



*Commonwealth of Virginia*

*VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY*

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Director

February 6, 2026

Mr. Keith Green  
Capital Outlay Project Manager  
Virginia Department of Transportation  
1401 East Broad Street  
Richmond VA 23219  
Via email: [Keith.Green@vdot.virginia.gov](mailto:Keith.Green@vdot.virginia.gov)

Dear Mr. Green:

Pursuant to *Virginia Code* section 10.1-1189 *et seq.*, the Department of Environmental Quality has completed its review of the Environmental Impact Report concerning the construction of the New Combination Building and Equipment Storage Facilities at the Cuckoo Area Headquarters proposed by the Virginia Department of Transportation in Louisa County (Agency Code 501, Project Code 18130-085, DEQ 26-001S). The Department's comments on this proposal are attached for your guidance. These comments are being reviewed by the Secretary of Administration on behalf of the Governor. Projects must be approved by the Secretary of Administration, following her review of DEQ's comments, before they may be carried out.

Thank you for the opportunity to review this project.

Sincerely,

A handwritten signature in cursive script that reads "Janine Howard".

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**COMMENTS OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

concerning the construction of the New Combination Building and Equipment Storage Facilities at the Cuckoo Area Headquarters proposed by the Virginia Department of Transportation in Louisa County (Agency Code 501, Project Code 18130-085, DEQ 26-001S).

The Department of Environmental Quality has determined that the Environmental Impact Report (EIR) for this proposal provides the information necessary for evaluation of the project's environmental impacts. The Department has completed its review. The following agencies joined in this review:

Department of Environmental Quality (DEQ)  
Department of Health (VDH)  
Department of Conservation and Recreation (DCR)  
Department of General Services (DGS)

In addition, the Department of Historic Resources, Department of Wildlife Resources, Louisa County, and Thomas Jefferson PDC were invited to comment on the project.

**PROJECT DESCRIPTION**

The Virginia Department of Transportation (VDOT) submitted an EIR for the proposed construction of a new combination building and equipment storage building at the VDOT Cuckoo Area Headquarters (AHQ) located at 11084 Jefferson Highway in Mineral, Louisa County. The project includes the construction of an approximately 4,998 square foot Combination Building and approximately 12,800 square foot Equipment Storage Building. The existing occupied structures on the site are aged and no longer meet the requirements of a modern VDOT AHQ. The office building is not adequate for the current roadway/equipment maintenance crew size located at the Cuckoo AHQ. Additionally, the equipment storage building/repair shop bays and existing chemical storage building are not sized to adequately house modern VDOT equipment and necessary supplies. The new Combination Building will provide space to be used as the supervisor's office, open office spaces, locker room, men's and women's restrooms, staff work room with a kitchenette and two maintenance bays with associated operational support equipment. The new Combination Building will be situated approximately 50 feet west/southwest of the current headquarters office building.

In addition, a new Equipment Storage Building (ESB) will be constructed to replace the existing, outdated and inefficient storage building, utilizing VDOT's Prototype Equipment Storage Building design. The ESB will provide 12 storage bays to be utilized for the storage of modern VDOT equipment. Further, a new approximately 12,000 square feet Chemical Storage Building (CSB) will be constructed along the western extent of the Property.

The project also includes relocation and installation of a generator and propane tanks, redesign and installation of asphalted access and parking areas, upgrading the stormwater collection and detention system and site grading activities to meet construction needs for the proposed improvements, and planting of associated landscaping.

In order to make the construction possible, the following existing facilities on the site will be demolished:

- Office Building (FAACS# 7420128)
- Equipment Shop (FAACS# 7420130)
- Fuel House (FAACS# 742012100)
- Equipment Storage Building (FAACS# 7420131)
- Storage Building No. 2 (FAACS# 420137) – Potentially to be Relocated upon the Project Site
- CSB No. 1 (FAACS# 7420145)
- CSB No. 2 (FAACS# 7420146)
- Spreader Rack No. 1 (FAACS# 7420149)
- Spreader Rack No. 2 (FAACS# 7420150)

## CONCLUSION

Based on comments submitted by reviewers, from the environmental perspective, DEQ has no objections to the project provided that regulatory requirements and recommendations in the enclosed comments are followed. Natural resources agencies did not identify any adverse impacts that cannot be mitigated. Provided activities are performed in accordance with the recommendations which follow, this project is unlikely to have significant effects on water quality, ambient air quality, natural heritage resources, forest or agricultural resources, historic resources, or state/federal-listed species.

## ENVIRONMENTAL IMPACTS AND MITIGATION

**1. Erosion and Sediment Control and Stormwater Management.** According to the EIR (page 26), land disturbance during construction will increase the potential for erosion and sedimentation. This risk will be reduced through proper erosion and sedimentation procedures including prompt landscaping once construction is completed. Project erosion, sediment control, and stormwater management will be designed, installed, inspected, and maintained in accordance with the Virginia specifications for Erosion and Sediment Control and Stormwater Management.

**1(a) Agency Jurisdiction.** The DEQ Office of Stormwater Management (OSM) administers the

following laws and regulations governing construction activities:

- Virginia Erosion and Sediment Control Law (VESCL) (§ 62.1-44.15:51 *et seq.*);
- Virginia Stormwater Management Act (VSMA) (§ 62.1-44.15:24 *et seq.*);
- Virginia Erosion and Stormwater Management Regulation (9VAC25-875 *et seq.*) and
- 2024 General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Construction Activities (9VAC25-875 *et seq.*).

In addition, DEQ is responsible for VSMP General Permit for Stormwater Discharges from Construction Activities related to Municipal Separate Storm Sewer Systems (MS4s) and construction activities for the control of stormwater discharges from MS4s and land disturbing activities under the Virginia Stormwater Management Program (9VAC25-890-40).

### **1(b) Requirements.**

**1(b)(i) Erosion and Sediment Control / Stormwater Management Specifications.** As an alternative to submitting soil erosion control and stormwater management plans for its land-disturbing activities pursuant to §62.1-44.15 *et seq.*, VDOT shall, and any other state agency or federal entity may, submit standards and specifications (S&S) for its conduct of land-disturbing activities for DEQ approval.

As an alternative to submitting soil erosion control and stormwater management plans, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, and authorities created pursuant to §15.2-5102 may submit S&S for DEQ approval. Such S&S shall be consistent with the requirements of this article and associated regulations and the ESC law and Stormwater Management Act (§ 62.1-44.15:24 *et seq.*), and associated regulations where applicable. The specifications shall apply to:

- Construction, installation, or maintenance of electric transmission, natural gas, and telephone utility lines and pipelines, and water and sewer lines; and
- Construction of the tracks, rights-of-way, bridges, communication facilities, and other related structures and facilities of the railroad company.

**1(b)(ii) VDOT Requirements.** The Virginia Department of Transportation must have a certified Responsible Land Disturber in charge of and responsible for carrying out the project-specific ESC plan and the land-disturbing activity. As an S&S for ESC and Stormwater Management (SWM) holder, VDOT must have a DEQ-certified ESC inspector that must provide for an inspection during or immediately following initial installation of erosion and sediment controls, at least once in every two-week period, within 48 hours following any runoff producing storm event, and at the completion of the project.

VDOT must notify [standardsandspecs@deq.virginia.gov](mailto:standardsandspecs@deq.virginia.gov) two weeks prior to regulated land disturbance.

**1(b)(iii) Virginia Stormwater Management Program General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10).** In accordance with §62.1-44.15 *et seq.*, the operator or owner of construction activities involving land disturbance  $\geq 1$  acre

must register for coverage under the General Permit for Discharges of Stormwater from Construction Activities and develop a project-specific stormwater pollution prevention plan (SWPPP). Construction activities requiring registration also include the land disturbance of <1 acre of total land area that is part of a larger common plan of development or sale if the larger common plan of development will ultimately disturb  $\geq 1$  acre. The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit, and the SWPPP must address water quality and quantity in accordance with the Virginia Stormwater Management Program (VSMP) Permit Regulations. General information and registration forms for the general permit are available at [DEQ Stormwater - Construction](#), under the “Construction General Permit Fees & Forms” banner.

The VSMP Authority is DEQ.

**1(c) Recommendations.** Consider using permeable paving for parking areas and walkways where appropriate. Denuded areas should be promptly revegetated following construction work.

**2. Air Quality.** The EIR (page 23) states that exhaust and dust emissions will occur during construction and demolition. Various methods, including water application, physical barriers and equipment modifications can be employed to minimize dust generation and airborne dust. No open burning will not be permitted on site. All land-clearing, construction and demolition debris will be landfilled at a permitted Construction, Demolition and Debris (CDD) facility.

