the *International Convention for the Prevention of Pollution from Ships* and several other statutes. The EPA Office of Water staff depend on many others, including the ten EPA Regions (Virginia is part of EPA Region III), other federal agencies, state and local governments, Indian tribes, the regulated community, organized professional and interest groups, land owners and managers, and the public-at-large. The Office of Water provides guidance, specifies scientific methods and data collection requirements, performs oversight and facilitates communication among those involved. As soon as Office of Water and regional staff have helped the states and Indian tribes to build the capacity, many water programs are delegated to them to implement.

Resources are available through the EPA website and at the EPA Hotlines and Clearinghouses website: <http://www.epa.gov/epahome/hotline.htm#w>, including:

Safe Drinking Water Hotline

1-800-426-4791, (703) 412-3333 (fax)

The SDW Hotline provides information about EPA's drinking water regulations and other related drinking water and ground water topics to the regulated community, State and local officials, and the public. Specifically, the Hotline clarifies drinking water regulations, provides appropriate 40 CFR and Federal Register citations, explains EPA-provided policies and guidelines and gives update information on the status of regulations. The Hotline can also provide State and local contacts.

Wetlands Information Hotline

1-800-832-7828, (202) 566-1730 (Washington, DC Area Local), (202) 566-1736 (fax)

email: wetlands.helpline@epa.gov

The EPA Wetlands Helpline is a contactor operated, toll-free telephone service and e-mail correspondent, which answers requests for information about wetlands regulation, legislation and policy pursuant to Section 404 of the Clean Water Act, wetlands values and functions, and wetlands agricultural issues.

1. EPA – Ground Water & Drinking Water

Information is available at www.epa.gov/ogwdw/, concerning: drinking water and health basics, local drinking water information, source water protection, drinking water standards, public drinking water systems, underground injection control, list of contaminants, and drinking water maximum contaminant levels (MCLs).

2. EPA – Water Science

The website, <http://www.epa.gov/waterscience/>, provides information on science and technology applications. It includes information on Beach Watch, analytical test methods, drinking water and health advisories, water quality criteria and standards, contaminated sediments, shellfish protection, fish and wildlife consumption advisories, effluent guidelines, and more.

3. EPA – Wastewater Management

The Office of Wastewater Management (OWM) promotes compliance with the requirements of the *Federal Water Pollution Control Act*. OWM focuses on control of water that is collected in discrete conveyances (also called point sources), including pipes, ditches, and sanitary or storm sewers. OWM is also home to the Clean Water State Revolving Fund, the largest water quality funding source, focused on funding wastewater treatment systems, nonpoint source projects, and estuary protection. Look for information about biosolids, municipal technologies, the National Pollutant Discharge Elimination System (NPDES), and other information at <http://www.epa.gov/owm/>.

4. EPA – Wetlands, Oceans, & Watersheds

The EPA Office of Wetlands, Oceans, and Watersheds (OWOW) provides regulatory information about watersheds, wetlands, and oceans and also has information about coasts and estuaries, lakes, Total Maximum Daily Loads (TMDLs), runoff control, and water quality trading (<http://www.epa.gov/owow/>).

Of particular interest to citizen monitors, the OWOW website is where volunteer monitoring information can be found and where STORET (data STORage and RETrieval system) is located (<http://www.epa.gov/owow/monitoring/infosys.html>). This site also has the Watershed Academy for web-based seminars and training and for information about live training courses, and “Surf Your Watershed,” a program to help you locate, use, and share environmental information about your state and watershed.

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-- Environmental Quality

Virginia Department of Environmental Quality (DEQ)

Website: <http://www.deq.virginia.gov/>

Central Office Phone: 804-698-4000, or toll-free in Virginia 1-800-592-5482

Central Office Physical Address: 629 East Main Street, Richmond, VA. 23219

Central Office Mailing Address: P.O. Box 10009, Richmond, VA. 23240

Environmental Emergencies: During business hours, call the nearest DEQ regional office, or call the Department of Emergency Management 24 hours a day at 1-800-468-8892

DEQ administers the federal *Clean Water Act* and enforces state laws to improve the quality of Virginia's streams, rivers, bays and ground water for aquatic life, human health and other water uses. Permits are issued to businesses, industries, local governments and individuals that take into account physical, chemical, and biological standards for water quality. Citizens with questions on who to talk to at DEQ about a particular issue may contact their regional office, the central office in Richmond, or the Water Quality Data Liaison (James Beckley, jebeckley@deq.virginia.gov, 804-698-4025).

