

Coastal Zone Management Review and Sample Review Letter to DEQ

For all projects that impact the Coastal Zone Management Area of Virginia, the Virginia Department of Environmental Quality (DEQ) must be contacted to ensure that Federal Consistency Reviews are coordinated. See the following sample letter to DEQ

The Virginia Coastal Zone Management Area includes the following localities (alphabetical):

- The Counties of Accomack, Caroline, Charles City, Chesterfield, Essex, Fairfax, Gloucester, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Mathews, Middlesex, New Kent, Northampton, Northumberland, Prince George, Prince William, Richmond, Spotsylvania, Stafford, Surry, Westmoreland and York.
- The Cities of Alexandria, Arlington, Chesapeake, Colonial Heights, Fairfax, Falls Church, Fredericksburg, Hampton, Hopewell, Newport News, Norfolk, Petersburg, Poquoson, Portsmouth, Richmond, Suffolk, Virginia Beach, and Williamsburg.

The enforceable regulatory programs of the Virginia Coastal Resources Management (CRM) Program are:

- a. Fisheries Management - The program stresses the conservation and enhancement of finfish and shellfish resources - administered by the Marine Resources Commission and the Department of Game and Inland Fisheries. The State Tributyltin (TBT) Regulatory Program has been added to the Fisheries Management program.
- b. Subaqueous Lands Management - The management program for subaqueous lands establishes conditions for granting or denying permits to use state-owned bottomlands - administered by the Marine Resources Commission.
- c. Wetlands Management - The purpose of the wetlands management program is to preserve tidal wetlands, prevent their despoliation, and accommodate economic development in a manner consistent with wetlands preservation - administered by the Marine Resources Commission.
- d. Dunes Management - Dune protection is carried out pursuant to The Coastal Primary Sand Dune Protection Act and is intended to prevent destruction or alteration of primary dunes - administered by the Marine Resources Commission.

- e. Non-point Source Pollution Control - Virginia's Erosion and Sediment Control Law requires soil-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to waters of the Commonwealth - administered by the Department of Conservation and Recreation.
- f. Point Source Pollution Control - The point source program is administered by the State Water Control Board (DEQ) and is accomplished through the implementation of:
 - (i) The Virginia Pollutant Discharge Elimination System (VPDES) permit program established pursuant to Section 402 of the federal Clean Water Act.
 - (ii) Water Quality Certification pursuant to Section 401 of the Clean Water Act administered in Virginia through the Virginia Water Protection Permit which includes protection of wetlands --both tidal and non-tidal.
- g. Shoreline Sanitation - The purpose of this program is to regulate the installation of septic tanks, set standards concerning soil types suitable for septic tanks, and specify minimum distances that tanks must be placed away from streams, rivers, and other waters of the Commonwealth - administered by the Department of Health.
- h. Air Pollution Control - The program implements the federal Clean Air Act to provide a legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards - administered by the State Air Pollution Control Board (DEQ).

SAMPLE LETTER TO THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

Following is the type of letter that must be sent to the Virginia Department of Environmental Quality (DEQ) as required by 15 CFR Part 930 if your project is located in the Commonwealth's Coastal Zone Management Area. The key is to clearly identify the project and its location. Your letter, in addition, should contain:

- Project cost and environmental impacts;
- Maps of the project area of which one should include topographic detail;
- Identify enforceable regulatory programs which are applicable and indicate the status of compliance with the regulation(s); and
- Submit a copy of the Environmental Review Record.

It should be noted that the Division of Environmental Enhancement in the Department of Environmental Quality is a coordinating agency and does not conduct technical reviews. This Office may ensure however, that appropriate agencies are notified of the impending project. **HOUSING REHABILITATION** projects are NOT subject to Coastal Zone Management Reviews if the project does not involve any land disturbing activity. Generally, projects that may be subject to Coastal Zone Management Reviews are east of Interstate 95. DEQ may take from 60-90 days to review the project. DEQ's response may include no impact or it will have an impact and include mitigation measures. These mitigation measures should be included in the Environmental Review Record and as appropriate included in the construction bid documents.

(Date)

Department of Environmental Quality
Division of Environmental Enhancement
Virginia Department of Environmental Quality
629 East Main Street, 8th Floor
Richmond, Virginia 23219

Dear Director:

The Town of Blockville, Virginia, is applying to the Virginia Department of Housing & Community Development for funding of Neighborhood Improvements including water, sewer, drainage and streets improvements. The total project cost is estimated to be \$830,300. We are conducting an environmental review for this project.

The geographic service area is within the corporate limits of the Town of Blockville. It is bounded on the west by the Southern Railway, on the east by Main Street. The improvements upgrade existing facilities and street surfaces with only minimal change in use, size, capacity and location. The improvements involve approximately: 7,800 linear feet of 8 inch water line; 9,000 linear feet of 8 inch sanitary sewer line; 1,456 linear feet of 18 inch to 36 inch drainpipe with 10 inlets, curb, gutter and new storm drains; and 1,200 linear feet of new street. We are enclosing maps of the proposed project area.

The review indicates that there will be no adverse impacts. There will be short-term disruption of vehicular traffic. The project will completely eliminate the problems with: low water pressure, frequent leaks and inadequate fire protection; sewer surcharges and disruption of service; and inadequate drainage. A new street will be constructed to VDOT standards and taken into the system for maintenance.

If you disagree with our findings or have any questions based on Federal consistency reviews, do not hesitate to let us know. Please respond within (30) days of receipt of this letter.

Sincerely,

Dan Smith
Grant Administrator

DS/kr

Enclosures [maps]