

John W. McIntosh

From: John W. McIntosh
Sent: Monday, June 22, 2026 2:34 PM
To: Angela G. Leflett
Subject: RE: Broyhill ESC Site - CGP Permit Coverage Issued by DEQ

Thanks for the heads-up! We do not provide links to permits, so I'm not sure where they got that inclination from. Permits are posted at site entrances so viewable to the public.

Best regards,

John McIntosh, M.Envs.
Environmental Manager
Community Development - Environmental Division
Mainline: (804) 966 – 8580
Office: (804) 966 – 8577



From: Angela G. Leflett <agleflett@newkent-va.us>
Sent: Monday, June 22, 2026 2:25 PM
To: John W. McIntosh <jwmcintosh@newkent-va.us>
Subject: RE: Broyhill ESC Site - CGP Permit Coverage Issued by DEQ

I just looked at this letter again (we have a call about the property and they'll likely call y'all). And they give a link saying a copy of the permit may be obtained at the following link, and they provide a link to the state law and not a link for the permit, lol.

Angela Leflett, CZO
Zoning Administrator
Department of Community Development
Planning ▪ Building ▪ Environmental
(804) 966-9689
agleflett@newkent-va.us



New Kent County is currently in the process of updating our subdivision and zoning ordinance. To stay up to date of the process and provide input, please visit our [website](#).

From: John W. McIntosh <jwmcintosh@newkent-va.us>
Sent: Monday, May 11, 2026 9:08 AM
To: Angela G. Leflett <agleflett@newkent-va.us>
Subject: Broyhill ESC Site - CGP Permit Coverage Issued by DEQ

Angela,

Site activities are covered under our Local Land Disturbance Permit, ES-025600-2025, and the DEQ State Office Construction General Permit, VAR10V945. Based on Staff site inspections, onsite activities are in compliance with Virginia State Code 9VAC25-875: Erosion and Stormwater Management Regulations. The neighbor's concerns do not sound as though they pertain to the ESM Regulations and are mostly that of traffic and noise control – both of which are typically enforced by State and Local Law Enforcement when applicable.

If there's ever any issue with major sediment tracking out onto the roadway, the neighbor should contact NKC Environmental to report the issue if it has not been cleaned up within 24-48 hours.

I would not include it (unless the neighbor specifically asks for it) but attached is a copy of the issued CGP from the State.

Best regards,

John McIntosh, M.Envs.
Environmental Manager

Community Development - Environmental Division

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Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

August 22, 2025

Old Virginia Land and Timber, LLC
PO Box 398
Providence Forge, VA 23140
frankie@cctimberandmat.com

RE: Coverage under the VPDES Construction General Permit (VAR10)
General Permit Number **VAR10V945**
New Kent - Broyhill ESC Plan
Commercial
New Kent

Dear Permittee:

The Virginia Department of Environmental Quality (DEQ) has reviewed your Registration Statement received complete on August 22, 2025 and determined that the proposed 7.6 acre land-disturbing activity is covered under the General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10). The effective date of your coverage under this general permit is July 1, 2024 or the date of this letter, whichever is later. A copy of the general permit may be obtained at the following link:

<http://law.lis.virginia.gov/admincode/title9/agency25/chapter880/section70/>.

The general permit contains the conditions of coverage and Stormwater Pollution Prevention Plan (SWPPP) requirements. Please print the general permit and read it carefully as you will be responsible for compliance with all permit conditions. Coverage under this construction general permit does not relieve the operator of complying with all other federal, state, or local laws and regulations.

Our records indicate that your site may discharge to waters identified as impaired or exceptional. Please see below for additional requirements:

1. Does this proposed land-disturbing activity discharge to a surface water identified as impaired in the 2022 § 305(b)/303(d) Water Quality Assessment Integrated Report for Benthic Macroinvertebrates Bioassessments or for which a TMDL wasteload allocation has been established and approved prior to the term of the general permit for (i) sediment or a sediment-related parameter or (ii) nutrients, including all surface waters within the Chesapeake Bay

Watershed? Yes. If YES, then the following general permit (Part I B 4 a) and SWPPP requirements (Part II B 5 and Part II B 8) must be implemented for the land-disturbing activity:

- Permanent or temporary soil stabilization shall be applied to denuded areas within seven (7) days after final grade is reached on any portion of the site;
- Nutrients (e.g., fertilizers) shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events;
- Inspections shall be conducted at a frequency of (i) at least once every four (4) business days or (ii) at least once every (5) business days and no later than 24 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 24 hours between business days, the inspection shall be conducted on the next business day; and
- Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls; and
- Implement the requirements for construction dewatering discharges as outlined in Part II B 8.

2. Does this proposed land-disturbing activity discharge to a surface water identified as impaired in the 2022 § 305(b)/303(d) Water Quality Assessment Integrated Report or for which a TMDL wasteload allocation has been established and approved prior to the term of the general permit for polychlorinated biphenyl (PCB)? Yes. If YES, then the following general permit (Part I B 4 b) and SWPPP requirements (Part II B 6) must be implemented for the land-disturbing activity if the construction activity involves the demolition of structures (i) equal to or greater than 10,000 square feet and (ii) built or renovated on or before January 1, 1980:

- Implement an approved erosion and sediment control plan;
- Dispose of PCB-contaminated materials in compliance with applicable state, federal, and local requirements to minimize the exposure of PCB-containing building materials;
- Inspections shall be conducted at a frequency of (i) at least once every four (4) business days or (ii) at least once every (5) business days and no later than 24 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 24 hours between business days, the inspection shall be conducted on the next business day; and
- Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls.

3. Does this proposed land-disturbing activity discharge to an exceptional water identified in 9VAC25-260-30 A 3 c? No. If YES, then the following general permit (Part I B 5) and SWPPP requirements (Part II B 7 and Part II B 8) must be implemented for the land-disturbing activity:

- Permanent or temporary soil stabilization shall be applied to denuded areas within seven (7) days after final grade is reached on any portion of the site;
- Nutrients (e.g., fertilizers) shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events;
- Inspections shall be conducted at a frequency of (i) at least once every four (4) business days or (ii) at least once every (5) business days and no later than 24 hours following a measurable storm event. In the event that a measurable storm event occurs when there are

more than 24 hours between business days, the inspection shall be conducted on the next business day; and

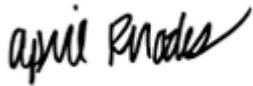
- Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls; and
- Implement the requirements for construction dewatering discharges as outlined in Part II B 8.

The general permit requires that you submit a complete Notice of Termination packet no later than 30 days after meeting one or more of the termination conditions set forth in the general permit (Part I F). In accordance with the Virginia Erosion and Stormwater Management Regulation (9VAC25-875-1420), an annual permit maintenance fee may be required until coverage under this general permit has been terminated. If you are required to pay an annual permit maintenance fee, you will receive an invoice from the appropriate Virginia Erosion and Stormwater Management authority or DEQ when acting in the capacity of the Virginia Stormwater Management Program authority.

The general permit will expire on June 30, 2029. The conditions of the general permit require that you submit a new registration statement at least 90 days prior to that date if you wish to continue coverage under the general permit unless permission for a later date has been granted by the Board. Permission cannot be granted to submit the registration statement after the expiration date of the general permit.

If you have any questions about this permit, please contact the DEQ Office of Stormwater Management at ConstructionGP@deq.virginia.gov.

Sincerely,



April Rhodes
Program Manager
Office of Stormwater Management