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**CHESAPEAKE BAY PRESERVATION AREA**  
**WATER QUALITY IMPACT ASSESSMENT**  
**New Kent County Environmental Department**

**A. PURPOSE OF WQIA**

A water quality impact assessment (WQIA) shall be required for any proposed land disturbance, development or redevelopment activity within a resource protection area as permitted consistent with Section 94-40 of the County Code including any buffer modification or encroachment in the Chesapeake Bay Preservation Area Resource Protection Area (RPA) 100-foot buffer.

*For the WQIA to be deemed complete at time of submittal, a site-specific RPA determination, plat, and site plan need to accompany the submittal.*

**B. PROJECT INFORMATION**

1. Property Owner: \_\_\_\_\_
2. Street Address: \_\_\_\_\_
3. Telephone Number(s): \_\_\_\_\_ Email: \_\_\_\_\_
4. Tax Map #: \_\_\_\_\_ GPIN: \_\_\_\_\_
5. Date the lot or parcel was recorded: \_\_\_\_\_
6. Date primary structure was built: \_\_\_\_\_
7. Please describe the project: \_\_\_\_\_

8. Are you seeking or have you already obtained permits from other Local, State or Federal agencies in conjunction with this application?  No  Yes  Unknown

If yes, please describe: \_\_\_\_\_  
\_\_\_\_\_

9. Has there been a prior CBPA variance(s) granted for the subject parcel?  
 No  Yes  Unknown

If yes, please provide the date of the prior variance(s): \_\_\_\_\_

Are the conditions of the prior variance(s) present and functioning as intended?  
 Yes  No

If no, please explain: \_\_\_\_\_  
\_\_\_\_\_

10. Existing site conditions: *(Please check all that apply)*
  - Heavily Wooded
  - Sparsely Wooded
  - No trees
  - Understory/ Brush
  - Leaves / needles
  - Bare Soil
  - Waterfront property
  - Eroding Shoreline

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- Ravine / ditch
- Marsh / ditch
- Grass
- Developed / paved
- Septic tank
- Other

If other, please provide a brief description: \_\_\_\_\_

**C. SITE INFORMATION**

1. Location of project:
  - Resource Protection Area
    - Seaward 50-foot portion of the buffer area
    - Landward 50-foot portion of the buffer area
  - Resource Management Area
2. Amount of land disturbance associated with proposed improvements:
  - Less than 2,500 square feet
  - More than 2,500 square feetTotal disturbance proposed: \_\_\_\_\_
3. Area of Lot (*sq. ft / acre*): \_\_\_\_\_ Area of lot located outside of RPA: \_\_\_\_\_
4. Total area of impervious surfaces: house footprint, driveway, deck, pool, patio, detached garage / shed, etc. within the RPA:
  - a. Existing (*sq. ft.*): \_\_\_\_\_
  - b. Proposed (*sq. ft.*): \_\_\_\_\_
  - c. Total Post Development Impervious (*sq. ft.*): \_\_\_\_\_
5. Description of Proposed Improvements: (*Please check all that apply*)
  - Commercial Development
  - Industrial Development
  - Multi-family residential
  - Single family residence
    - New construction
    - Building addition
  - Driveway, Walks, Paths, etc.
  - Deck, patio, terrace
  - Swimming pool
  - Water dependent facility
  - Other

If other, please provide a brief description: \_\_\_\_\_  
\_\_\_\_\_

Are the proposed improvements identified as noncompliant to the New Kent County CBPA Ordinance?

- No  Yes

6. Please provide reasoning for why the encroachment is necessary? Can it be located to avoid RPA impacts? If not, how have RPA impacts been minimized through site layout adjustments? (Encroachments should occur on those portions of a site and in a manner, that will be least disruptive to the natural functions of RPAs and other sensitive lands)
- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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7. Will the project require any of the following?
- Excavation      Approximate amount:
  - Filling      Approximate amount:
  - Grading      Approximate Area:
8. Impacts on existing vegetation:
- a. Number of canopy trees to be removed: \_\_\_\_\_
  - b. Number of understory trees to be removed: \_\_\_\_\_
  - c. Number of dead, diseased or dying trees to be removed: \_\_\_\_\_
  - d. Number of trees to be pruned: \_\_\_\_\_
  - e. Approximate square footage of forest floor / leaf litter to be removed: \_\_\_\_\_
  - f. Approximate linear footage of shoreline to be managed: \_\_\_\_\_
9. Proposed methods to minimize site impacts: *(Please check all that apply)*
- Tree protection
  - Single construction entrance
  - Stockpiling construction materials and debris on existing hard surfaces
  - Defined limits of construction
    - 10' outward of improvements
    - 15' outward of improvements
  - Silt fence
  - Limit construction activity to flat areas of site
  - New structure situated on lot so as to minimize the encroachment into RPA
  - Other:

#### D. PROPOSED MITIGATION MEASURES

A full complement of vegetation consisting of canopy trees, understory trees, shrubs, grasses and groundcovers shall be provided towards the buffer restoration requirements. Mitigation for land disturbance in the RPA must be shown in detail on a mitigation plan. All mitigation plants must be native species, and be located in the RPA. Every restoration unit (400 sq. ft.) requires: *(Reference the Riparian Buffers Modification & Mitigation Guidance Manual for additional information)*

