

Update: Virginia's Proposed Stormwater Management Regulations



Proposed Revisions to Regulations

Water Quality – P

Quantity

Grandfathering

Locality Administered Program

DCR Administered Program

Fees

Water Quality

New Development

Phosphorous Limit

$P \text{ load} \leq 0.45 \text{ lbs/acre/yr}$

Virginia Runoff Reduction Method

Water Quality

Prior Developed Lands

≥ 1 acre - reduce P load by 20%

Based on Pre-Development Load

However: not ≤ 0.45 lbs/acre/yr

Water Quality

Prior Developed Lands

≤ 1 acre, $\geq 2,500$ sq.ft. - reduce P load by 10%

Based on Pre-Development Load

However: not ≤ 0.45 lbs/acre/yr

Water Quantity

Channel Protection

Flood Protection

Channel Protection

Manmade Conveyance System

Restored Conveyance System

Stable Natural Conveyance System

Unstable Natural Conveyance System

Manmade Conveyance System

Post-development Flow

2-yr 24-hr storm

Does not cause erosion of the system

Restored Conveyance System

System has been restored

System will be restored

Restored - natural stream channel design

Maintains stability of the system

Stable Natural Conveyance System

Stable under 1-yr 24-hr storm

Peak flow rate for 1-yr 24-hr storm as follows:

$$Q_{dev} * R V_{dev} \leq Q_{pre} * R V_{pre}$$

$$Q_{dev} \leq Q_{pre}$$

Unstable Natural Conveyance System

≥ 5 acres prior dev; ≥ 1 acre new dev

1-yr 24 hr storm

$$Q_{\text{dev}} * R V_{\text{dev}} \leq Q_{\text{good pasture}} * R V_{\text{good pasture}}$$

$$Q_{\text{dev}} \leq Q_{\text{good pasture}}$$

Use forested if pre-dev forested

Unstable Natural Conveyance System

< 5 acres prior dev; < 1 acre new dev

1-yr 24 hr storm

$$Q_{dev} * R V_{dev} < Q_{pre} * R V_{pre}$$

$$Q_{dev} < Q_{pre}$$

Flood Protection

- Manmade Conveyance System
- Restored Conveyance System
- Natural System - Does Not Currently Flood
- Natural System – Currently Floods

Manmade Conveyance System

Post-development Flow

10-yr 24-hr storm

Flow confined within the system

Restored Conveyance System

System has been restored

System will be restored

Restored - natural stream channel design

10-yr 24-hr storm within system

Natural Conveyance System

Does not flood under 10-yr 24-hr storm

Q_{dev} confined within system

Natural Conveyance System

Flooding exists

Sites: ≥ 5 acres prior dev; ≥ 1 acre new dev

10-yr 24 hr storm

$Q_{dev} \leq Q_{good\ pasture}$

Use forested if pre-dev forested

Natural Conveyance System

Flooding exists

Site: < 5 acres prior dev; < 1 acre new dev

10-yr 24 hr storm

$Q_{dev} < Q_{pre}$

One Percent Rule

Site's Drainage Area \leq Total Watershed Area

OR

Site's $Q_{\text{dev no BMPs}} \leq$ Total Watershed Q

Channel & Flood Protection – Do Not Apply

Offsite Compliance Options

Comprehensive Watershed Management Plan

Pro rata fee per Section 15.2-2243 of the Code of Virginia

Nonpoint nutrient offset program per Section 10.1-603.8:1 of
the Code of Virginia

Offsite stormwater management facilities

Grandfathering

General Permit coverage by July 1, 2010 - present regulations through June 30, 2014

Local government vesting and general permit coverage by July 1, 2010 - present regulations through June 30, 2014

Common Plan of Development with General Permit coverage by July 1, 2010 – present regulations through June 30, 2014