**2(a) Agency Jurisdiction.** The DEQ Air Division, on behalf of the State Air Pollution Control Board, is responsible for developing regulations that implement Virginia’s Air Pollution Control Law (Virginia Code §10.1-1300 et seq.). DEQ is charged with carrying out mandates of the state law and related regulations as well as Virginia’s federal obligations under the Clean Air Act as amended in 1990. The objective is to protect and enhance public health and quality of life through control and mitigation of air pollution. The division ensures the safety and quality of air in Virginia by monitoring and analyzing air quality data, regulating sources of air pollution, and working with local, state and federal agencies to plan and implement strategies to protect Virginia’s air quality. The appropriate DEQ regional office is directly responsible for the issuance of necessary permits to construct and operate all stationary sources in the region as well as monitoring emissions from these sources for compliance. As a part of this mandate, environmental impact reviews (EIRs) of projects to be undertaken in the state are also reviewed. In the case of certain projects, additional evaluation and demonstration must be made under the general conformity provisions of state and federal law.

The Air Division regulates emissions of air pollutants from industries and facilities and implements programs designed to ensure that Virginia meets national air quality standards. The most common regulations associated with projects are:

- Open burning: 9 VAC 5-130 *et seq.*
- Fugitive dust control: 9 VAC 5-50-60 *et seq.*
- Permits for fuel-burning equipment: 9 VAC 5-80-1100 *et seq.*

**2(b) Agency Findings.** The project is not located within an air quality planning area or emission

control area for volatile organic compounds (VOCs) or oxides of nitrogen (NOx).

## **2(c) Requirements.**

**2(c)(i) Fugitive Dust.** During demolition and construction activities, fugitive dust must be kept to a minimum by using control methods outlined in 9VAC5-50-60 *et seq.* of the Regulations for the Control and Abatement of Air Pollution. These precautions include, but are not limited to, the following:

- Use, where possible, water or chemicals for dust control;
- Install and use hoods, fans and fabric filters to enclose and vent the handling of dusty materials;
- Cover open equipment for conveying materials; and
- Promptly remove spilled or tracked dirt or other materials from paved streets and remove dried sediments resulting from soil erosion.

**2(c)(ii) Fuel-Burning Equipment.** Installation / operation / modification / replacement of stationary or portable fuel burning equipment (e.g., generators, wood chippers/grinders, boilers, etc.) or other sources of air pollutants, including dust, may be subject to registration and/or air permitting requirements per 9VAC 5-80-1100 *et seq.* (<https://www.deq.virginia.gov/permits/air>). Some of the more commonly used equipment includes generators, boilers, paint booths, woodchippers/grinders, etc. The regulation requires obtaining an air permit before starting construction of, or operation of any new stationary source.

**3. Solid and Hazardous Wastes.** The EIR (page 11) notes that underground storage tank (UST) systems have historically been utilized and are currently in operation at the Cuckoo AHQ. The EIR states that the systems are in general compliance with all applicable current regulatory standards. However, petroleum-based product releases have occurred at the site. The existing underground storage tank (UST) systems and associated appurtenances are outside of the proposed Limits of Disturbance (LOD); therefore, decreasing the risk of encountering petroleum-based product impacted soil during proposed development efforts.

VDOT has performed asbestos containing materials (ACM) and lead based paint (LBP) hazardous materials surveys for the buildings on the property. Asbestos-containing materials were not identified in association with the structures proposed to be demolished; however, lead-based paint was identified (EIR, page 13). The Owner/Contractor will be required to adhere to all applicable United States Environmental Protection Agency (US EPA) regulations regarding disposal requirements and United States Occupational Safety and Health administration (US OSHA) regulations for employee exposure to lead-based paint.

Incidental waste materials from construction of the building and demolition materials from the maintenance building will be handled and/or disposed of properly in a construction and demolition (C&D) landfill or municipal solid waste (MSW) landfill.

**3(a) Agency Jurisdiction.** On behalf of the Virginia Waste Management Board, the DEQ Division of Land Protection and Revitalization is responsible for carrying out the mandates of

the Virginia Waste Management Act (Virginia Code §10.1-1400 *et seq.*), as well as meeting Virginia's federal obligations under the Resource Conservation and Recovery Act and the Comprehensive Environmental Response Compensation Liability Act, commonly known as Superfund. The DEQ Division of Land Protection and Revitalization also administers those laws and regulations on behalf of the State Water Control Board governing Petroleum Storage Tanks (Virginia Code §62.1-44.34:8 *et seq.*), including Aboveground Storage Tanks (9VAC25-91 *et seq.*) and Underground Storage Tanks (9VAC25-580 *et seq.* and 9VAC25-580-370 *et seq.*), also known as 'Virginia Tank Regulations', and § 62.1-44.34:14 *et seq.* which covers oil spills.

*Virginia:*

- Virginia Waste Management Act, Virginia Code § 10.1-1400 *et seq.*
- *Virginia Solid Waste Management Regulations*, 9VAC20-81
  - (9VAC20-81-620 applies to asbestos-containing materials)
- *Virginia Hazardous Waste Management Regulations*, 9 VAC 20-60
  - (9VAC20-60-261 applies to lead-based paints)
- *Virginia Regulations for the Transportation of Hazardous Materials*, 9VAC20-110.

*Federal:*

- Resource Conservation and Recovery Act (RCRA), 42 U.S. Code sections 6901 *et seq.*
- U.S. Department of Transportation *Rules for Transportation of Hazardous Materials*, 49 *Code of Federal Regulations*, Part 107
- Applicable rules contained in Title 40, *Code of Federal Regulations*.

**3(b) Agency Findings.** DEQ's Division of Land Protection and Revitalization (DLPR) staff conducted a database search using a 200-foot radius around the project area to identify waste sites, including petroleum releases, in close proximity to the project area.

The DLPR search identified two historical petroleum releases located at the Cuckoo AHQ property. The DEQ Northern Regional Office (NRO) also identified these petroleum release cases and noted that they are both closed.

1. *Pollution Complaint (PC) Number 19995199, VDOT – Cuckoo Area Headquarters, 11084 Jefferson Hwy, Mineral, Virginia, Release Date: 04/04/1999, Status: Closed.*
2. *PC Number 20016043, VDOT – Cuckoo Area Headquarters, 11084 Jefferson Hwy, Mineral, Virginia, Release Date: 09/12/2000, Status: Closed.*

DLPR indicates that solid and hazardous waste issues and sites were addressed in the EIR.

**3(c) Agency Recommendations.** DEQ encourages all construction projects and facilities to implement pollution prevention principles, including the reduction, reuse, and recycling of all solid wastes generated. All generation of hazardous wastes should be minimized and handled appropriately.

### **3(d) Requirements.**

**3(d)(i) Contaminated Waste.** Any soil that is suspected of contamination or wastes that are generated during construction-related activities must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations. All construction waste, including construction and demolition (C&D) wastes and universal wastes (batteries, fluorescent lights, refrigerants, mercury switches, mercury thermostats, etc.), must be characterized in accordance with the *Virginia Hazardous Waste Management Regulations* prior to management at an appropriate facility. It is the generator's responsibility to determine if a solid waste meets the criteria of a hazardous waste and as a result be managed as such.

**3(d)(ii) Fuel Storage Tanks.** The removal, relocation or closure or installation/operation of any regulated petroleum storage tanks, aboveground storage tank (AST) or underground storage tank (UST), must be conducted in accordance with the requirements of the Virginia Tank Regulations 9 VAC 25-91-10 *et seq.* (AST) and / or 9 VAC 25-580-10 *et seq.* (UST).

**3(d)(iii) Petroleum Release Sites.** If evidence of a petroleum release is discovered during implementation of this project, it must be reported to DEQ, as authorized by Virginia Code § 62.1-44.34.8 through 9 and 9 VAC 25-580-10 *et seq.*

**3(d)(iv) Asbestos-containing Material and Lead-based Paint.** All structures being demolished/renovated/removed should be checked for asbestos-containing materials and lead-based paint prior to disturbance. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, state regulations 9 VAC 20-81-620 for ACM and 9 VAC 20-60-261 for LBP must be followed.

**4. Natural Heritage Resources.** According to the EIR (page 16), the site has minimal vegetative cover and does not contain significant habitat for terrestrial wildlife or avian species. The project is not anticipated to impact significant habitat within the adjacent forested areas. According to the U.S Fish and Wildlife Services (USFWS) online IPaC system, there are no critical habitats found within the proposed project site.