There are two ways to make a Pollution Response report:

1. During normal work hours call the number listed for the Pollution Response Program (PREP) for the DEQ Regional Office that covers the area where the incident occurred. See the DEQ Regional Office maps to determine which DEQ Region to call (<http://www.deq.virginia.gov/prep/contacts.html>) or check your local phone book.

2. Nights, holidays, and weekends call the Department of Emergency Management's (DEM) - 24 hour reporting number. In-state calls only: 1-800-468-8892; Out-of-state calls: 1-804-674-2400. The DEM staff will relay the information to on-call DEQ personnel.

If you wish to report a pollution incident or a suspected violation of state environmental law, assemble the following information:

1. WHERE: The location of the incident. In order for the DEQ to investigate, it needs to know where the problem is and how to get there.
2. WHEN: The sooner an incident is reported the greater the likelihood that an environmentally protective response can be made.
3. WHAT: If you know what was released and how much, that can help determine the type of investigation needed.
4. WHO: If you know the source of the problem or the company/individual causing the problem, please provide that information.

DEQ's Water Quality Program (<http://www.deq.virginia.gov/water/homepage.html>) includes information on various water permits, water quality assessments, Virginia's impaired waters, and Total Maximum Daily Loads. It also has information about citizen monitoring, fish tissue and sediment monitoring, the Chesapeake Bay Program, watersheds, wetlands, plus guidance documents and much more. Information about water regulations in Virginia includes, but is not limited to, the following (See <http://www.deq.virginia.gov/regulations/xwaterregs.html>):

1. DEQ – Virginia Water Quality Standards

Water quality standards consist of statements that describe water quality requirements. They also contain numeric limits for specific physical, chemical, biological or radiological characteristics of water. The standards are intended to protect all state waters for recreation, wildlife, the growth of a balanced population of aquatic life, and the production of edible and marketable fish and shellfish. Through the protection of these uses, other uses such as industrial water supply, irrigation and navigation also are usually protected. For more information, see <http://www.deq.virginia.gov/wqs/>.

2. DEQ – Virginia Pollutant Discharge Elimination System Permit Regulations

The National Pollutant Discharge Elimination System (NPDES) limits pollutant discharges into streams, rivers, and bays. EPA has authorized Virginia to issue permits under the Virginia Pollutant Discharge Elimination System Permit (VPDES) program (<http://www.deq.virginia.gov/vpdes/>). These permits carry the weight of both federal and state laws and regulations, and are enforceable under both state and federal authority. In Virginia, DEQ administers the VPDES program for all point source discharges to surface waters. The U.S. Environmental Protection Agency maintains authority to review applications and permits for "major" dischargers. DEQ and DCR coordinate separate state programs that regulate the management of pollutants carried by storm water runoff. DEQ regulates storm water discharges associated with "industrial activities," while DCR regulates storm water discharges from construction sites, and from municipal separate storm sewer systems (MS4s) VPDES permits for surface coal mines are issued by the Virginia Department of Mines, Minerals, and Energy.

3. DEQ – Sewage Collection and Treatment Regulations

Sewage collection and treatment area services are managed by the DEQ Office of Wastewater Engineering (OWE) Program, <http://www.deq.virginia.gov/wastewater/>. The OWE provides technical evaluation of proposals, reports, plans and specifications submitted in support of permits to construct and operate sewage collection and treatment facilities. The OWE administers the *Sewage Collection and Treatment Regulations*, which cover domestic sewage only. Industrial waste is not covered by this office unless the treatment plant receives over ten percent domestic sewage flows.

