

Virginia Stormwater Management Program

Policies and Procedures

Town of Ashland



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Section 1 Purpose

This document summarizes the Town of Ashland’s policies and procedures for the administration, plan review, inspection, and enforcement of the Virginia Stormwater Management Program (VSMP) in accordance with §62.1-44.15:24 et seq. of the Code of Virginia and the Town’s Stormwater Management Ordinance § 4.1-4 through 4.1-199 (or § 4.1-500 through 4.1-599).

Section 2 Program Authority

The Department of Public Works serves as the Program Authority (Administrator) for the Town’s Virginia Stormwater Management Program. The Department of Public Works will accept complete registration statements and oversee all components of the stormwater program. Plan review and approval, inspections, and enforcement actions will be performed by staff within the Department of Public Works under the supervision of the Director of Public Works (Director).

Section 3 Program Administration

3.1 Permit Registration/Termination

VSMP Construction Permit registrations and all associated plans and calculations shall be submitted to the Department of Planning and Community Development along with the required fees set forth in Section 5. Planning and Community Development staff will record applicant submittals and forward documents to the Department of Public Works engineering staff. Engineering staff will review the VSMP Construction Permit registrations and enter associated information into the Town’s stormwater database.

The Department of Public Works engineering staff will ensure pre-construction requirements are met by applicants. DEQ will issue a “Notice of Coverage” letter. Similarly, The Department of Public Works will ensure all requirements are met upon completion of construction. DEQ will issue a “Notice of Termination” letter.

3.2 Reporting

Per 9VAC25-870-126 of the State Regulations, the Town will report the following information to DEQ by October 1st of each year:

- Information on each permanent stormwater management facility completed during the fiscal year.
- Number and type of enforcement actions taken during the fiscal year.
- Number of exceptions granted during the fiscal year.

The Department of Public Works engineering staff will report annually to DEQ. Information pertaining to stormwater management facilities, enforcement actions, and exceptions will be recorded and maintained in the Town’s stormwater database.

3.3 Record Keeping

Per 9VAC25-870-126 of the State Regulations, the Town will keep VSMP records as follows:

- All registration statements submitted in accordance with VSMP Construction Permit coverage will be documented and retained for at least 3 years from the date of project completion or permit termination.
- Project records, including approved stormwater management plans, will be kept for 3 years after permit termination or project completion.
- The Town will require the submission of drawing record drawing signed and sealed by a professional registered in the Commonwealth of Virginia following the construction of permanent stormwater management facilities. Digital record drawings shall be submitted in Auto CAD format on the Town's layer standards (under development). The record drawings will be maintained in perpetuity or until a stormwater management facility is removed.
- Stormwater management facility inspection records will be documented and retained for at least 5 years from the date of inspection.

The Department of Public Works engineering staff will record and maintain all VSMP records. Paper documents will be scanned and electronically linked to the Town's stormwater database.

Section 4 Plan Review and Approval

The Department of Public Works engineering staff will review Stormwater Management Plans and Erosion and Sediment Control Plans, as required based on the land disturbance threshold. Plan reviewers will be certified as specified under sections §62.1-44.15:30 and §62.1-44.15:53 of the Code of Virginia.

4.1 Plan Review Criteria

Plan reviewers will confirm plan adequacy with the Town's Site Plan Review Application checklist. Stormwater management plans will be reviewed for compliance with 9VAC25-870-55 of the State Regulations and the following technical criteria:

- water quality design [9VAC25-870-63]
- water quality compliance [9VAC25-870-65]
- water quantity [9VAC25-870-66]
- offsite compliance [9VAC25-870-69]
- design storms and hydrologic methods [9VAC25-870-72]
- stormwater harvesting [9VAC25-870-74]
- linear development projects [9VAC25-870-76]
- stormwater management impoundment structures or facilities [9VAC25-870-85]
- comprehensive stormwater management plans [9VAC25-870-92]

Plan reviewers will review the application and design of specific stormwater management BMPs using the BMP Design Checklists as provided in Appendix 8-A of the Virginia Stormwater Management Handbook (2nd Edition, 2013) and in accordance with the Virginia Stormwater BMP Clearinghouse.

Erosion and Sediment Control plans will be reviewed for compliance with State Erosion and Sediment Control Regulations [9VAC25-840] and the current edition of the Virginia Erosion and Sediment Control Handbook.

4.2 Review Times

The Department of Public Works engineering staff will review according to the following timeline:

- The applicant will be notified, in writing, of plan completeness within 15 calendar days of receipt. If the plan is deemed to be incomplete, the above written notification will contain the reasons the plan is deemed incomplete.
- Erosion and Sediment Control Plans will be approved or disapproved within 45 of receipt.
- Stormwater management plans will be approved or disapproved within 60 calendar days from the date of the communication of plan completeness.
- Previously disapproved stormwater plans will be approved or disapproved within 45 calendar days of the date of resubmission.

If a plan is not approved, the Town will specify the modifications, terms, and conditions that will permit approval of the plan and communicate these requirements to the applicant in writing. If no action is taken by the Town within the time specified in this subsection, the plan will be deemed approved and the permit issued.

Section 5 Stormwater Pollution Prevention Plan Required

A stormwater pollution prevention plan (SWPPP) must be prepared in accordance with the requirements of the General Permit for Stormwater Discharges from Construction Activities prior to submitting the registration statement. By signing the registration statement the operator certifies that the SWPPP has been prepared. Complete SWPPPs, developed in accordance with 9VAC25-870-54 of the State Regulations, include the following components:

1. Approved Erosion and Sediment Control Plan
2. Approved Stormwater Management Plan
3. Pollution Prevention Plan (PPP)
4. Additional control measures for receiving waters with TMDLs and associated WLAs.