#### **4(a) Agency Jurisdiction.**

**4(a)(i) Department of Conservation and Recreation (DCR) Division of Natural Heritage (DNH).** DNH's mission is conserving Virginia's biodiversity through inventory, protection and stewardship. The Virginia Natural Area Preserves Act (Virginia Code §10.1-209 through 217), authorized DCR to maintain a statewide database for conservation planning and project review, protect land for the conservation of biodiversity, and the protect and ecologically manage the natural heritage resources of Virginia (the habitats of rare, threatened and endangered species, significant natural communities, geologic sites, and other natural features).

**4(a)(ii) Virginia Department of Agriculture and Consumer Services (VDACS).** The Endangered Plant and Insect Species Act of 1979 (Virginia Code Chapter 39 §3.1-1020 through 1030) authorizes VDACS to conserve, protect and manage endangered and threatened species of plants and insects. Under a Memorandum of Agreement established between VDACS and the

DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species.

**4(b) Agency Findings.** DCR DNH has searched its Biotics Data System (Biotics) for occurrences of natural heritage resources from the area outlined on the submitted map. According to the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100-foot buffer. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. In addition, the project boundary does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

The proposed project will impact an Ecological Core (C4) as identified in the Virginia Natural Landscape Assessment (<https://www.dcr.virginia.gov/natural-heritage/vaconvisvnl>). Mapped cores in the project area can be viewed via the Virginia Natural Heritage Data Explorer, available here: <http://vanhde.org/content/map>.

Impacts to cores occur when their natural cover is partially or completely converted permanently to developed land uses. Habitat conversion to development causes reductions in ecosystem processes, native biodiversity, and habitat quality due to habitat loss; less viable plant and animal populations; increased predation; and increased introduction and establishment of invasive species.

**4(c) State-listed Plant and Insect Species.** DCR DNH determined that the proposed activity will not affect any documented state-listed threatened or endangered plants or insects.

**4(d) State Natural Area Preserves.** DCR's files do not indicate the presence of any State Natural Area Preserves under the agency's jurisdiction in the project vicinity.

**4(e) Agency Recommendation.** DCR-DNH recommends avoidance of impacts to cores. When avoidance cannot be achieved, DCR recommends minimizing the area of impacts overall and concentrating the impacted area at the edges of cores, so that the most interior remains intact.

Contact the DCR DNH for an update on natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

**5. Public Water Supply.** According to the EIR (page 21), the project site is located within the James River watershed, which is part of/flows into the Chesapeake Bay watershed. The Louisa County Water Authority, which services the general area surrounding the proposed project site (as applicable), utilizes Northeast Creek Reservoir, as its primary water source. Based on the limited land disturbance area for the building; the proposed project should have no impact on this watershed as proposed erosion and sedimentation control procedures will be enforced.

The AHQ utilizes an on-site potable water supply well (located upon the northern extent of the property) for potable water supply.

**5(a) Agency Jurisdiction.** The Virginia Department of Health (VDH) Office of Drinking Water

reviews projects for the potential to impact drinking water sources (groundwater wells, springs, and surface water intakes) serving waterworks. VDH administers the Virginia Waterworks Regulations (12VAC5-590) governing waterworks operation and construction and has primacy for the National Primary Drinking Water Regulations (40 CFR § 141) and implements the National Secondary Drinking Water Regulations (40 CFR § 143).

**5(b) Agency Findings.** VDH noted that the Jouett Elementary School Drilled Well (PWSID 2109260) is located within a 1-mile radius of the project site.

**5(c) Recommendations.** Utilize Best Management Practices (BMPs) including erosion and sedimentation controls and spill prevention controls and countermeasures on the project site.

**6. Historic and Archaeological Resources.** VDOT utilized DHR's Virginia Cultural Resource Information System to search for known historic and archaeological resources in the vicinity of the project site (EIR, page 17). Based on a review of the results, no proposed Virginia Landmarks Register or National Register of Historic Places sites were identified within the projects Area of Potential Effect (APE). Some historic resources were identified within a 0.5-mile search radius; however the EIR indicates that these resources will not be affected by the project and that the project site is not visible from the resources. Archaeological resources were not identified within the search radius.

**6(a) Agency Jurisdiction.** The Virginia Department of Historic Resources (DHR) conducts reviews of both federal and state projects to determine their effect on historic properties. Under the federal process, DHR is the State Historic Preservation Office, and ensures that federal undertakings - including licenses, permits, or funding - comply with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation at 36 CFR Part 800. Section 106 requires federal agencies to consider the effects of federal projects on properties that are listed or eligible for listing on the National Register of Historic Places. For state projects or activities on state lands, DHR is afforded an opportunity to review and comment on (1) the demolition of state property; (2) major state projects requiring an EIR; (3) archaeological investigations on state-controlled land; (4) projects that involve a landmark listed in the Virginia Landmarks Register; (5) the sale or lease of surplus state property; (6) exploration and recovery of underwater historic properties; and (7) excavation or removal of archaeological or historic features from caves. Please see DHR's website for more information about applicable state and federal laws and how to submit an application for review: <https://www.dhr.virginia.gov/programs/federal-state-review/>.

**6(b) Agency Comments.** DHR did not comment on the project.

**7. Floodplain Management.** The EIR (page 22) states that the proposed project location lies in Zone X (minimal flood hazard-not shaded) of the Federal Emergency Management Agency (FEMA) FIRM Map 5100920350C, dated July 22, 2020, illustrating that it is located within an area determined have minimal flooding risk and therefore, outside the 100-year flood.

## **7(a) Agency Jurisdiction.**

**7(a)(i) Department of Conservation and Recreation.** The Department of Conservation and Recreation (DCR) is the lead coordinating agency for the Commonwealth's floodplain management program and the National Flood Insurance Program (Code of Virginia § 10.1-602). Pursuant to §10.1-603 of the Virginia Code and in accordance with 44 CFR section 60.12 of the National Flood Insurance Program Regulations for Floodplain Management and Flood Hazard Identification, all construction or land-disturbing activities initiated by an agency of the Commonwealth, or by its contractor, in floodplains shall be submitted to the locality and comply with the locally adopted floodplain management ordinance.

**7(a)(ii) Department of General Services.** The Department of General Services (DGS) Division of Engineering and Buildings reviews and makes recommendations to DCR for the construction and reconstruction of buildings and structures on state-owned property within the 100-year and 500-year floodplains. DCR is responsible for issuing permits to allow construction in a floodplain. The Division of Engineering and Buildings is responsible for ensuring that construction documents for a building permit comply with the building code and with DCR's floodplain permit.

**7(b) Agency Findings.** DGS DEB confirms that the location of the work is located in an area of minimal flood hazard, outside of the 100-year and 500-year floodplains. DEB takes no exception to this project as it relates to construction in a floodplain.

**7(c) Agency Recommendations.** DGS-DEB encourages all state agencies to become familiar with the requirements of Code of Virginia, Article 1 – Flood Damage Reduction Act in Chapter 6 on Flood Protection and Dam Safety, with emphasis on § 10.1-603 - State agency compliance. The Virginia Flood Risk Information System (VFRIS) at DCR may be accessed to find flood zone information.

**8. Energy Conservation.** Executive Order Thirty One (2014) directs all state executive branch agencies, authorities, departments, and all institutions of higher education to pursue energy efficiency measures, especially Energy Performance Contracting. The Executive Order sets the goal to reduce electricity consumption in state facilities by 15% from the 2009-2010 baseline and directs state agencies to utilize the Energy Performance Contracting process supported by Virginia Energy.

**8(a) Recommendations.** The following recommendations may be applicable to the proposed project:

- Review Executive Order Thirty One (2014) to ensure compliance with the requirement to reduce energy consumption and EPC utilization.
- Review the Department of General Services (DGS) Construction and Professional Services Manual (CPSM) (<https://dgs.virginia.gov/engineering-and-buildings/statewide-constructionproject-management/current-cpsm-edition/>) to ensure compliance with VEES.
- Consider maximizing the energy efficiency of the facility by the use of the following:

- thermally efficient building shell components (roof, wall, floor, windows, and insulation);
- facility siting and orientation with consideration towards natural lighting and solar loads;
- high efficiency heating, ventilation, air conditioning systems;
- high efficiency lighting systems and daylighting techniques; and
- energy efficient office and data processing equipment.

Contact Virginia Energy (Matt Heller at [Matt.Heller@energy.virginia.gov](mailto:Matt.Heller@energy.virginia.gov)) for additional information on energy conservation measures related to EO 31. Contact DGS (Steven Matsko at 804-371-7548) for additional information regarding compliance with the High Performance Buildings Act.

**9. Pollution Prevention.** DEQ's [Office of Pollution Prevention](#) hosts a number of programs and initiatives that serve for non-regulatory assistance to businesses, institutions, and communities including the Virginia Environmental Excellence Program and Virginia Green.