4. DEQ – Virginia Pollution Abatement Permit Regulations

The treatment, storage, and land application of industrial waste (sludge and wastewater), sewage sludge, municipal wastewater, and animal waste is a regulated activity in the Commonwealth of Virginia. A Virginia Pollution Abatement permit may be issued by DEQ whenever an owner handles waste and wastewater in a manner that does not involve discharging to a sewage treatment work, or to state waters pursuant to a valid Virginia Pollutant Discharge Elimination System permit (<http://www.deq.virginia.gov/vpa/homepage.html>). In general, land application of industrial waste or spray irrigation of industrial and municipal wastewater is covered by a Virginia Pollution Abatement individual permit. Animal feeding operations are covered by a Virginia Pollution Abatement individual or general permit. A separate Virginia Pollution Abatement general permit covers confined poultry feeding operations for poultry waste management. VPDES permits will be required for some Concentrated Animal Feeding Operations (CAFOs).

5. DEQ – Petroleum Storage Tank Regulations

DEQ is responsible for enforcing laws associated with petroleum storage tanks: underground storage tanks, above ground storage tanks, and home heating oil tanks. For more information, see <http://www.deq.virginia.gov/tanks/homepage.html>.

6. DEQ – Wetlands regulations

The Virginia Water Protection Permit Program regulates impacts to state waters, including wetlands and streams (<http://www.deq.virginia.gov/wetlands/>). Applications for development in wetland regions are made through the Joint Permit Application process for concurrent federal and state project review. See the section on the U.S. Army Corps of Engineers (Norfolk District) for more information.

7. DEQ – Water Resources Management

The DEQ Office of Ground Water Management administers the Ground Water Withdrawal Permit Program. The Office of Water Supply Planning administers the Surface Water Withdrawal Permit Program. See <http://www.deq.virginia.gov/waterresources/>. Ground and surface water withdrawals in declared Groundwater and Surface Water Management areas are regulated under these programs. Additionally, certain users who withdraw groundwater and surface water any where in the Commonwealth of Virginia are subject to regulation that requires reporting of water usage. Reportable withdrawals include, but are not limited to, those for public water supply, manufacturing, mining, commercial uses, institutional uses, livestock watering, artificial fish culture, and steam-electric power generation. Reporting requirements typically apply to those users, including holders of a Virginia Water Protection Permit for surface water withdrawals, whose average daily withdrawal during any single month exceeds 10,000 gallons per day.

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-- Forestry

Virginia Department of Forestry (DOF)

Website: <http://www.dof.virginia.gov/>

Central Office Telephone: 434-977-6555

Central Office Address: 900 Natural Resources Drive, Charlottesville, VA 22903

DOF is responsible for water quality issues related to forests, forestry, and logging. Contact your local county forester (see your local phone book or DOF website for contact information) if you discover a water quality issue in a state forest or a logging region. The website posts a complaint form that is used in requesting a water quality investigation.

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-- Game and Inland Fisheries

Virginia Department of Game and Inland Fisheries (DGIF)

Website: <http://www.dgif.virginia.gov/>

General Telephone Number: 804-367-1000

Central Office Address: 4010 West Broad Street, Richmond, VA 23230

Emergencies: Contact your local game warden immediately through the local sheriff's office or police department.

DGIF covers regulations related to hunting, fishing, boating, and wildlife issues. To report a violation, call: 1-800-237-5712 or e-mail: wildcrime@dgif.virginia.gov. When reporting try to provide as much information as possible, such as:

- What happened;
- Where did it happen, being as specific as possible;
- Who was involved, describing persons (names if known), vehicles (license numbers are crucial), names of other witnesses;
- When did it happen (date and time are very important).

1. DGIF – Wildlife

It is unlawful to take, possess, import, cause to be imported, export, cause to be exported, buy, sell, offer for sale, or liberate within the Commonwealth any wild animals unless otherwise specifically permitted by law or regulation. It is unlawful to destroy or molest the nest, eggs, dens, or young of any wild bird or wild animal, except nuisance species*, at any time without a permit. It is unlawful to collect animal parts, such as feathers, claws, bones, and antlers, without a permit (4 VAC 15-30-10 and §29.1-521). (* Nuisance species: house mouse, Norway rat, black rat, coyote, feral hog, nutria, woodchuck, European starling, English [house] sparrow, and pigeon [rock dove] [4 VAC 15-20-160]).

