

WV Department of Environmental Protection
Division of Water and Waste Management
601 57th street, S.E.
Charleston, WV 25304
Telephone: (304) 926-0495

Public Notice No. Section 401-MN-25-001

Public Notice Date: August 18, 2025 - August 22, 2025

NOTICE OF PUBLIC COMMENT PERIOD

PROPOSED 401 CERTIFICATIONS FOR US ARMY CORP OF ENGINEERS

ACTIVITIES FOR DISCHARGES OF DREDGE AND FILL MATERIAL INTO WATERS OF THE U.S.

Pursuant to Section 401 of the Clean Water Act and WV Legislative Rule 47CSR5A, the West Virginia Department of Environmental Protection (WVDEP) is accepting public comments prior to issuing a 401 certification for the US Army Corp of Engineers (USACE) proposed Regional General Permit (RGP) and Letter of Permission (LOP) procedures for discharges of dredged or fill material into waters of the US (WOTUS) for activities associated with the construction, maintenance, and operation of energy and energy resource-related projects in West Virginia. WVDEP will consider the proposed RGP and LOP's impact on water resources, fish, and wildlife, recreation, critical habitats, wetlands and other natural resources. On June 4, 2025, the USACE Huntington and Pittsburgh Districts published in the Federal Register its respective permit applications LRH-2025-00287 (RGP) and LRH-2025-00151 (LOP). The public can view draft 401 Certification special and standard conditions at:

<https://dep.wv.gov/wwe/programs/pages/401certification.aspx>

Written comments are due by September 23, 2025, and may be mailed or emailed to:

Department of Environmental Protection

Attn: WVDEP 401 Certification Program

601 57th St., S.E.

Charleston, WV 25304

(304) 926-0499, extension 41114

Fax: (304) 926-0463

E-mail: WQScomments@wv.gov

Correspondence should include the name, address, and telephone number of the writer and a concise statement of the nature of the issues being raised. The Director shall hold a public hearing whenever a finding is made, based on requests, that there is a significant degree of public interest on issues relevant to the 401 Certification. Interested people may contact WQScomments@wv.gov to obtain further information.