**9(a) Recommendations.** We have several pollution prevention recommendations that may be helpful:

- Consider development of an effective Environmental Management System (EMS). An effective EMS will ensure that the proposed facility is committed to complying with environmental regulations, reducing risk, minimizing environmental impacts, setting environmental goals, and achieving improvements in its environmental performance. DEQ offers EMS development assistance and recognizes facilities with effective Environmental Management Systems through its Virginia Environmental Excellence Program (VEEP). VEEP provides recognition, annual permit fee discounts, and the possibility for alternative compliance methods.
- Consider environmental attributes when purchasing materials. For example, the extent of recycled material content, toxicity level, and amount of packaging should be considered and can be specified in purchasing contracts.
- Consider energy efficiency when choosing materials and products, like insulation, fixtures, and HVAC systems.
- Consider energy efficiency when choosing materials and products.
- Consider contractors' commitment to the environment when choosing contractors. Specifications regarding raw materials and construction practices can be included in contract documents and requests for proposals.
- Choose sustainable materials and practices for construction and design.
- Integrate pollution prevention techniques into the facility maintenance and operation, to include inventory control for centralized storage of hazardous materials. Maintenance facilities should have sufficient and suitable space to allow for effective inventory control and preventive maintenance.

DEQ's Office of Pollution Prevention provides information and technical assistance relating to pollution prevention techniques and EMS. If interested, please contact DEQ (Meghann Quinn at [Meghann.Quinn@deq.virginia.gov](mailto:Meghann.Quinn@deq.virginia.gov)).

**10. Pesticides and Herbicides.** In general, when pesticides or herbicides must be used, their use should be strictly in accordance with manufacturers' recommendations. In addition, to the extent feasible, DEQ recommends that the responsible agent for the project use the least toxic pesticides or herbicides effective in controlling the target species. For more information on pesticide or herbicide use, please contact the Virginia Department of Agriculture and Consumer Services at (804-786-3798).

**11. Water Conservation Recommendations.** DEQ recommends that VDOT considers the following water conservation measures to the extent practicable (as applicable):

- Grounds should be landscaped with hardy native plant species to conserve water as well as minimize the need to use fertilizers and pesticides.
- Convert turf to low water-use landscaping such as drought resistant grass, plants, shrubs and trees.
- Consider installing low-flow restrictors/aerators to faucets.
- Improve irrigation practices by:
  - installing sprinkler clocks;
  - watering at night, if possible, to reduce evapotranspiration (lawns need only 1 inch of water per week, and do not need to be watered daily; overwatering causes 85% of turf problems);
  - installing a rain shutoff device; and
  - collecting rainwater with a rain bucket or cistern system with drip lines.
- Check for and repair leaks during routine maintenance activities.

**12. Septic System.** The design plans attached to the EIR suggest that a new septic system with drainfield is a component of this project.

**12(a) Agency Jurisdiction.** The Virginia Department of Health (VDH) Division of Onsite Sewage and Water Services (Division) is responsible for adopting and implementing regulations for marinas, private wells, and onsite wastewater treatment and disposal. The Division's mission is to protect public health and ground water quality. The Division administers the *Sewage Handling and Disposal Regulations* (12 VAC 5-610-10 *et seq.*) which govern septic systems, alternative onsite systems, privies (including composting and incinerating toilets), and siting, design and construction standards for residential and commercial onsite sewage treatment and dispersal systems. Division programs are administered through 35 district offices throughout the Commonwealth. The appropriate district office may be found at <http://www.vdh.virginia.gov/lhd/>.

**12(b) Requirement.** Coordinate with the VDH Blue Ridge Health District Office to ensure the appropriate approvals are received for the installation of any new septic system and/or the removal of an existing system, as applicable.

**13. Construction, Renovation, and Demolition on State-Owned Property.** According to the EIR (page 3) VDOT is proposing to demolish nine existing buildings at the Cuckoo AHQ in preparation for the site improvements.

**13(a) Agency Jurisdiction.** The Department of General Services, Division of Engineering and Buildings (DEB) functions as the State Building Official in accord with the Virginia Uniform Statewide Building Code for the construction, renovation, and demolition of buildings and structures on state-owned property (Virginia Code §36-98.1). A permit shall be obtained from the State Building Official prior to commencing with the construction, renovation, and demolition of buildings or structures on state-owned property.

The Department of General Services, considering the recommendations of the Art and Architectural Review Board, acts as the Governor's Designee for the approval of the artistic character of buildings and structures and for approval of the demolition of buildings and structures on state-owned property (Virginia Code §2.2-2402). Written authorization shall be obtained from the Governor's Designee prior to commencing with the construction or demolition of buildings and structures on state-owned property.

**13(b) DGS Comments.** DGS notes that on page 4 of the EIR it states that the building and associated infrastructure will be built to current Virginia Bureau of Capital Outlay Management (BCOM) standards and that BCOM serves as the Building Code Official for all facilities constructed on state-owned property.

The building and associated infrastructure will be built to current Division of Engineering and Building (DEB) standards and **DEB** is the Building Official for all facilities constructed on state-owned property. DGS suggests that the report be revised to correctly identify DEB as the Building Official.

**13(c) DGS Demolition Permit Requirement.** Before any building on State Property may be demolished, the demolition shall be authorized by the Governor or the Governor's designee. The Agency must submit a Demolition Permit (Form CO-17.1) to DEB for approval to demolish the structure. For additional information, see the Construction and Professional Services Manual (CPSM), Sections 8.4.2 and 8.4.12.

**14. Wildlife Resources.** According to the EIR (page 14), DWR's online database was searched to identify threatened and endangered species in the vicinity of the project area. Three species of bat were identified as potentially being present in the project area, though no known colonies, hibernacula, or roosts are located within the project site. The EIR (page 16) notes that the proposed construction does not require clearing or disturbance of forested areas. However, several Oak trees are to be removed from the property as part of proposed demolition/grading efforts.

**14(a) Agency Jurisdiction.** The Virginia Department of Wildlife Resources (DWR), as the Commonwealth's wildlife and freshwater fish management agency, exercises enforcement and regulatory jurisdiction over wildlife and freshwater fish, including state- or federally-listed endangered or threatened species, but excluding listed insects (Virginia Code, Title 29.1). DWR is a consulting agency under the U.S. Fish and Wildlife Coordination Act (16 U.S. Code §661 et seq.) and provides environmental analysis of projects or permit applications coordinated through DEQ and several other state and federal agencies. DWR determines likely impacts upon fish and

wildlife resources and habitat, and recommends appropriate measures to avoid, reduce or compensate for those impacts. For more information, see the DWR website at <https://dwr.virginia.gov/>.

**14(b) Agency Findings.** DWR's Environmental Services Section is unable to review the proposed project, which does not constitute an endorsement of the project or *indicate* a lack of concern regarding *potential* project impacts *upon wildlife and their habitats*.

**14(c) Agency Recommendations.** DWR encourages full consideration of protections for the Commonwealth's wildlife resources during the design, planning and construction phases of this project. For information on how to best avoid or minimize adverse impacts upon listed species and other wildlife resources under DWR's jurisdiction, DWR recommends a review (if not already completed) of the online tools, project review protocols, best management practices, wildlife survey guidance and species information that are available at <https://dwr.virginia.gov/wies/wies-additional-resources/>.

For specific questions and/or concerns about the project that may require further consideration, contact DWR at [ESSProjects@dwr.virginia.gov](mailto:ESSProjects@dwr.virginia.gov) and briefly summarize the project components, species and potential impacts that need further attention.

**15. Water Quality and Wetlands.** The EIR (page 20) states that the USFWS online National Wetlands Inventory (NWI) mapping does not show wetlands in association with or within the proposed project limits of disturbance. The entirety of the project site is located within the James River watershed, which is part of/flows into the Chesapeake Bay watershed. Based upon the utilization of stormwater management and sediment control best management practices, the proposed construction should not significantly impact the water quality of these waterbodies.

**15(a) Agency Jurisdiction.** The State Water Control Board promulgates Virginia's water regulations covering a variety of permits to include the [Virginia Pollutant Discharge Elimination System Permit](#) regulating point source discharges to surface waters, Virginia Pollution Abatement Permit regulating sewage sludge, storage and land application of biosolids, industrial wastes (sludge and wastewater), municipal wastewater, and animal wastes, the [Surface and Groundwater Withdrawal Permit](#), and the [Virginia Water Protection \(VWP\) Permit](#) regulating impacts to streams, wetlands, and other surface waters. The VWP permit is a state permit which governs activities in state surface waters including wetlands, and certain surface water withdrawals, diversion, and impoundments. It also may serve as Section 401 Water Quality Certification of the federal licenses and permits under the Clean Water Act. The VWP Permit Program is under the Office of Wetlands and Stream Protection, within the DEQ Division of Water Permitting. Six DEQ regional offices perform permit application reviews and issue permits or coverages for the covered activities.