It is lawful to collect and possess live for private use** only, and not for sale, no more than 5 individuals of any non-listed species of amphibian and reptile, and no more than 20 individuals of any non-listed species of aquatic invertebrate and nongame fish (4 VAC 15-360-10). Non-listed terrestrial vertebrates may be taken in unlimited numbers for private use**only. (** private use means for use in the home, not for scientific or educational purposes [which requires a permit]).

DGIF provides information for scientific and education field collectors, at

<http://www.dgif.virginia.gov/wildlife/scp.html> or by contacting: Kathleen Graham, FWIS/GIS Manager Or Shirl Dressler, Secretary Senior, VA Department of Game & Inland Fisheries, 4010 W. Broad St., Richmond, VA 23230 Phone: 804-367-6913

Email: CollectionPermits@dgif.virginia.gov

2. DGIF – Fishing

For general questions about fishing regulations in Virginia, please call DGIF at (804) 367-1000 or visit the web site at <http://www.dgif.virginia.gov/fishing/index.cfm>.

Anyone who thinks he or she may have caught a snakehead fish are **not** to release it but are to call DGIF's in-state toll-free, 24-hour Snakehead Fish Hotline at 1-800-770-4951 (out-of-state callers should call directly to 804-367-1258) for a positive identification of the fish. DGIF provides a fact sheet that illustrates how to identify a snakehead fish and how to distinguish one from the native species of bowfin and American eel (http://www.dgif.virginia.gov/fishing/snakehead_id.html). Anyone with a snakehead fish should call 1-800-770-4951 immediately to ensure compliance with state laws and regulations.

3. DGIF – Endangered Species

Two state agencies, the Department of Game and Inland Fisheries and the Department of Agriculture and Consumer Services have legal authority for endangered and threatened species and are responsible for their conservation in Virginia. A third state agency, the Department of Conservation and Recreation, Division of Natural Heritage produces an inventory of the Commonwealth's natural resources, and maintains a data bank of ecologically significant sights.

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-- Health

Virginia Department of Health (VDH)

Website: <http://www.vdh.virginia.gov/>

Mailing Address: P.O. Box 2448, Richmond, VA 23218-2448

Physical Address: 109 Governor Street, Richmond, VA 23219

1. VDH – Office of Drinking Water, <http://www.vdh.virginia.gov/dw/index.asp>

VDH is responsible for enforcing drinking water regulations and standards of the *Virginia Public Water Supply Law* and the federal *Safe Drinking Water Act*. VDH regulates public water systems in Virginia (a public water system serves 15 or more connections, or 25 or more people). For consumers on public water systems, questions and complaints should initially be directed to the waterworks. If satisfaction is not received and the consumer wishes to file a complaint with the Office of Drinking Water, the complaint should be directed to the appropriate Field Office (<http://www.vdh.virginia.gov/dw/offices.asp>). If the consumer feels that the Field Office did not handle the complaint satisfactorily, the complaint should be directed to any of the Technical Services staff in the Central Office.

2. VDH – Division of Onsite Sewage and Water Services,

<http://www.vdh.virginia.gov/OEHS/index.asp>

- *Sewage Handling and Disposal Regulations* govern septic systems, alternative onsite systems, privies (including composting and incinerating toilets), and siting design and construction standards for residential and commercial onsite sewage treatment and dispersal systems.
- *Authorized Onsite Soil Evaluator (AOSE) Regulations* govern the private sector practice and reporting requirements related to site evaluation and system design under the *Sewage Handling and Disposal Regulations*.
- The *Private Well Regulations* contain the site and construction criteria for private (non public) wells used for residential, small business, and irrigations wells (including heat pump wells).
- *Alternative Discharging Sewage Treatment Regulations* for individual single family dwellings includes site and performance criteria for residential systems that discharge to state waters, intermittent streams, and dry ditches.
- *Sewage Collection and Treatment (SCAT) Regulations* govern most municipal and large flow systems. The SCAT Regulations govern the design, construction and operation of sewerage systems and treatment works serving more than one residence or a non-residential sewage source. They contain requirements for system design, operation, and maintenance not contained in *Sewage Handling and Disposal Regulations*.

