



ENGINEERING AND RESOURCE PROTECTION REVIEW COMMENTS

4450 Powhatan Parkway
 COUNTY PLAN NO. LU-004-14

June 16, 2014

1. Powhatan Creek. This project is situated in Subwatershed 209, Catchment 209-102-1 of the Powhatan Creek watershed. Please note the James City County Board of Supervisors, by resolution dated February 26th 2002, adopted eight (8) goals and 21 priorities associated with the Powhatan Creek Watershed Management Plan. This project is subject to the contents of those initiatives. Some of the key goals/strategies of the Powhatan Creek Watershed Management Plan, Stormwater Master Plan and Conservation Area Report and the re-adoption criteria, as it applies to this site, include:
 - a. The subwatershed is classified as sensitive with high quality headwater streams, expansive floodplain wetlands, and contiguous forests. In the absence of extraordinary watershed management efforts, it is likely that this subwatershed will shift to the impacted category within the next decade.
 - b. Several high quality wetlands located in RPA.
 - c. Excellent/good stream quality conditions, intact forest areas present (Rank 4 of 11).
 - d. Recommended priority Conservation Area C-29 (6 of 21 ranking) is present within catchment 209-102-1 (which appears situated on the site). The conservation area is due to a population of Virginia least trillium on the first order stream west of Jesters Lane. This species is sensitive to changes in hydrology.
 - e. Primary stormwater strategies include the use of onsite stormwater management and implementation of Special Stormwater Criteria (SSC) to minimize the impact to recommended conservation areas.
 - f. Stormwater management recommendations include use of Special Stormwater Criteria to minimize impact to the C-29 conservation area.
 - g. The presence of conservation area C-29 precludes the placement of a regional or online stormwater management facility for future development in this catchment.

2. RPA/RPA Buffer. This parcel has nontidal, RPA wetlands and non-RPA wetlands present. In 2004 preliminary perennial flow determination (stream assessment) information was submitted to our office for review and determination. In general, perennial flow determinations (PFD's) shall remain valid for a period of five (5) years, unless new information warrants field revisit and revision of the determination before the expiration date, or if County personnel identifies that a specific geographic area is undergoing rapidly changing environmental conditions that merit re-verification of a past PFD on a more frequent basis. In addition, in 2009 James City County established through the state and

now uses, as an option, it's own stream protocol (ie. the James City Perennial Stream Protocol) and in 2007 and 2010 additional revisions occurred to the state issued local guidance documents for Determination of Water Bodies with Perennial Flow and Resource Protection Areas: Nontidal Wetlands. Therefore, the previous 2004 perennial flow and RPA determination for the site is expired and determination of water bodies with perennial flow, connected wetlands, RPA and RPA buffer determinations for the site will be subject to current guidance and methodology. It is expected that nontidal wetlands in the southwest corner of the parcel, near the road entrance point, will be more expansive and RPA/RPA buffer would extend farther up into the site. In addition to affecting the entrance road into the site, this would also affect the developable acreage.

3. This parcel has nontidal, RPA wetlands and non-RPA wetlands present. On October 10, 2006 the Powhatan Creek Watershed Management Plans was revised, by adoption, to include mainstem riparian buffers, 50-foot non-RPA wetland and 50-foot intermittent stream buffers. Due to location, the mainstem riparian buffer would not apply to this project; however, the non-RPA and intermittent stream buffers would.
4. A dedicated natural open space/conservation easement, as part of the overall stormwater management compliance master plan for Powhatan Secondary, is present on this parcel.
5. Site layout/design will need to follow general performance standards as outlined in Section 23-9 of the County's Chesapeake Bay Preservation ordinance. This includes limiting land-disturbing to the area necessary to provide the proposed use or development *Section 23-9(b)(1)*; preserving existing vegetation to the maximum extent practicable *Section 23-9(b)(2)*; and minimizing impervious cover and promoting infiltration *Section 23-9(b)(3)*.
6. Due to the presence of wetlands on the parcel, impacts due to development may necessitate the need to obtain federal and state wetland permits.
7. Submittal of an environmental inventory will be necessary at the time of plan of development. If RPA/RPA buffer is impacted due to the proposed access drive and other site features, submittal of a water quality impact assessment (WQIA) and administrative and/or formal Chesapeake Bay Exceptions (CBE's) may be required for the project.