- Clean Water Act Sections 404 and 401 (33 U.S.C. § 1251 *et seq.*);
- Section 404(b)(i) Guidelines Mitigation Memorandum of Agreement (2/90) (40 CFR Part 230);
- State Water Control Law, Chapter 3.1 of Title 62.1 of the Code of Virginia; and

- State Water Control Board regulations 9VAC25-210 *et seq.*; 9VAC25-660 *et seq.*; 9VAC25-670 *et seq.*; 9VAC25-680 *et seq.*; and 9VAC25-690 *et seq.*

**15(b) Agency Findings.** The project manager is reminded that a VWP permit from DEQ may be required should impacts to surface waters be necessary. A VWP permit may be required if construction activities will occur in or along any streams (perennial, intermittent, or ephemeral), open water or wetlands. The disturbance of surface waters or wetlands may require prior approval by DEQ and/or the U.S. Army Corps of Engineers (Corps). The Corps is the authority for an official confirmation of whether there are federal jurisdictional waters, including wetlands, which may be impacted by the proposed project. DEQ may confirm additional waters as jurisdictional beyond those under federal authority. Review of National Wetland Inventory maps or topographic maps for locating wetlands or streams may not be sufficient; there may need to be a site-specific review of the site by a qualified professional.

**15(c) Agency Recommendation.** The VWP program at the DEQ Northern Regional Office (NRO) recommends the avoidance and minimization of surface water impacts to the maximum extent practicable. Even if there will be no intentional placement of fill material in jurisdictional waters, potential water quality impacts resulting from construction site surface runoff must be minimized. This can be achieved by using Best Management Practices (BMPs).

**15(d) VPDES Requirements.** A construction project may require coverage under the VPDES General Permit for Petroleum Contaminated Sites, Groundwater Remediation, and Hydrostatic Tests (VAG83) for any hydrostatics tests on any new piping installed, or for any potential dewatering during construction if petroleum contamination is encountered.

## REGULATORY AND COORDINATION NEEDS

### 1. Erosion and Sediment Control and Stormwater Management.

**1(a) Erosion and Sediment Control / Stormwater Management Specifications.** VDOT must comply with the DEQ-approved erosion and sediment control and stormwater management standards and specifications.

The Virginia Department of Transportation must have a certified Responsible Land Disturber in charge of and responsible for carrying out the project-specific ESC plan and the land-disturbing activity. VDOT must notify [standardsandspecs@deq.virginia.gov](mailto:standardsandspecs@deq.virginia.gov) two weeks prior to regulated land disturbance.

Contact DEQ Mark Remsberg at DEQ Northern Regional Office (NRO) (703-583-3874, [Mark.Remsberg@deq.virginia.gov](mailto:Mark.Remsberg@deq.virginia.gov)) for additional information if necessary.

**1(b) General Permit for Stormwater Discharges from Construction Activities (VAR10).** For land-disturbing activities of equal to or greater than one acre, the applicant is required to apply for registration coverage under the Virginia Stormwater Management Program General Permit for Discharges of Stormwater from Construction Activities (9 VAC 25-880-1 *et seq.*). Specific questions regarding the Stormwater Management Program requirements should be

directed to DEQ NRO Mark Remsberg (703-583-3874, [Mark.Remsberg@deq.virginia.gov](mailto:Mark.Remsberg@deq.virginia.gov)). Registration statements should be submitted to DEQ, the VSMP authority for this project.

**2. Air Quality Regulation.** Activities associated with the proposed project will be subject to air pollution control regulations administered by DEQ. The state air pollution regulations that may apply to the project are:

- fugitive dust and emissions control (9VAC5-50-60 *et seq.*); and
- permits for fuel-burning equipment (9VAC5-80-1100 *et seq.*).

Guidance on air quality regulations and requirements may be obtained from the DEQ NRO, Air Compliance Manager David Hartshorn (571-408-1778 or [R.David.Hartshorn@deq.virginia.gov](mailto:R.David.Hartshorn@deq.virginia.gov)).

**3. Solid Waste and Hazardous Substances.** All solid waste, hazardous waste, and hazardous materials must be managed in accordance with all applicable federal, state, and local environmental regulations. For additional information concerning location and availability of suitable waste management facilities in the project area or if free product, discolored soils, or other evidence of contaminated soils are encountered, contact DEQ NRO (Jim Datko, 571-866-6446).

**3(a) Fuel Storage Tanks.** Installation and operation or the relocation/removal of any regulated petroleum storage tank(s) either AST or UST must also be conducted in accordance with the Virginia Regulations 9 VAC 25-91-10 *et seq.* and / or 9 VAC 25-580-10 *et seq.* Contact DEQ NRO (Jim Datko, 571-866-6446) for additional information on storage tanks, if necessary.

**3(b) Asbestos-Containing Material.** It is the responsibility of the owner or operator of a demolition activity to thoroughly inspect the affected part of the facility prior to demolition for the presence of asbestos, including Category I and Category II nonfriable asbestos-containing material. Upon classification as friable or non-friable, all asbestos-containing material shall be disposed of in accordance with the Virginia Solid Waste Management Regulations (9 VAC 20-80-640) and transported in accordance with the Virginia regulations governing Transportation of Hazardous Materials (9 VAC 20-110-10 *et seq.*). Manage / dispose of any asbestos-containing materials (ACMs) in accordance with Virginia Department of Labor and Industry (DOLI) regulations. Refer to the DOLI web page, [Asbestos, Lead & Demolition Notification Requirements | DOLI](#), or contact Kevin Foster at DOLI ([Kevin.Foster@doli.virginia.gov](mailto:Kevin.Foster@doli.virginia.gov), 757-455-0891, ext. 473) for any questions related to management / disposal of ACMs.

**3(c) Lead-Based Paint.** This project must comply with the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) regulations and with the Virginia Lead-Based Paint Activities Rules and Regulations. Refer to the DOLI web page, [Asbestos, Lead & Demolition Notification Requirements | DOLI](#), or contact Kevin Foster at DOLI ([Kevin.Foster@doli.virginia.gov](mailto:Kevin.Foster@doli.virginia.gov), 757-455-0891, ext. 473) for additional information regarding these requirements.

**4. Natural Heritage Resources.** Contact the DCR DNH (804-371-2708) for an update on this natural heritage information if the scope of the project changes and/or six months passes before it

is utilized. New and updated information is continually added to the Biotics Data System.

Contact Allison Tillett ([Allison.Tillett@dcr.virginia.gov](mailto:Allison.Tillett@dcr.virginia.gov)) with general questions regarding DCR's comments and recommendations, as necessary.

**5. Historic Resources.** In the event that previously unidentified archaeological resources are discovered during ground disturbing activities, halt all subsurface disturbances and coordinate with DHR (Adrienne Birge-Wilson at [adrienne.birge-wilson@dhr.virginia.gov](mailto:adrienne.birge-wilson@dhr.virginia.gov)) for further guidance before proceeding with additional site work.

Contact DHR with any questions related to historic/archaeological resource protection.

**6. Floodplain Management.** If necessary, contact DGS DEB (John Swecker at 804-371-0522) regarding the Code of Virginia Article 1- Flood Damage Reduction Act in Chapter 6 on Flood Protection and Dam Safety, with emphasis on the requirements of § 10.1-603 - State agency compliance.

As needed, use the Virginia Flood Risk Information System (VFRIS) to find flood zone information at [www.dcr.virginia.gov/vfris](http://www.dcr.virginia.gov/vfris). Local floodplain administrator contact information may be found on DCR's Local Floodplain Management Directory at [www.dcr.virginia.gov/dam-safety-and-floodplains/floodplain-directory](http://www.dcr.virginia.gov/dam-safety-and-floodplains/floodplain-directory).

**7. Septic System.** Coordinate with the VDH Blue Ridge Health District Office (<https://www.vdh.virginia.gov/blue-ridge/>) to ensure the appropriate approvals are received for the installation of the new septic system and/or removal of an existing system, as applicable.

**8. DGS Demolition Permit** Before any building on State Property may be demolished, the demolition shall be authorized by the Governor or the Governor's designee. The Agency must submit a Demolition Permit (Form CO-17.1) to DEB for approval. For additional information, see the Construction and Professional Services Manual (CPSM), Sections 8.4.2 and 8.4.12. Contact DGS (John Swecker, 804-371-0522) with any questions.