3. VDH – Division of Wastewater Engineering (DWE)

VDH Division of Wastewater Engineering administers the *Biosolids Use Regulations* and the *Sanitary Regulations for Marinas and Boat Moorings*. (See <http://www.vdh.virginia.gov/OEHS/index.asp>)

The *Biosolids Use Regulations* establish standards for permitting the land application and the distribution and marketing of biosolids. The Biosolids Use Regulation and Marina Sanitation programs as administered through the DWE involve technical assistance and permitting activities. The Biosolids Use Program is administered by DWE in close cooperation with other state agencies including: the Department of Conservation and Recreation (DCR), the Department of Environmental Quality (DEQ) and the Department of Agriculture and Consumer Services (VDACS).

The marina regulations establish uniform requirements for the provision and operation of onshore sewerage receiving and treatment facilities. The health department regulates the onshore sanitary facilities for boating establishments. This includes restrooms, sewage pump-out stations and sewage dump stations. The Marina Program is administered by DWE in close coordination with Local Health Departments, the Division of Shellfish Sanitation, the Virginia Marine Resources Commission (MRC) and the Virginia Institute of Marine Science (VIMS).

Sewage collection and treatment area services are managed by the Department of Environmental Quality (DEQ). The DEQ Office of Wastewater Engineering (OWE) Program information is located at: www.deq.virginia.gov/wastewater.

4. VDH – Division of Zoonotic and Environmental Epidemiology

BEACH Program – The *Beaches Environmental Assessment and Coastal Health (BEACH) Act* requires Virginia to develop and implement beach monitoring and notification plans for bathing beaches. The Beach Monitoring Program includes weekly monitoring of bathing beaches for bacteria during the summer months, posting of beaches that exceed the State Water Quality Standards, and notification of the public through press releases to local newspapers and notices on the Virginia Department of Health web page (See http://www.vdh.virginia.gov/whc/external_whc/BeachMonitoring.asp).

Contact numbers for beach conditions in Virginia:

- Virginia Beach - Virginia Beach Department of Public Health, (757) 518-2646
- Norfolk Beaches - Norfolk Department of Public Health, (757) 683-2712
- Fairview Beach - King George Co. Health Department, (540) 775-3111
- Newport News/Yorktown Beaches - Peninsula Health District, (757) 594-7340
- Hampton Beaches - Hampton City Health Department, (757) 727-1140 ext.139
- Gloucester Point - Gloucester Co. Health Department, (804) 693-6130
- Eastern Shore Beaches - Accomack Co. Health Department, (757) 787-5880 ext. 3
- Northampton Co. Health Department (757) 422-6228 ext. 3

Harmful Algal Blooms (HAB) and *Pfiesteria* – VDH and DEQ work together to regularly monitor the water and shellfish growing areas for the presence of HABs and to conduct surveillance for human health effects. The public will be notified if a HAB that could affect human health is identified. If you see a red or brown tide, water that has an odd color, or a fish kill, call: the Department of Environmental Quality: (757) 518-2000. If you see fish with lesions, call the Virginia Institute of Marine Sciences: (804) 684-7000. If you are concerned that you have been exposed to a HAB, please see your doctor or call your local health department. Telling your doctor about contact with water may help him/her treat the illness properly. If you have health concerns, please call the Virginia Department of Health HABs Hotline at 1-888-238-6154.

