

**Virginia State Corporation Commission
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Case Name (if known)	Proposed Charles City County Power Plant
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COMMONWEALTH of VIRGINIA

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October 18, 2016

D. Mathias "Matt" Roussy, Jr.
Senior Counsel
State Corporation Commission
1300 East Main Street
Richmond, Virginia 23219

RE: Wetland Impact Consultation; Proposed Charles City Power Plant; Charles City, Virginia; SCC
Case No. PUE 2016 00104

Dear Mr. Roussy:

In accordance with the Department of Environmental Quality-State Corporation Commission *Memorandum of Agreement Regarding Wetland Impact Consultation* (July 2003), we have reviewed the information submitted by C4GT, LLC (hereafter, C4GT) regarding potential wetland impacts on the above referenced project. The purpose of the project is to construct and operate a combined cycle electrical generating station in Charles City, Virginia.

Summary of Findings

According to an onsite wetland and stream preliminary jurisdictional determination by the U.S. Army Corps of Engineers on August 18, 2016, wetland areas and stream corridors were identified within the proposed project area. The preliminary jurisdictional determination located approximately 10.65 acres of wetlands and 700 linear feet of waters within the project area. The presence of these resources was derived from review of on-site conditions by Environmental Consulting & Technology, Inc. including hydrophytic vegetation, hydric soils, wetland hydrology, presence of a high tide line or ordinary high water mark, and geomorphologic, hydrologic, and biological factors. USGS topographic quadrangles, National Wetland Inventory (NWI) maps, published soil surveys for the localities within the proposed corridor, USGS digital stream and river data, USGS digital infrared orthophotography, and aerial photography were also reviewed.

Appropriate state and federal permits must be obtained if unavoidable impacts to jurisdictional waters are required for project construction.

The DEQ Piedmont Regional Office (PRO) will make the final permitting decisions.

Recommendations

Based upon review of all the information provided by C4GT we offer the following recommendations:

1. Wetland and stream impacts should be avoided and minimized to the maximum extent practicable. Stream impacts should be minimized or avoided by spanning the transmission line across each stream. No foundations should be placed within streambeds. Where access is required across a wetland, removable mats should be used to reduce compaction and rutting. Towers should be placed avoid wetlands, wherever possible. To the extent where any footings must be installed in wetlands, each footing should occupy the minimum space necessary. When excavation for a structure is necessary in a wetland, excess spoil should not be disposed of in adjacent wetland areas unless authorized by a state or federal wetland permit.
2. If the scope of the project changes, additional review will be necessary by this office.
3. At a minimum, compensation for impacts to State Waters, if necessary, should be in accordance with all applicable state wetland regulations and wetland permit requirements, including the compensation for permanent conversion of forested wetlands to emergent wetlands.
4. Any temporary impacts to surface waters associated with this project should require restoration to pre-existing conditions.
5. No activity may substantially disrupt the movement of aquatic life indigenous to the water body, including those species, which normally migrate through the area, unless the primary purpose of the activity is to impound water. Culverts placed in streams must be installed to maintain low flow conditions. No activity may cause more than minimal adverse effect on navigation. Furthermore the activity must not impede the passage of normal or expected high flows and the structure or discharge must withstand expected high flows.
6. Erosion and sedimentation controls should be designed in accordance with the Virginia Erosion and Sediment Control Handbook, Third Edition, 1992. These controls should be placed prior to clearing and grading and maintained in good working order to minimize impacts to state waters. These controls should remain in place until the area is stabilized and should then be removed. Any exposed slopes and streambanks should be stabilized immediately upon completion of work in each permitted area. All denuded areas should be properly stabilized in accordance with the Virginia Erosion and Sediment Control Handbook, Third Edition, 1992.
7. No machinery may enter surface waters, unless authorized by a Virginia Water Protection (VWP) permit.
8. Heavy equipment in temporarily impacted surface waters should be placed on mats, geotextile fabric, or other suitable material, to minimize soil disturbance to the maximum extent practicable. Equipment and materials should be removed immediately upon completion of work.
9. Activities should be conducted in accordance with any Time-of-Year restriction(s) as recommended by the Department of Game and Inland Fisheries, the Department of Conservation and Recreation, or the Virginia Marine Resources Commission. The permittee should retain a copy of the agency correspondence concerning the Time-of-Year restriction(s), or the lack thereof, for the duration of the construction phase of the project.
10. All construction, construction access, and demolition activities associated with this project should be accomplished in a manner that minimizes construction materials or waste materials from entering surface waters, unless authorized by a permit. Wet, excess, or waste concrete should be prohibited from entering surface waters.

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11. Herbicides used in or around any surface water should be approved for aquatic use by the United States Environmental Protection Agency (EPA) or the U.S. Fish & Wildlife Service. These herbicides should be applied according to label directions by a licensed herbicide applicator. A non-petroleum based surfactant should be used in or around any surface waters.
12. Consider mitigating impacts to forested or converted wetlands by establishing new forested wetlands within the impacted watershed.

Should you have any questions, please don't hesitate to contact me at (804) 698-4074 or at hannah.schul@deq.virginia.gov.

Sincerely,



Hannah Schul
VWP Permitting Specialist
Office of Wetlands & Stream Protection
Virginia Department of Environmental Quality

Cc: Allison Dunaway – DEQ Virginia Water Protection - PRO
Bettina Sullivan – DEQ Office of Environmental Review
Michelle Henicheck – DEQ Virginia Water Protection