



DEPARTMENT OF PUBLIC WORKS
DESIGN DIVISION

ENVIRONMENTAL COMPLIANCE PLAN REVIEW COMMENTS

ENVIRONMENTAL

Project Name: Tuckahoe Park

POD #: POD2022-00625

Date Received by Public Works: 03/12/2024

CHESAPEAKE BAY PRESERVATION AREAS AND STREAM PROTECTION AREAS (Chapter 6)

1. ☐ The following land features are present on the site and must be accurately shown on the plans:
 - ☐ Resource Protection Area (RPA)
 - ☐ Resource Management Area (RMA)
 - ☐ Stream Protection Area (SPA) (*non-RPA **and** 100 acres or more of drainage*)
2. ☐ A RPA appears to exist on the site associated with a perennial stream that has not been previously identified as such. In accordance with County Code, RPA rules apply to the stream. Under this circumstance, appropriate evidence will need to be provided to claim that the stream is not perennial and that RPA rules do not apply.
3. ☐ The RPA buffer must be forested/reforested.
4. ☐ The SPA must be forested/reforested.
5. ☐ The plan must include reforestation details consistent with Minimum Standard 14.10 of the Environmental Compliance Manual.
6. ☐ The Resource Protection Area (RPA) limits are shown incorrectly.
7. ☐ The Resource Management Area (RMA) limits are shown incorrectly. (*If the entire site is considered RMA, question #10 on the ESA must be answered as "yes".*)
8. ☐ The Stream Protection Area (SPA) limits are shown incorrectly.
9. ☐ Orange safety fence or non-tearable yellow and black barricade tape is required at the limits of the RPA/SPA buffer. It must also be installed around the limits of disturbance for all encroachments/impacts within these areas. Show the location of fence/barricade tape on the plans. The fence/tape must be installed prior to the pre-construction meeting (clearly note this in the ESC narrative).
10. ☐ There must be a separation equal to or greater than the minimum rear yard setback between the RPA/SPA limits and the rear of the buildable area.
11. ☐ There must be a separation between the side yard buildable area and the RPA/SPA limits of at least 25 feet, even if the buffer is not located on the lot (common areas, etc.).
12. ☐ Lots that contain a RPA and/or SPA must be identified with appropriate asterisks (*) and notes as stated on page 6-4 of the Henrico County Environmental Compliance Manual.
13. ☐ A maintenance agreement for the SPA must be provided. A copy of the required maintenance agreement is available from the Department of Public Works. Information and forms for the SPA maintenance agreement can be found at: <http://henrico.us/works/forms/> (near the bottom of the page under SPA (Stream Protection Area) Agreement).
14. ☐ Environmental Protection Area signs are required on all lots containing RPA/SPA. Sign locations must be accurately shown on the plans in accordance with the *Sign Spacing, Location, and Installation Guidelines* found in section 6.3.3 of the Environmental Compliance Manual.
15. ☐ The sequence of construction must clarify that the Environmental Protection Area signs must be installed prior to the pre-construction meeting and must be maintained throughout construction.
16. ☐ A Water Quality Impact Assessment (WQIA) is required for any encroachment into the RPA buffer. Please contact Sean Kellogg (804-727-8322 or kel082@henrico.us) to discuss.



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ADDITIONAL COMMENTS:

- _____

ENVIRONMENTAL SITE ASSESSMENT (Chapter 7)

17. ☐ The completed Environmental Site Assessment (ESA) must be included with the plans. (A complete plan review cannot be accomplished until this information has been provided. Once this information has been received, additional comments may follow.)
18. ☒ ESA number(s) 5 was (were) answered incorrectly.
19. ☐ ESA questions _____ should be answered "YES".
20. ☒ ESA questions 5 should be answered "NO".
21. ☐ All components list as being present on the site must be accurately shown on the plans.
22. ☐ ESA number(s) _____ have not been accurately shown on the plans.
23. ☐ The current version of the two standard Erosion and Sediment Control sheets entitled "Standard Notes" and Standard Details/Calcs.", revised **6/28/23**, must be included the plans.
24. ☐ The owner must sign the Acknowledgments on the Minimum Design Standards for ESC sheet.
25. ☒ Please note the Acknowledgments on the ESA sheet have been revised to include self-certification that the project has been reviewed by the USFWS with regard to the project's potential to result in a take of an endangered species under the Endangered Species Act or that the owner assumes all risk and liability should the activities associated with this project result in a take or incidental take of said endangered species. The County strongly encourages projects be processed through the USFWS IPaC website (<https://ipac.ecosphere.fws.gov/>) to determine the project's potential to result in a take. Completing such a review and complying with the USFWS Interim Habitat Modification Guidance will help to limit the owner's liability for a potential take or potential federal and/or citizen suit. If compliance with the Endangered Species Act requires observance of a time of year restriction for tree clearing), a note regarding such time of year restriction must be included within the project narrative.
26. ☒ If this project has been voluntarily processed through the USFWS IPaC system, provide a copy of the resulting documentation.