The CPSM manual is available here:

<https://dgs.virginia.gov/globalassets/business-units/bcom/documents/cpsm/cpsm-2021-rev-1.pdf>

**9. Wildlife Resources.** For specific questions and/or concerns about the project that may require further consideration, contact DWR at [ESSProjects@dwr.virginia.gov](mailto:ESSProjects@dwr.virginia.gov) and briefly summarize the project components, species and potential impacts that need further attention.

**10. VPDES Permit.** Contact the DEQ NRO Water Permitting Program (Rebecca Johnson, 571-866-6500) for questions about the VAG83 permit applicability.



**COMMONWEALTH of VIRGINIA**  
DEPARTMENT OF CONSERVATION AND RECREATION

**MEMORANDUM**

DATE: January 26, 2026  
TO: Janine Howard  
FROM: Allison Tillett, Environmental Impact Review Coordinator  
SUBJECT: DEQ 26-001S, New Combination Building & Equipment Storage Facilities - Cuckoo Area Headquarters

**Division of Planning and Recreation Resources**

DCR's Division of Planning and Recreational Resources (DCR-PRR) administers the Virginia Scenic Rivers (Virginia Code § 10.1-200), state trails programs (Virginia Code §10.1-204), and the state park master planning process (Virginia Code §10.1-200.1). DCR-PRR develops the Virginia Outdoors Plan (VOP), the state's comprehensive outdoor recreation and open space plan (Virginia Code §10.1-200) and administers the state-assistance side of the Land and Water Conservation Fund (LWCF). The VOP recognizes the importance of scenery, natural landscapes, and access to recreational opportunities for Virginians.

**Division of Natural Heritage**

The Department of Conservation and Recreation's Division of Natural Heritage (DCR-DNH) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100-foot buffer. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. In addition, the project boundary does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

The proposed project will impact an Ecological Core (C4) as identified in the Virginia Natural Landscape Assessment (<https://www.dcr.virginia.gov/natural-heritage/vaconvisvnl>). Mapped cores in the project area can be viewed via the Virginia Natural Heritage Data Explorer, available here: <http://vanhde.org/content/map>.

Ecological Cores are areas of at least 100 acres of continuous interior, natural cover that provide habitat for a wide range of species, from interior-dependent forest species to habitat generalists, as well as species that utilize marsh, dune, and beach habitats. Interior core areas begin 100 meters inside core edges and continue to the deepest parts of cores. Cores also provide the natural, economic, and quality of life benefits of open space, recreation, thermal moderation, water quality (including drinking water recharge and protection, and erosion prevention), and air

quality (including sequestration of carbon, absorption of gaseous pollutants, and production of oxygen). Cores are ranked from C1 to C5 (C5 being the least significant) using nine prioritization criteria, including the habitats of natural heritage resources they contain.

Impacts to cores occur when their natural cover is partially or completely converted permanently to developed land uses. Habitat conversion to development causes reductions in ecosystem processes, native biodiversity, and habitat quality due to habitat loss; less viable plant and animal populations; increased predation; and increased introduction and establishment of invasive species.

DCR-DNH recommends avoidance of impacts to cores. When avoidance cannot be achieved, DCR recommends minimizing the area of impacts overall and concentrating the impacted area at the edges of cores, so that the most interior remains intact.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR-DNH, DCR-DNH represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

There are no State Natural Area Preserves under DCR-DNH's jurisdiction in the project vicinity.

New and updated information is continually added to Biotics. Please re-submit project information and map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

The Virginia Department of Wildlife Resources (VDWR) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed at <https://services.dwr.virginia.gov/fwis/> or contact Susan Watson at [Susan.Watson@dwr.virginia.gov](mailto:Susan.Watson@dwr.virginia.gov).

#### Division of State Parks

DCR's Division of State Parks is responsible for acquiring and managing, state parks. Park development and master planning are managed by the Division of Planning and Recreation Resources. Master plans are required prior to a parks opening and are updated every ten years (Virginia Code § 10.1-200 *et seq.*).

#### Division of Dam Safety and Floodplain Management

##### Dam Safety Program:

The Dam Safety program was established to provide proper and safe design, construction, operation and maintenance of dams to protect public safety. Authority is bestowed upon the program according to *The Virginia Dam Safety Act*, Article 2, Chapter 6, Title 10.1 (10.1-604 *et seq.*) of the Code of Virginia and Dam Safety Impounding Structure Regulations (Dam Safety Regulations), established and published by the Virginia Soil and Water Conservation Board (VSWCB).

##### Floodplain Management Program:

The National Flood Insurance Program (NFIP) is administered by the Federal Emergency Management Agency (FEMA), and communities who elect to participate in this voluntary program manage and enforce the program on the local level through that community's local floodplain ordinance. Each local floodplain ordinance must comply with the minimum standards of the NFIP, outlined in 44 CFR 60.3; however, local communities may adopt more restrictive requirements in their local floodplain ordinance, such as regulating the 0.2% annual chance flood zone (Shaded X Zone).

All development within a Special Flood Hazard Area (SFHA), as shown on the locality's Flood Insurance Rate Map (FIRM), must be permitted and comply with the requirements of the local floodplain ordinance.

#### State Agency Projects Only

All agencies and departments of the Commonwealth shall comply with the Code of Virginia [§ 10.1-603. State agency compliance.](#)

#### Federal Agency Projects Only

Projects conducted by federal agencies within the SFHA must comply with federal Executive Order 11988: Floodplain Management.

DCR's Floodplain Management Program does not have regulatory authority for projects in the SFHA. The applicant/developer must reach out to the local floodplain administrator for an official floodplain determination and comply with the community's local floodplain ordinance, including receiving a local permit. Failure to comply with the local floodplain ordinance could result in enforcement action from the locality. For state projects, DCR recommends that compliance documentation be provided prior to the project being funded. For federal projects, the applicant/developer is encouraged reach out to the local floodplain administrator and comply with the community's local floodplain ordinance.

To find flood zone information, use the Virginia Flood Risk Information System (VFRIS): [www.dcr.virginia.gov/vfris](http://www.dcr.virginia.gov/vfris)

To find community NFIP participation and local floodplain administrator contact information, use DCR's Local Floodplain Management Directory: [www.dcr.virginia.gov/dam-safety-and-floodplains/floodplain-directory](http://www.dcr.virginia.gov/dam-safety-and-floodplains/floodplain-directory)

The remaining DCR divisions have no comments regarding the scope of this project. Thank you for the opportunity to comment.

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**2026-01-23 DEQ#26-001S VDOT New Combination Building & Equipment Storage Facilities - Cuckoo Area HQ**

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**From** Swecker, John (DGS) <John.Swecker@dgs.virginia.gov>

**Date** Fri 1/23/2026 2:46 PM

**To** Howard, Janine (DEQ) <Janine.Howard@deq.virginia.gov>

**Ms. Howard**

Thank you for the opportunity to review the EIR for the Virginia Department of Transportation (VDOT) proposed project for the demolition of nine existing buildings/structures and construction of three building at the Cuckoo Area Headquarters in Mineral, Virginia DEQ #26-001S.

As an editorial note, it was observed that on page 4 of the report it stated that the building and associated infrastructure will be built to current Virginia Bureau of Capital Outlay Management (BCOM) standards. And that BCOM serves as the Building Code Official for all facilities constructed on state-owned property. The building and associated infrastructure will be built to current Division of Engineering and Building (DEB) standards and DEB is the Building Official for all facilities constructed on state-owned property. Recommend that the report be revised to say as such.

DGS/DEB concurs with the report and finds that the proposed development is located in an area of minimal flood hazard, outside of the 100 year and 500 year floodplains. DEB takes no exception to this Project as it relates to construction in a floodplain.

DGS-DEB encourages all state agencies to become familiar Code of Virginia, Chapter 6 on Flood Protection and Dam Safety, with emphasis on the requirements of § 10.1-603 - State agency compliance.

The Virginia Flood Risk Information System (VFRIS) at DCR may be accessed to find flood zone information.

The report indicates VDOT plans to demolish nine existing structures on the site. Let it be known that before any building, or structure, on State Property may be demolished, the demolition shall be authorized by the Governor or the Governor's designee. For additional information, see the [Construction and Professional Services Manual \(CPSM\)](#), Sections 8.4.2 and 8.4.12.

