

CHAPTER 19  
REVIEW, APPROVAL, AND MODIFICATIONS OF THE  
ENVIRONMENTAL COMPLIANCE PLAN

**19.1 INTRODUCTION**

As previously discussed, land-disturbing activities in Henrico County are subject to the requirements of numerous environmental programs as a result of mandates imposed by various state laws and regulations. Implemented individually, these programs would require separate plan submittals to address the individual programs (an ESC plan, a SWM plan, etc.). This would result in duplicative plan preparation efforts and introduction of administrative hurdles such as inconsistent plan review timelines, enforcement provisions, etc.

In an effort to provide a unified approach to addressing the various requirements, the County has developed the Environmental Compliance Plan (ECP). The ECP is the “umbrella” that covers all the requirements applicable to the various types of land-disturbing activities described in Chapter 3 and, to the extent possible, provides a streamlined approach for doing so.

**19.2 APPLICABILITY**

In accordance with Sec. 10-30 of the Henrico County Code, an approved ECP that satisfies the requirements of Chapter 5 is required prior to commencement of any regulated land-disturbing activity as described in Chapter 3. Plans must be submitted, reviewed, modified, and approved in accordance with this chapter.

**19.3 ECP SUBMITTAL**

In general, plans for projects associated with Plans of Development (PODs) and subdivisions must be submitted in accordance with the Planning Department’s review processes (POD - <http://www.co.henrico.va.us/pdfs/planning/apps/podprocess.pdf>; Subdivision - <http://www.co.henrico.va.us/pdfs/planning/apps/subproc.pdf>).

If an ECP is required for single family residential construction, including additions and modifications on individual lots, the ECP must be submitted with the building permit application.

Plans for projects that do not fall under either of these guidelines must be submitted

directly to the Department of Public Works. In these cases, five (5) sets of plans must be submitted for distribution by DPW to the following recipients (DPW-Engineering, DPW-Environmental, DPW-Traffic, Planning, and the Department of Public Utilities).

#### **19.4 ECP REVIEW**

Upon receipt of the plans by DPW, the submittal is recorded in the DPW database, the project is located in the County's GIS system, and the appropriate review staff is identified. The plans are then routed to the Review Engineer, the Environmental Engineer, and the Assistant Traffic Engineer. If the project is not part of the POD or Subdivision process and the plans are submitted directly to DPW, the plans will be distributed to the Planning Department and the Department of Public Utilities (DPU).

Initial project submittals are routed to the Environmental Inspector so that a field review can be conducted. After meeting with the Environmental Inspector, the Environmental Engineer meets with the Review Engineer and the Assistant Traffic Engineer to coordinate comments/issues.

The Engineering and Environmental plan review comments will be provided in the form of checklists based on the requirements of the Environmental Compliance Manual, the Public Works Design Manual, and DPW Policies. These checklists can be found in the appendix of this Manual.

Once all DPW comments have been completed, the Review Engineer distributes the comments to the applicant, the consultant, and the Planning Department. The projects are then logged out in the DPW database and the County's Tidemark system. If the project is scheduled for a Staff/Developer meeting, the comments will be discussed at the meeting.

Please note that the Planning Department and DPU comments will be provided separately by those agencies.

#### **19.5 ECP APPROVAL**

After all comments have been addressed and the Environmental Compliance Bond (see Chapter 16) and SWM facility maintenance agreements (as identified during the plan review process) have been submitted, the Review Engineer notifies the Planning Department and the applicant that:

- Plans may be submitted for signatures (21 sets if part of the POD or Subdivision Process or 8 sets if submitted directly to DPW);

- The final, signed Registration Statement (if applicable) must be submitted to the Review Engineer;
- The GCP issuance fee (if applicable) must be submitted to DPW; and
- All forms necessary for SWPPP development (if applicable) must be submitted to the Review Engineer.

Once the signature plan sets have been submitted, the project will be logged into the DPW database and a DPW plan number will be assigned. If all required supporting information (fees, signed registration statement, and SWPPP forms) has been submitted, the Review Engineer will complete the SWM facility data sheets and the water quality summary sheets and then sign the approval block on the plans. After signing the plans, the Review Engineer will enter the registration statement information into DEQ's online permitting system and place the appropriate information into the SWPPP binder. The Senior Engineer confirms the information that was submitted to DEQ and places the Notice of Permit Coverage letter into the SWPPP binder once it has been received from the State. At this point, the Senior Engineer and Director of Public Works approve the plans and they are routed for the pre-construction meeting (if required).

## **19.6 MODIFICATIONS TO ECP**

Modifications to approved ECPs must be submitted, reviewed, and approved in accordance with Sections 19.3, 19.4, and 19.5 of this chapter.

In addition to those pursued by the applicant, modifications may be required in the following situations:

1. The Administrator shall review all field work under the ECP. The plan may be amended by the Administrator if on-site inspections indicate that the plan is inadequate or if, because of changed circumstances, the approved plan cannot be carried out. The persons responsible for carrying out the ECP must agree to the Administrator's amendments and the amendments must be consistent with state law. A formal submittal to the Administrator is required unless a field change is allowed by the Environmental Inspector.
2. If the land disturbing activity ceases for more than 180 days, the Administrator shall evaluate the approved plan to determine whether the plan still satisfies county and state erosion and sediment control requirements and to verify that all requirements are still appropriate. If the director finds the previously filed plan to be inadequate, a modified plan must be submitted and approved prior to the resumption of the land disturbing activity.