To monitor for *Pfiesteria*, fish, water, and sediment samples from the Virginia portion of the Chesapeake Bay and the rivers which empty into the Bay are collected and analyzed. The VDH urges local watermen, shellfish growers, commercial fisherman and all citizens to report any fish kills so that appropriate samples can be taken and health effect studies can be instituted if necessary. If you see a fish kill or many fish with lesions, call the Department of Environmental

Quality at (804-698-4000, Piedmont Region) or (757-518-2000, Tidewater Region). If you suspect illness from *Pfiesteria*, call your physician, local health department, or the toll-free *Pfiesteria* hotline at 1-888-238-6154 (for Virginia residents only).

5. VDH – Division of Health Hazards Control

The VDH issues fish consumption advisories, a public health alert that provides recommendations on safe fish consumption when contaminants are detected in fish tissues in Virginia waterways. Contaminants listed in fish consumption advisories in Virginia include polychlorinated biphenyls (PCBs), mercury, and Kepone. The advisory explains what sections of a waterway are under advisory, what species of fish have been determined to have contaminants above the level of concern, and how much of that species can safely be consumed within a one month period. VDH fish consumption advisories address recreational fishing only, and are recommendations for public health, not regulations or laws. The VDH advisories are not for commercial fish sold in markets. The Food and Drug Administration (FDA) sets and enforces the standards for contaminants in fish that are sold commercially.

For further information regarding fish consumption advisories, go to http://www.vdh.virginia.gov/hhcontrol/fishing_advisories.htm. Information related to mercury and fish consumption provided by the Environmental Protection Agency (EPA) and the Food and Drug Administration (FDA) can be found at: <http://www.epa.gov/ost/fishadvice/factsheet.html>.

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-- Marine Resources Commission

Virginia Marine Resources Commission (MRC)

Website: <http://www.mrc.virginia.gov/>

General Information: 757-247-2200

VTDD: 757-247-2292

Emergency: 1-800-541-4646

Address: 2600 Washington Avenue, Newport News, VA 23607

1. MRC – Fisheries Management Division carries out current and long-term State policies effecting saltwater fisheries--recreational and commercial in Virginia's tidal waters. The Plans/Statistics section is responsible for the development of fisheries management plans which provide strategic, long-term management recommendations for Virginia's marine fish species. Fishery management plans have been developed for oyster, blue crab, shad and herring, striped bass, weakfish, bluefish, spotted sea trout, black drum, and red drum, spot, and croaker. The Division's Artificial Reef Department enhances recreational fishing opportunities through the construction of artificial fishing reefs, which are generally marked with yellow 'special purpose' buoys.

2. MRC – Habitat Management Division handles a permit program that encompasses State owned submerged lands and subaqueous habitat preservation and the protection and preservation of tidal wetlands and coastal primary sand dunes. These lands are a public resource and a valuable habitat for shellfish, crabs and finfish. Much of the charge for ensuring that these resources are responsibly used rests with the Division, operating under the mandates of Virginia's Wetlands and Subaqueous Laws. Permits are required from the Marine Resources Commission to encroach upon or over State-owned bottomlands. Tidal wetlands and dunes permits are required from Local Wetlands Boards or the Marine Resources Commission if the local government has not adopted the wetlands and dunes ordinances.

3. MRC – Law Enforcement Division is responsible for the enforcement of commercial and recreational fishery laws and regulations in the tidal water's of the Commonwealth. Officers are also tasked with enforcing boating safety laws, responding to emergency calls, investigating boating accidents, investigating criminal activity and providing counter-terrorism patrols to our military installations, shipyards and nuclear power plants, and other high value maritime assets. Regulations cover saltwater recreational hook and line fishing, recreational crabbing and non-hook and line fishing, spearfishing, commercial and personal use gillnetting, commercial fishing, commercial crabbing, commercial licenses, and commercial permits.

Officers of the Virginia Marine Police have full law enforcement arrest powers throughout the Commonwealth. Through a cooperative law enforcement agreement between the Virginia Marine Resources Commission, the National Marine Fishery Service and the U.S. Fish & Wildlife Service, officers are deputized to enforce federal fish and wildlife laws. The Virginia Marine Resources Commission has also recently entered into a cooperative agreement with the United States Coast Guard that allows the Virginia Marine Police to enforce federally designated safety and security zones.