**John R. Swecker, P.E.**

State Review Civil/Structural Engineer

Division of Engineering & Buildings

Department of General Services

Office: 804.371.0522 | Fax: 804.225.4709

[1100 Bank St., Suite 600, Richmond, VA 23219](#)

[Webpage](#) | [Newsletter](#)



MEMORANDUM

TO: Janine Howard, DEQ/EIR Environmental Program Planner

FROM: Nikolas I. Churchill, Division of Land Protection & Revitalization Review Coordinator

DATE: January 16, 2026

COPIES: Sanjay Thirunagari, Division of Land Protection & Revitalization Review Manager; file

SUBJECT: Environmental Impact Review: 26-001S New Combination Building and Equipment Storage Facilities- Cuckoo Area Headquarters in Louisa County, Virginia.

The Division of Land Protection & Revitalization (DLPR) has completed its review of VDOT's January 6, 2026 EIR for 26-001S New Combination Building and Equipment Storage Facilities- Cuckoo Area Headquarters in Louisa County, Virginia.

DLPR staff conducted a search (200 ft. radius) of the project area of solid and hazardous waste databases (including petroleum releases) to identify waste sites in close proximity to the project area. DLPR identified two (2) petroleum release sites within the project area which might impact the project.

DLPR staff has reviewed the submittal and offers the following comments:

**Hazardous Waste/RCRA Facilities – none in close proximity to the project area.**

**CERCLA Sites – none in close proximity to the project area.**

**Formerly Used Defense Sites (FUDS) – none in close proximity to the project area.**

**Solid Waste – none in close proximity to the project area.**

**Virginia Remediation Program (VRP) – none in close proximity to the project area.**

**Petroleum Releases – Two (2) found in close proximity to the project area.**

1. ***PC Number 19995199, VDOT – Cuckoo Area Headquarters, 11084 Jefferson Hwy, Mineral, Virginia, Release Date: 04/04/1999, Status: Closed.***
2. ***PC Number 20016043, VDOT – Cuckoo Area Headquarters, 11084 Jefferson Hwy, Mineral, Virginia, Release Date: 09/12/2000, Status: Closed.***

*Please note that the DEQ's Pollution Complaint (PC) cases identified should be further evaluated by the project engineer or manager to establish the exact location, nature and extent of the petroleum release and the potential to impact the proposed project. In addition, the project engineer or manager should contact the DEQ's Northern Regional Office at (703) 583-3800 (Tanks Program) for further information about the PC cases.*

## **PROJECT SPECIFIC COMMENTS**

Solid and hazardous waste issues and sites were addressed in the report.

## **GENERAL COMMENTS**

### **Soil, Sediment, Groundwater, and Waste Management**

Any soil, sediment or groundwater that is suspected of contamination or wastes that are generated must be tested and disposed of in accordance with applicable Federal, State, and local laws and regulations. Some of the applicable state laws and regulations are: Virginia Waste Management Act, Code of Virginia Section 10.1-1400 *et seq.*; Virginia Hazardous Waste Management Regulations (VHWMR) (9VAC 20-60); Virginia Solid Waste Management Regulations (VSWMR) (9VAC 20-81); Virginia Regulations for the Transportation of Hazardous Materials (9VAC 20-110). Some of the applicable Federal laws and regulations are: the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901 *et seq.*, and the applicable regulations contained in Title 40 of the Code of Federal Regulations; and the U.S. Department of Transportation Rules for Transportation of Hazardous Materials, 49 CFR Part 107.

### **Asbestos and/or Lead-based Paint**

All structures being demolished/renovated/removed should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP) prior to demolition. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, State regulations 9VAC 20-81-620 for ACM and 9VAC 20-60-261 for LBP must be followed. Questions may be directed to the DEQ's Northern Regional Office at (703) 583-3800.

### **Pollution Prevention – Reuse - Recycling**

Please note that DEQ encourages all construction projects and facilities to implement pollution prevention principles, including the reduction, reuse, and recycling of all solid wastes generated. All generation of hazardous wastes should be minimized and handled appropriately.

If you have any questions or need further information, please contact Nikolas Churchill by phone at (804) 659-2663 or email [nikolas.churchill@deq.virginia.gov](mailto:nikolas.churchill@deq.virginia.gov).

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**Fw: NEW PROJECT VDOT New Combination Building and Equipment Storage Facilities- Cuckoo Area Headquarters, DEQ 26-001S**

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**From** Miller, Mark (DEQ) <Mark.Miller@deq.virginia.gov>  
**Date** Wed 2/4/2026 8:27 AM  
**To** Howard, Janine (DEQ) <Janine.Howard@deq.virginia.gov>

 1 attachment (14 MB)

20240700\_VDOT-Cuckoo AHQ\_EIR Report.pdf;

Northern Regional Office comments regarding the, *VDOT New Combination Building and Equipment Storage Facilities- Cuckoo Area Headquarters, DEQ 26-001S*, are as follows:

**Land Protection Division** – The project manager is reminded that if any solid or hazardous waste is generated/encountered during construction, the project manager would follow applicable federal, state, and local regulations for their disposal. For additional Land Protection/Waste questions, please contact the regional waste program manager Jim Datko at 571.866.6446 or james.datko@deq.virginia.gov.

*The subject location has 2 closed PC#'s: 1999-5199 & 2001-6043.*

**Air Compliance/Permitting** - The project manager is reminded that during the construction phases that occur with this project; the project is subject to the Fugitive Dust/Fugitive Emissions Rule 9 VAC 5-50-60 through 9 VAC 5-50-120. In addition, should any open burning or use of special incineration devices be employed in the disposal of land clearing debris during demolition and construction, the operation would be subject to the Open Burning Regulation 9 VAC 5-130-10 through 9 VAC 5-130-60 and 9 VAC 5-130-100. Additionally, the project manager is reminded, stationary air emissions sources constructed at this location may be subject to 9 VAC 5-80-1120. The regulation requires obtaining an air permit before starting actual construction of, or operation of any new stationary source. For additional air questions please contact the regional air compliance manager David Hartshorn at 571.408.1778 or r.david.hartshorn@deq.virginia.gov.

**Virginia Water Protection Permit (VWPP) Program** – The project manager is reminded that a VWP permit from DEQ may be required should impacts to surface waters be necessary. Measures should be taken to avoid and minimize impacts to surface waters and wetlands during construction activities. The disturbance of surface waters or wetlands may require prior approval by DEQ and/or the U.S. Army Corps of Engineers. The Army Corps of Engineers is the authority for an official confirmation of whether there are federal jurisdictional waters, including wetlands, which may be impacted by the proposed project. DEQ may confirm additional waters as jurisdictional beyond those under federal authority. Review of National Wetland Inventory maps or topographic maps for locating wetlands or streams may not be sufficient; there may need to be a site-specific review of the site by a qualified professional. Even if there will be no intentional placement of fill material in jurisdictional waters, potential water quality impacts resulting from construction site surface runoff must be minimized. This can be achieved by using Best Management Practices (BMPs). If construction activities will occur in or along any streams (perennial, intermittent, or ephemeral), open water or wetlands, the applicant should contact DEQ-NRO

VWPP staff to determine the need for any permits prior to commencing work that could impact surface waters or wetlands. Upon receipt of a Joint Permit Application for the proposed surface water impacts, DEQ VWP Permit staff will review the proposed project in accordance with the VWP permit program regulations and current VWP permit program guidance. VWPP staff reserve the right to provide comment upon receipt of a permit application requesting authorization to impact state surface waters, and at such time that a wetland delineation has been conducted and associated jurisdiction determination made by the U.S. Army Corps of Engineers.

For additional air questions please contact the regional VWP compliance manager Margaret Dannemann at 571.866.6485 or [margaret.dannemann@deq.virginia.gov](mailto:margaret.dannemann@deq.virginia.gov).

**Erosion and Sediment Control, Storm Water Management** – DEQ has regulatory authority for the Virginia Pollutant Discharge Elimination System (VPDES) programs related to municipal separate storm sewer systems (MS4s) and construction activities. Erosion and sediment control measures are addressed in local ordinances and State regulations. Additional information is available at <http://www.deq.virginia.gov/Programs/Water/StormwaterManagement.aspx>. Non-point source pollution resulting from this project should be minimized by using effective erosion and sediment control practices and structures. Consideration should also be given to using permeable paving for parking areas and walkways where appropriate, and denuded areas should be promptly revegetated following construction work. If the total land disturbance exceeds 10,000 square feet, an erosion and sediment control plan will be required. Some localities also require an E&S plan for disturbances less than 10,000 square feet. A stormwater management plan may also be required. For any land disturbing activities equal to one acre or more, you are required to apply for coverage under the VPDES General Permit for Discharges of Storm Water from Construction Activities. The Virginia Stormwater Management Permit Authority may be DEQ or the locality. For additional storm water construction questions please contact the regional storm water program manager Mark Remsberg at 703.583.3874 or [mark.remsberg@deq.virginia.gov](mailto:mark.remsberg@deq.virginia.gov).