- One (1) canopy tree, two (2) understory trees and three (3) shrubs

1. Vegetative / ground cover enhancements of buffer:
- a. Number of native canopy trees proposed: \_\_\_\_\_
  - b. Number of native understory trees proposed: \_\_\_\_\_
  - c. Number of native shrubs proposed: \_\_\_\_\_
  - d. Number of native ground cover proposed: \_\_\_\_\_
  - e. Square feet of mulch proposed: \_\_\_\_\_
2. Stormwater Management Best Practices (BMP's) utilized:
- Rooftop Disconnection
  - Grass Channel
  - Soil Amendments
  - Vegetative Roof
  - Rainwater Harvesting
  - Permeable Pavement System
  - Infiltration Bed
  - Bioretention
  - Dry Swale
  - Constructed Wetlands
  - Wet Pond
  - Extended Detention Pond
  - Living Shoreline
  - Sand and gravel Underdeck treatment
  - Structural / Manufactured BMP
  - Other

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3. Please describe how the Best Management Practices (BMP's) will be implemented towards mitigating the impacts of development for water quality protection: \_\_\_\_\_

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4. Please provide the construction sequencing for this project \_\_\_\_\_

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**E. REQUIRED FINDINGS**

*Please provide a thorough response to the following.*

1) Please explain how this variance request does not confer upon the applicant any special privilege or convenience not accorded to other owners of property in the Chesapeake Bay Preservation Areas who are subject to the provisions of this ordinance and are similarly situated because?

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2) Please explain how this variance request is not based upon conditions or circumstances that are or have been created by the applicant or predecessor in title.

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3) Please explain how this variance request is the minimum necessary to afford relief.

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4) Please explain how this variance request is in harmony with the purpose and intent of this ordinance, and not injurious to the neighborhood, and not of substantial detriment to water quality, or otherwise detrimental to the public welfare.

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5) Please explain the means taken to provide towards a no net increase in nonpoint source pollution load from this variance request.

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**F. SITE PLAN REQUIREMENTS CHECKLIST**

*The following items must be clearly shown and included in the overall site plan:*

	All existing building, structures, or impervious surfaces on the property (house, garage, pool, deck, patio, retaining wall, etc.)
	The exact location of any RPA Feature: perennial streams, wetlands or ponds on or adjacent to the property. <i>(Site specific RPA determination must be completed, and submitted)</i>
	Date the site-specific RPA determination was completed
	Location of any onsite sewage disposal systems and any primary and reserve drain fields, and date of last inspection or pump out
	The 100-foot landward RPA buffer and seaward 50-foot buffer. <b>Must be field delineated on the lot</b>
	Resource Management Area boundary if applicable
	Distance of existing structure at the closest point to the RPA feature
	Location and dimensions of proposed activity
	Distance of proposed activity to RPA feature.
	Approximate contours on the land (topography).
	Location of slopes $\geq 25$ percent.
	Existing vegetation in RPA and any proposed for removal or alteration.
	Proposed limits of disturbance
	Existing buildable area on lot before encroachment
	Erosion and sediment controls, if applicable (silt fence, construction entrance, etc.)
	Types of material used (examples: concrete, brick paver, gravel, etc.)

**Landscape Mitigation Plan**

	Show all existing trees greater than 12” diameter at DBH (measured from 4’ of base), or location of woods line.
	Location of proposed mitigation plantings
	Location of other mitigation measures
	Summary table of plantings, including species and type <i>(i.e., canopy, shrub, etc.)</i>
	<b>NOTE:</b> Mitigation plantings must be inspected before the Certificate of Occupancy is issued by the New Kent Building Department and the surety is released.

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I, \_\_\_\_\_ (Print Name of Owner) hereby certify that I fully understand the provisions of the NEW KENT COUNTY Chesapeake Bay Preservation Ordinance, and that I accept responsibility for carrying out the required Mitigation Plan for the above referenced project location as approved by the County.

I understand that in accordance with the aforesaid Ordinance all private sewage disposal systems shall be pumped out at least every five (5) years and the 100-foot-wide RPA buffer shall be retained on the parcel undisrupted and vegetated unless proper buffer modifications have been granted by NEW KENT COUNTY or the development of water dependent facilities or redevelopment of the property has been permitted.

I further grant the right of entry onto this property, as described above, to the designated personnel of NEW KENT COUNTY for the purpose of inspecting and monitoring for compliance with the aforesaid Ordinance.

*By signing below, I also understand that the Chesapeake Bay and Wetlands/Beaches and Dunes Board has the ability to require reasonable conditions on a case-by-case basis including, but not limited to, the establishment of a performance surety prior to permit issuance.*

*If a performance surety is required: A revolving Irrevocable Letter of Credit or Cash/Check Escrow must be established prior to permit issuance. The surety amount shall be determined in the following manner: \$100 per canopy tree to be planted, \$75 per understory tree to be planted, \$40 per shrub to be planted, plus a value equal to 10% of the surety amount for Administrative Costs. Any additional proposed mitigation measures shall require a third-party estimate be submitted and approved by the Environmental Department prior to being included in the total surety value. Once all mitigation measures have been installed, the Environmental Department shall continue site inspections through the end of the following growing season prior to releasing the bond.*

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date