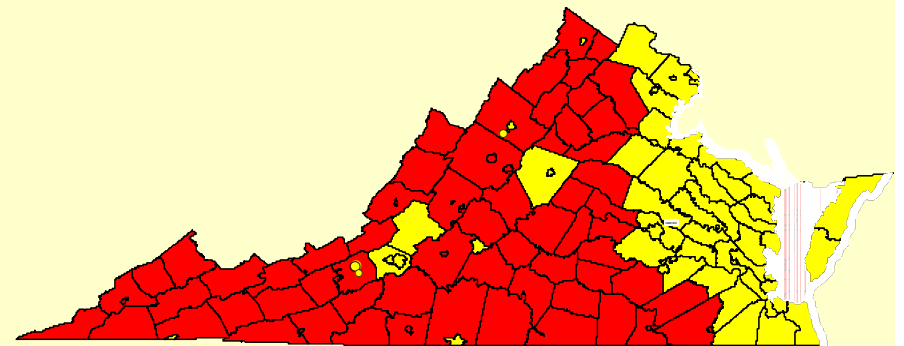
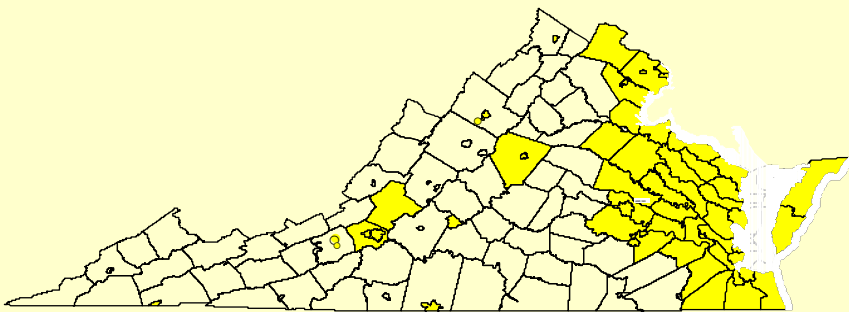
State or Federal Projects per governmental bonding or public financing issued by July 1, 2010 – present regulations through June 30, 2014

General Permit coverage continuously maintained – present regulations through June 30, 2019

Stormwater Management Program Administration

Localities with MS4 permits and localities within the CBPA Area must adopt a local stormwater management program. (yellow)

All other localities may elect to adopt a local SW construction program (Opt-in). Otherwise, DCR will operate a program within a locality. (red)



Locality Administered Program

Technical Criteria

Administrative Requirements

Plan Review Criteria

Inspection Criteria

Enforcement Criteria

Exceptions

SWM Facility Maintenance

Reporting & Record Keeping

DCR Administered Program

Technical Criteria

Administrative Requirements

Plan Review Criteria

Inspection Criteria

Enforcement Criteria

Exceptions

SWM Facility Maintenance

Reporting & Record Keeping

Existing Fees

$>2,500$ sqft < 1 acre - \$0

≥ 1 acre < 5 acres - \$300

≥ 5 acres - \$500

Proposed Fees

Initial Coverage by General Permit or
Individual Permit

Modification or Transfer of General
Permit or Individual Permit

Permit Maintenance Fees

Fee Distribution

Presently - DCR 100%

New Fees to Cover Program Operation

Locality Program - Locality 72%, DCR 28%

DCR Program - DCR 100%

Proposed Fees

Initial Coverage

2,500 sqft < 0.5 acre - \$290

\geq 0.5 acre < 1 acre - \$1,500

\geq 1 acre < 5 acres - \$2,700

\geq 5 acres < 10 acres - \$3,400

\geq 10 acres < 50 acres - \$4,500

\geq 50 acres < 100 acres - \$6,100

\geq 100 acres - \$9,600

Individual Permit - \$15,000

Proposed Fees

Modification or Transfer

2,500 sqft < 0.5 acre - \$20

\geq 0.5 acre < 1 acre - \$100

\geq 1 acre < 5 acres - \$200

\geq 5 acres < 10 acres - \$250

\geq 10 acres < 50 acres - \$300

\geq 50 acres < 100 acres - \$450

\geq 100 acres - \$700

Individual Permit - \$5,000

Proposed Fees

Maintenance

2,500 sqft < 0.5 acre - \$50

≥ 0.5 acre < 1 acre - \$200

≥ 1 acre < 5 acres - \$400

≥ 5 acres < 10 acres - \$500

≥ 10 acres < 50 acres - \$650

≥ 50 acres < 100 acres - \$900

≥ 100 acres - \$1,400

Individual Permit - \$3,000

Contact Information

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