**Other VPDES Permitting** – A construction project may require coverage under the VAG83 permit for discharges from petroleum contaminated sites, groundwater remediation, and hydrostatic tests for any hydrostatics tests on any new piping installed, or for any potential dewatering during construction if petroleum contamination is encountered. For additional water permitting/compliance questions please contact the regional water compliance manager Rebecca Johnson at 571.866.6500 or [rebecca.johnson@deq.virginia.gov](mailto:rebecca.johnson@deq.virginia.gov).



Mark Miller, Environmental Manager II  
Pollution Response Program/EIR  
[Virginia Department of Environmental Quality](http://www.deq.virginia.gov)  
Northern Regional Office  
13901 Crown Ct, Woodbridge, VA 22193  
571.866.6487 (Mobile); 703.583.3800 (Main)  
Email: [mark.miller@deq.virginia.gov](mailto:mark.miller@deq.virginia.gov)

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**From:** Howard, Janine (DEQ) <[Janine.Howard@deq.virginia.gov](mailto:Janine.Howard@deq.virginia.gov)>

**Sent:** Tuesday, January 6, 2026 10:21

**To:** dgif-ESS Projects (DWR) <[ESSProjects@dwr.virginia.gov](mailto:ESSProjects@dwr.virginia.gov)>; DCR-PRR Environmental Review (DCR) <[envreview@dcr.virginia.gov](mailto:envreview@dcr.virginia.gov)>; odwreview (VDH) <[odwreview@vdh.virginia.gov](mailto:odwreview@vdh.virginia.gov)>; Henderson, Samantha (DHR) <[Samantha.Henderson@dhr.virginia.gov](mailto:Samantha.Henderson@dhr.virginia.gov)>; Churchill, Nikolas (DEQ) <[Nikolas.Churchill@deq.virginia.gov](mailto:Nikolas.Churchill@deq.virginia.gov)>;

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**RE: NEW PROJECT VDOT New Combination Building and Equipment Storage Facilities- Cuckoo Area Headquarters, DEQ 26-001S**

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**From** Baber, Mickey (DEQ) <Mickey.A.Baber@deq.virginia.gov>  
**Date** Mon 2/2/2026 10:50 AM  
**To** Howard, Janine (DEQ) <Janine.Howard@deq.virginia.gov>  
**Cc** Angueira, Antony (DEQ) <Antony.Angueira@deq.virginia.gov>; DEQ-OSWM <StandardsAndSpecs@deq.virginia.gov>

Good Morning,

Here are the OSWM comments for DEQ# 26-001S. Thank you.

**Erosion and Sediment Control/Stormwater Management Specifications:**

**A.** As an alternative to submitting soil erosion control and stormwater management plans for its land-disturbing activities pursuant to §62.1-44.15 et seq, VDOT shall, and any other state agency or federal entity may, submit standards and specifications (S&S) for its conduct of land-disturbing activities for DEQ approval.

As an alternative to submitting soil erosion control and stormwater management plans, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, and authorities created pursuant to §15.2-5102 may submit S&S for DEQ approval. Such S&S shall be consistent with the requirements of this article and associated regulations and the ESC law and Stormwater Management Act (§ 62.1-44.15:24 et seq.), and associated regulations where applicable. The specifications shall apply to:

1. Construction, installation, or maintenance of electric transmission and distribution lines, oil or gas transmission and distribution pipelines, communication utility lines, and water and sewer lines; and
2. Construction of the tracks, rights-of-way, bridges, communication facilities, and other related structures and facilities of a railroad company.

**B.** VDOT must have a certified Responsible Land Disturber in charge of and responsible for carrying out the project-specific ESC plan and the land-disturbing activity. As an S&S for ESC and Stormwater Management (SWM) holder, VDOT must have a DEQ-certified ESC inspector that must provide for an inspection during or immediately following initial installation of erosion and sediment controls, at least once in every two-week period, within 48 hours following any runoff producing storm event, and at the completion of the project.

**C.** VDOT must notify [standardsandspecs@deq.virginia.gov](mailto:standardsandspecs@deq.virginia.gov) two weeks prior to regulated land disturbance.

**Virginia Stormwater Management Program General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10).** In accordance with §62.1-44.15 et seq., the operator or owner of construction activities involving land disturbance  $\geq 1$  acre must register for coverage under the General

Permit for Discharges of Stormwater from Construction Activities and develop a project-specific stormwater pollution prevention plan (SWPPP). Construction activities requiring registration also include the land disturbance of <1 acre of total land area that is part of a larger common plan of development or sale if the larger common plan of development will ultimately disturb ≥1 acre. The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit, and the SWPPP must address water quality and quantity in accordance with the Virginia Stormwater Management Program (VSMP) Permit Regulations. General information and registration forms for the general permit are available at [DEQ Stormwater - Construction](#), under the “Construction General Permit Fees & Forms” banner.

V/R,



**Mickey Baber**

Standards and Specifications Coordinator

Office of Stormwater Management

[Virginia Department of Environmental Quality](#)

1111 E. Main St., Suite 1400

Richmond, VA 23219

804-659-1535

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**From:** Howard, Janine (DEQ) <Janine.Howard@deq.virginia.gov>

**Sent:** Tuesday, January 6, 2026 10:21 AM

**To:** dgif-ESS Projects (DWR) <ESSProjects@dwr.virginia.gov>; DCR-PRR Environmental Review (DCR) <envreview@dcr.virginia.gov>; odwreview (VDH) <odwreview@vdh.virginia.gov>; Henderson, Samantha (DHR) <Samantha.Henderson@dhr.virginia.gov>; Churchill, Nikolas (DEQ) <Nikolas.Churchill@deq.virginia.gov>; Angueira, Antony (DEQ) <Antony.Angueira@deq.virginia.gov>; Miller, Mark (DEQ) <Mark.Miller@deq.virginia.gov>; capout (DGS) <capout@dgs.virginia.gov>; Christine Jacobs <cjacobs@tjpd.org>; cgoodwin@louisia.org; Frantz, Allyson (DEQ) <Allyson.B.Frantz@deq.virginia.gov>

**Cc:** Howard, Janine (DEQ) <Janine.Howard@deq.virginia.gov>

**Subject:** NEW PROJECT VDOT New Combination Building and Equipment Storage Facilities- Cuckoo Area Headquarters, DEQ 26-001S

**Good morning- this is a new OEIR review request/project:**

**Document Type: Environmental Impact Report**

**Project Sponsor: VDOT**

**Project Title: New Combination Building and Equipment Storage Facilities- Cuckoo Area Headquarters**

**Location: Louisa County**

**Project Number: DEQ #26-001S**

**The document is attached.**

**The due date for comments is FEBRUARY 3, 2026. You can send your comments either directly to me by email ([Janine.Howard@deq.virginia.gov](mailto:Janine.Howard@deq.virginia.gov)), or you can send your**

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**RE: NEW PROJECT VDOT New Combination Building and Equipment Storage Facilities- Cuckoo Area Headquarters, DEQ 26-001S**

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**From** Fields, Arlene (VDH) <Arlene.Fields@vdh.virginia.gov>  
**Date** Wed 1/14/2026 10:09 AM  
**To** Howard, Janine (DEQ) <Janine.Howard@deq.virginia.gov>

**Project: 25-001S**

**Project Name: VDOT New Combination Building and Equipment Storage Facilities- Cuckoo Area Headquarters**

**UPC #: N/A**

**Location: Louisa County**

VDH – Office of Drinking Water has reviewed the above project. Below are our comments as they relate to proximity to **public drinking water sources** (groundwater wells, springs and surface water intakes). Potential impacts to public water distribution systems or sanitary sewage collection systems **must be verified by the local utility**.

The following public groundwater wells are located within a 1-mile radius of the project site:

PWS ID Number	City/County	System Name	Facility Name
2109260	LOUISA COUNTY	JOUETT ELEMENTARY SCHOOL	DRILLED WELL

There are no surface water intakes located within a 5-mile radius of the project site.

The project is not within the watershed of any public surface water intakes.

Best Management Practices should be employed, including Erosion & Sedimentation Controls and Spill Prevention Controls & Countermeasures on the project site.

*The Virginia Department of Health – Office of Drinking Water appreciates the opportunity to provide comments. If you have any questions, please let me know.*

**Best Regards,**

**Arlene Fields**

GIS Program Support Technician

**Mobile 686-203-3867 (office/cell/text)**

**Email** [arlene.fields@vdh.virginia.gov](mailto:arlene.fields@vdh.virginia.gov)

VDH, Office of Drinking Water

109 Governor Street, 7th Floor

Richmond, VA 23219