



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

www.deq.virginia.gov

Stefanie K. Taillon
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director

October 9, 2025

Kris Keeney
PointOne Richmond, LLC
13221 Woodland Park Road
Herndon, VA 20171

SENT VIA EMAIL: kris@pointonecorp.com

Re: Joint Permit Application No. 25-2174
PointOne Richmond Campus, Charles City County, Virginia
Additional Information and Permit Application Fee Request Letter

Dear Kris Keeney:

On September 26, 2025, the Virginia Department of Environmental Quality (DEQ) received your application dated September 26, 2025, for the above-referenced project. DEQ is evaluating your application for coverage under the Virginia Water Protection (VWP) Permit Program General Permit WP4 in accordance with 9VAC25-690-10 *et seq.* The following information is required to complete your application:

1. Cross-sectional and profile drawings (9VAC25-690-60.B.9). Any application that proposes piping or culverting stream flows shall provide a longitudinal profile of the pipe or culvert position and stream bed thalweg or shall provide spot elevations of the stream thalweg at the beginning and end of the pipe or culvert, extending to a minimum of 10 feet beyond the limits of proposed impact.
 - a. Describe the materials to be used, the method of construction (including the use of cofferdams), the sequence of construction events, and if bedrock conditions may be encountered.
 - b. Provide cross-sections and profile plans of the culvert crossings including wing walls or rip rap.
 - c. Provide spot elevations of the stream bottom within the thalweg at the beginning and end of the pipe or culvert, extending to a minimum of 10 feet beyond the limits of proposed impact; and
 - d. Provide hydraulic studies to verify the adequacy of the culverts (hydraulic capacity is determined based on the reduced capacity due to the countersunk position):
 - i. Provide hydraulic studies of the duration of backwater for a 10-year storm; or,
 - ii. If within a FEMA-designated floodplain, hydraulic studies that backwater for a 100-year storm not exceed 1 foot.

March 2025

2. Verify that all temporary and permanent impacts for utilities are included in the application. There appears to be utility easements and connections in the impact maps that are not counted as impacts (9VAC25-690-60.B.11).
3. A compensatory mitigation plan to achieve no net loss of wetland acreage and functions or stream functions and water quality benefits (9VAC25-690-60.B.13.d). Any compensatory mitigation plan proposing the purchase of mitigation bank or in-lieu fee program credits shall include the number and type of credits proposed to be purchased, documentation from the approved bank or in-lieu fee program sponsor of the availability of credits at the time of application. In the case that no mitigation credits are available, an applicant may propose a signed contract for purchase of mitigation credits from an approved bank or in-lieu fee program to satisfy the conceptual compensation plan.

DEQ received a Letter of Credit Availability from The Nature Conservancy of Virginia to confirm that 1.78 advance non-tidal wetland credits are available. No Letters of Credit availability for the 725 stream credits has been received.

I have discussed the availability of credits, or lack thereof, in the watershed with your agent. I understand that the project would like to purchase mitigation credits instead of creating a permittee responsible mitigation site. I am attaching a portion of [Section 3.7 of the Virginia Water Protection Program Manual](#) for further explanation of the documentation required in that process where limited credits are currently available in the watershed, but may be available in the near future.

4. Please provide verification that the mitigation hierarchy referenced in 9VAC25-210-116.C.2 is being adhered to since In-Lieu Fee credits are proposed to cover the mitigation requirements in 9VAC25-690-60
5. For industrial site projects, the following information is necessary to address the potential of additional impacts as well as the single and complete nature of the project:
 - a. Will coolant water be necessary? If so, where and how will it be sourced and discharged?
 - b. Will temporary power be necessary during the construction of the data center campus? Where will the temporary power lines be located?
 - c. Will utility easements in which multiple utilities be installed be constructed concurrently or sequentially? If sequentially, what is the anticipated total duration of disturbance, what type of vegetation (stratum) will need to be removed, and what specific measures will be taken to avoid long-term impacts?
 - d. Does this facility have a parent-child relationship with any neighboring facilities, and/or is the location of this facility being driven by latency concerns and proximity to existing data center complexes?
6. A permit application fee is required to complete the application. Once the proposed impact information has been determined, DEQ will notify you of the fee amount.

The 45-calendar day processing period for coverage under VWP General Permit WP4 will not commence until a complete application is received in accordance with 9VAC25-690-10 *et seq.* DEQ requests that
March 2025

you respond by October 24, 2025, so that DEQ can continue to process your application. Please be advised that upon receipt of the requested information, additional information may still be required for DEQ to reach a permit coverage decision.

Your application also requests verification that the proposed activities qualify for authorization under the U.S. Army Corps of Engineers' (USACE) State Program General Permit (22-SPGP-RCIR). In order for DEQ to determine if your project qualifies for the 22-SPGP-RCIR, the following information is required. SPGP verification cannot be completed until all of the information requested in this letter is submitted and all necessary coordination is completed.


1. As discussed above, mitigation verification is necessary to complete the SPGP permit application as well.

In accordance with the 22-SPGP-RCIR, DEQ will coordinate the JPA with the USACE: when a complete SPGP application is received. The USACE will review the project for federal coordination, including Section 106, Federal Endangered Species Act, Tribal, Section 408, and EPA, in accordance with USACE policies and procedures. All inquiries on the status of the federal coordination should be directed to the assigned USACE project manager.

Please note that this project appears to require compensatory mitigation based on the information provided in the application. If the purchase of mitigation credits is required, credit prices are derived by individual mitigation bank sponsors, not DEQ, and are subject to market fluctuations. Applicants should inquire with any approved mitigation banks or in-lieu fee programs in the watershed in which impacts are proposed to determine the availability and current price of mitigation credits. DEQ also encourages applicants to avoid and minimize impacts as much as possible, which may ultimately affect the amount of mitigation required and thus the cost of mitigating those impacts. Mitigation banking information can be found on the U.S. Army Corps of Engineers' RIBITS website (<https://ribits.ops.usace.army.mil/>), or through a general internet search.]

Thank you for your cooperation in this matter. Please contact DEQ at brro.vwp@deq.virginia.gov or 540-562-6700 (BRRO) if you have any questions.

Respectfully,



Shawn Crist, VWP Project Manager
Virginia Department of Environmental Quality
434-316-4031
shawn.crist@deq.virginia.gov
Blue Ridge Regional Office
901 Russell Drive
Salem, Virginia 24153
540-562-6700

Enclosure: Excerpt from Section 3.7 of the VWP Manual

Kris Keeney
JPA No. 25-2174
October 9, 2025
Page 4 of 4

cc: Jessica Consolvo, ECS Mid-Atlantic, LLC (via e-mail jconsolvo@ecslimited.com)
Randy L Steffey, U.S. Army Corps of Engineers via e-mail Randy.L.Steffey@usace.army.mil)
Virginia Marine Resources Commission - jpa.permits@mrc.Virginia.gov