

August 4, 2020

Mr. Stuart Connock, Jr., LA  
Chief of Design and Construction  
Chesterfield County Parks and Recreation  
P.O. Box 70  
Chesterfield, VA, 23832

Re: James River Conservation Area – Trail Improvements Along Falling Creek and Northern  
Boundary of Property

Dear Mr. Connock:

The above referenced project is proposed to install approximately 2,500 LF of Paved Shared Use Trail and 800 LF of Stone Paved Use Trail. The location of the trails are along previously improved road alignments and previously improved portions of the site. As such, it is our professional opinion that the improvements can be performed under as routine maintenance and not require Site Plan Approval, an Erosion and Sediment Control Plans, or Stormwater Management Plan as required by State Law.

The Virginia Stormwater Management Act, Virginia State Law *62.1-44.15:34 - Regulated activities; submission and approval of a permit application; security for performance; exemptions* states in Section C that *Notwithstanding any other provisions of this article, the following activities are exempt, unless otherwise required by federal law:*

Item 7 of Section C States: *Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this subsection;*

As the location of the proposed trails are clearly along previously improved road alignments that have significant stone base and portions of which show evidence of pavement surface; we believe the project falls under this provision of the Virginia Stormwater Law.

Portions of the alignment have significant potholes and other damage that can be repaired by installation of non-erosive material such as stone and asphalt pavement to avoid creating land disturbance but restore the original line and grade of the alignment.

The following opinion does not preclude the project from obtaining other permissions including but not limited to Dominion Energy Easement Encroachments, Gas Easement Encroachments, and Railroad Crossing Permits.

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Please contact us if there are any questions regarding this determination.

Sincerely,

Keith D. Stanley, PE  
Sekiv Solutions – Senior Project Manager

KDS/ojl

cc: Olivia Langford, Civil Project Engineer, Brockenbrough  
Bob Polino, Director – Site Development, Brockenbrough