ADDITIONAL COMMENTS:

- _____

WETLANDS/WATERS OF THE UNITED STATES (Chapter 21)

27. ☒ Provide evidence that all applicable U.S. Army Corps of Engineers and state permits needed for activities in state waters and/or wetlands or appropriate waivers of jurisdiction have been obtained.
28. ☐ Jurisdictional wetlands and/or other waters of the U.S. (WOUS) appear to exist on this site (Henrico County representatives do not have the authority to declare a site void of jurisdictional WOUS, including wetlands).
29. ☐ We were unable to check the wetlands/WOUS delineation because the wetlands/WOUS were not accurately flagged in the field. Please contact the Henrico County Water Quality Research Analyst - Sean Kellogg (804-727-8322 or kel082@henrico.us) once the wetlands have been accurately flagged. Final plans must reflect all such boundaries.



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30. ☐ Orange safety fence or non-tearable yellow and black barricade tape is required for all WOUS/wetlands to remain. It must also be installed around the limits of disturbance for all encroachments/impacts within these areas. Show the location of fence/barricade tape on the plans. The fence/tape must be installed prior to the pre-construction meeting (clearly note this in the ESC narrative).
31. ☒ This activity has been determined to require ☒ Federal (U.S. Army Corps of Engineers) and/or ☒ State (Department of Environmental Quality (DEQ)) authorization for impacts to WOUS, including wetlands. Please submit all applicable permits and associated maps or a certification from a principal in the engineering firm (with a copy sent to the Corps) that the proposed impacts are authorized by law. Additional comments may be generated once the permits have been submitted; therefore, we recommend that all applicable permits be submitted as soon as possible.
32. ☐ All wetland areas and WOUS must be accurately shown on the plans.
33. ☐ All wetlands to be impacted (including WOUS) must be clearly identified and quantified on the plans.
34. ☐ We disagree with the wetland delineation as currently shown. We feel that there are additional wetlands located _____. If you disagree with this assessment, please contact Matthew Batdorf at 727-8325.
35. ☐ There must be a setback equal to or greater than the minimum rear yard setback between wetlands/WOUS to remain and the buildable area. The separation between the side yard buildable area and areas of wetlands/WOUS, including wetlands/WOUS in common areas, must be at least 25 feet.
36. ☐ All wetlands/WOUS in front and side yards must be indicated as wetland impacts.
37. ☐ Lots that contain non-impacted wetlands/WOUS must be identified with appropriate asterisks (**) and notes as stated on page 21-2 of the Henrico County Environmental Compliance Manual.
38. ☐ A 25 feet wide buffer measured from the streambank is required on both sides of the channel. The buffer must remain undisturbed, delineated on the construction plans, and clearly marked in the field.
39. ☐ There must be a setback equal to the front, rear, or side yard setback between the 25 feet buffer limits and the buildable area.
40. ☐ Unless temporary construction limits are shown on the plans, land disturbance within wetlands/WOUS, SPAs, and/or RPAs will be restricted to the permanent easement width.
41. ☐ Environmental Protection Area signs are required on all lots containing RPA/SPA. Sign locations must be accurately shown on the plans in accordance with the *Sign Spacing, Location, and Installation Guidelines* found in section 6.3.3 of the Environmental Compliance Manual.

ADDITIONAL COMMENTS:

- It would be helpful to differentiate and quantify wetlands to be impacted and wetlands to remain on the ESC sheets.

Reviewed by: Sean Kellogg
Date Reviewed: 04/05/2024
Phone Number: (804) 659-9372

Revised 3/6/24