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-- Mines, Minerals, and Energy

Virginia Department of Mines, Minerals, and Energy (DMME)

Website: <http://www.dmme.virginia.gov/>

Central Office Telephone Number: 804-692-3200

Central Office Address: Ninth Street Office Building, 8th Floor, 202 North Ninth Street, Richmond, VA 23219-3402

The Department's mission is to enhance the development and conservation of energy and mineral resources in a safe and environmentally sound manner in order to support a more productive economy in Virginia. Eliminating off-site environmental damages and ensuring the proper restoration of lands used for coal and mineral mining, and gas and oil operations.

1. DMME – Division of Mined Land Reclamation (DMLR) is responsible for ensuring the reclamation of land affected by surface and underground coal mining activity. Major functions include regulating surface effects of coal mining, reclaiming abandoned mine lands, issuing permits, performing inspections, assisting small operators, and responding to citizen concerns. DMLR works throughout Virginia's coalfield counties: Buchanan, Wise, Dickenson, Tazewell, Russell, Lee, and Scott. For additional information about the Division of Mined Land Reclamation, call (276) 523-8100 or email dmlrinfo@dmme.virginia.gov.

2. DMME – Division of Mineral Mining (DMM) is responsible for the safe and environmentally sound production of Virginia's non-fuel minerals. DMM administers both health and safety and surface mining reclamation regulatory programs for all non-coal mineral mining operations. Sand, clay, limestone, granite, slate, mineral sands, vermiculite, and kyanite are examples of minerals currently being mined in Virginia. For additional information about the Division of Mineral Mining, call (434) 951-6310 or e-mail DmmInfo@mme.state.va.us.

3. DMME – Division of Gas and Oil is responsible for regulating the effects of gas and oil operations both on and below the surface, issuing permits, client assistance programs, inspection of well sites and gathering pipelines, reclamation of abandoned well sites, protection of correlative rights, and promotion of resource conservation practices. For additional information about the Division of Gas and Oil, call (276) 676-5423 or e-mail DgoInfo@mme.state.va.us.

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-- Potomac River Fisheries Commission

Potomac River Fisheries Commission (PRFC)

Website: <http://www.prfc.state.va.us/>

Telephone Number: 804-224-7148 or 1-800-266-3904

Physical Address: Potomac River Fisheries Commission Building
222 Taylor Street, Colonial Beach, VA 22443

Mailing Address: P.O. Box 9, Colonial Beach, VA 22443

E-mail: prfc@verizon.net

The Potomac River Fisheries Commission (PRFC) regulates the fisheries of the main stem of the tidal Potomac River from the Maryland/Washington D.C. boundary line (near the Woodrow Wilson Bridge), to the mouth of the river at Point Lookout, MD and Smith Point, VA. The PRFC regulates all recreational and commercial fishing, crabbing, oystering and clamming in the main stem tidal Potomac River, and issues licenses for those activities.

The Potomac River Fisheries Commission coordinates regulations with the Maryland Department of Natural Resources (DNR), the Virginia Marine Resources Commission (VMRC) and the Department of Game and Inland Fisheries, (DGIF), and with the other Atlantic coastal states through the Atlantic States Marine Fisheries Commission (ASMFC). The Commission regulations carry the full force and effect of law and are jointly enforced by the Maryland Natural Resources Police (NRP) and the Virginia Marine Resources Commission (VMRC) Marine Police. Both the Maryland District Courts and Virginia General District Courts have jurisdiction to adjudicate violations of the Commission's regulations.

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-- Security

Federal Bureau of Investigation (FBI), Norfolk Division

Website: <http://norfolk.fbi.gov/home.htm>

Telephone: (757) 455-0100

Address: 150 Corporate Boulevard, Norfolk, VA 23502

Email: norfolk@fbi.gov (Not for use in emergency situations)

Hampton Roads Port Security Group, a component of the Tidewater Joint Terrorism Task Force, has established the Hampton Roads Port Security Hot Line – 1-866-328-3680 – the point-of-contact number to report any suspicious or criminal activity in the Port of Hampton Roads. The Hampton Roads Port Security Group is a component of the Tidewater Joint Terrorism Task Force. It includes representatives from the Federal Bureau of Investigation, U.S. Naval Criminal Investigative Service, U.S. Coast Guard Investigative Service, U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, Office of Naval Intelligence, Virginia Port Authority Police Department, and local police marine units. Its mission is to coordinate all matters impacting on the security of the Port of Hampton Roads, to include:

- investigating criminal and suspicious activities that impact the waterways and port facilities;
- conducting vulnerability assessments of port facilities;
- enhancing the intelligence base regarding maritime concerns both within the U.S. and abroad;

- monitoring and surveying transiting vessels and their crews;
- participating in security zones/counter-surveillance measures on the waterways; and participating and assisting in training exercises regarding port security.

When someone calls the Port Security Hot Line, a Norfolk FBI employee will answer the call twenty-four hours a day. The caller's information will then be assessed and either directed to the appropriate agency or to the Tidewater Joint Terrorism Task Force for further investigation or response as appropriate.

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-- Tennessee River Basin

Tennessee Valley Authority (TVA)

Website: <http://www.tva.gov/>

Corporate Headquarters Telephone Number: 865-632-2101

Corporate Headquarters Address: 400 W. Summit Hill Dr., Knoxville, TN 37902-1499

E-mail: tvainfo@tva.com

The *Tennessee Valley Act* of 1933 prohibits the construction of any structure or flood control across, along, or in the Tennessee River or any of its tributaries without the approval of the Tennessee Valley Authority (TVA). The Tennessee River Basin Boundary encompasses all or portions of all of the counties in southwest Virginia.

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-- Transportation

Virginia Department of Transportation

Website: <http://www.vdot.virginia.gov/>

Central Office Telephone Number: 804-786-2801

Central Office Address: 1221 East Broad Street, Richmond, VA 23219

E-mail: vdotinfo@vdot.virginia.gov

The Virginia Department of Transportation does **not** regulate the transportation of hazardous materials in Virginia (<http://www.vdot.virginia.gov/comtravel/traffic-hazmat.asp>). That function is with the Department of Environmental Quality: Virginia DEQ: 1-800-592-5482 and Virginia Department of Emergency Management: 1-800-468-8892.

VDOT only gets involved if hazardous materials are being transported through one of the six state-owned tunnels (See Table 1.). To report a HAZMAT Spills/Incidents (24-hours a day) at one of these tunnels, call CHEMTREC at: 1-800-424-9300. The clean-up of hazardous material spills is performed by local, state and federal government agencies, but VDOT is not one of the hazardous material response agencies.

Table 1. The six state-owned tunnels and phone numbers for each are listed in the table below.

Name of Facility	Telephone Number
Big Walker Mountain I-77	(540) 228-5571
East River Mountain I-77	(540) 928-1994
Elizabeth River-Downtown I-264	(757) 494-2424
Elizabeth River-Midtown I-58	(757) 683-8123
Hampton Roads I-64	(757) 727-4832
Monitor-Merrimac Memorial Bridge I-664	(757) 247-2123

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-- U.S. Army Corps of Engineers

U.S. Army Corps of Engineers: Norfolk District

Website: <http://www.nao.usace.army.mil/>

Norfolk District Telephone Number: 757-441-7068

Address: 803 Front Street, Norfolk, VA 23510-1096

The Corps Regulatory Branch is responsible for wetlands permitting under Section 404 of the Clean Water Act. For most regulatory questions or to report a misuse of a wetland, contact the local District Regulatory Office, the Norfolk District Information Management Office. The Corps is also responsible for developing permits and enforcing the permit requirements for:

- Dams and dikes in navigable waters of the United States
- Structures or work in or affecting navigable waters of the United States
- Discharges of dredged or fill material into waters of the United States
- Ocean dumping of dredged material
- Permits of the Department of the Army

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Prepared by Jane Walker and other members of the Virginia Water Monitoring Council

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To learn more about the Council or to join the Council, see
www.vwrrc.vt.edu/vwmc