The Department of Public Works engineering staff will provide an electronic template SWPPP file including all necessary components (under development) to ensure complete stormwater pollution prevention plans (SWPPP) are developed prior to issuance of a land disturbance permit.

Section 6 Fees

The Town will collect VSMP permit fees in accordance with 9VAC870-700 of the State Regulations. All fees will be collected by the Department of Planning and Community Development at the time of permit submittal by the applicant. The Town will route 28% of the fee collected to the Department of Environmental Quality. The fee structure is as follows:

6.1 Fees for Permit Issuance

The current fees to cover costs associated with the implementation of a VSMP related to land disturbing activities and issuance of general permit coverage and VSMP authority permits will be imposed in accordance with the following table. When a site or sites has been purchased for development within a previously permitted common plan of development or sale, the Applicant shall be subject to fees in accordance with the disturbed acreage of their site or sites. 50% of the total fee will be paid by the Applicant at the time a stormwater management plan or an initial stormwater management plan is submitted to the Town for review. The remaining total fee balance will be paid by the Applicant prior to the issuance of coverage under the General Permit for Discharges of Stormwater from Construction Activities.

Fee type	Total fee to be paid by Applicant (Town + DEQ portions, where applicable)	DEQ portion of "total fee to be paid by Applicant" (28% of total fee paid)
Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit coverage; sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre)	\$290	\$0
General / Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land-disturbance acreage less than one acre, except for single-family detached residential structures)	\$290	\$81
General / Stormwater Management – Small Construction Activity/Land Clearing (Single-family detached residential structures within or outside a common plan of development or sale with land-disturbance acreage less than 5 acres)	\$209	\$0
General / Stormwater Management - Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 Acres)	\$2,700	\$756
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$3,400	\$952
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$4,500	\$1,260

Fee type	Total fee to be paid by Applicant (Town + DEQ portions, where applicable)	DEQ portion of "total fee to be paid by Applicant" (28% of total fee paid)
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$6,100	\$1,708
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$9,600	\$2,688
Individual Permit for Discharges of Stormwater from Construction Activities (This will be administered by the department)	\$15,000	\$15,000
* If the project is completely administered by DEQ such as may be the case for a state or federal project or projects covered by individual permits, the entire applicant fee shall be paid to the DEQ.		

6.2 Fees for the Modification or Transfer of Permits

Fees for the modification or transfer of registration statements from the general permit issued by the State Board shall be imposed in accordance with the following table. If the general permit modifications result in changes to stormwater management plans that require additional review by the Town, such reviews shall be subject to the following fees. The fee assessed will be based on the total disturbed acreage of the site. In addition to the general permit modification fee, modifications resulting in an increase in total disturbed acreage will pay the difference in the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage in the previous section.

Type of Permit	Fee Amount
General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$20
General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 and less than 5 acres)	\$200
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$250
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$300
General / Stormwater Management – Large Construction Activity/Land Clearing	\$450



Type of Permit	Fee Amount
(Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$700
Individual Permit for Discharges of Stormwater from Construction Activities	\$5,000

6.3 Annual Permit Maintenance Fees

Annual permit maintenance fees will be imposed in accordance with the following table, including fees imposed on expired permits that have been administratively continued. With respect to the general permit, these fees shall apply until the permit coverage is terminated.

Type of Permit	Fee Amount
Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit coverage; sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre)	\$50
General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$50
General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance equal to or greater than 1 acre and less than 5 acres)	\$400
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$500
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$650
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$900
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater 100 acres)	\$1,400
Individual Permit for Discharges from Construction Activities	\$3,000

6.4 Incomplete and Late Payments

All incomplete payments will be deemed as non-payments. The Town will provide notification to the state of any incomplete payments.

Interest will be charged for late payments at the underpayment rate set forth in § 58.1-15 of the Code of Virginia and is calculated on a monthly basis at the applicable periodic rate.
A 10% late payment fee will be charged to any delinquent (over 90 days past due) account.
DEQ and the Town are entitled to all remedies available under the Code of Virginia in collecting any past due amount.

Section 7 Inspection

7.1 Land Disturbing Activities

The inspection of land disturbing activities will be performed by the Department of Public Works. Inspectors will routinely inspect active constructions site for the following:

- Current and complete stormwater pollution prevent plan, and compliance with said plain;
- Compliance with the approved erosion and sediment control plan;
- Compliance with the approved stormwater management plan;
- Development, updates, and implementation of a pollution prevention plan; and
- Development and implementation of any additional control measures necessary to address a TMDL.

Inspections will be conducted before commencement of land disturbing activities, routinely during construction, and after significant rain events. Inspectors will document site conditions and permit compliance during each site visit. Inspection reports will be recorded and maintained within the Town's stormwater database.

7.2 Post-Construction

The Department of Public Works will maintain post-construction inspection program for stormwater management facilities (BMPs). All facilities will be inspected at least once every 5 years. Inspections will confirm compliance with long-term maintenance provisions in accordance with the Town's Stormwater Management Ordinance.

After an inspection performed by the Town, if maintenance of one or more BMPs is required, the Department of Public Works will serve the landowner a written notice describing the condition of the facilities and specifying the required repairs, replacements or other maintenance to be made to correct such deficiencies.

All BMP inspection documentation, including landowner notices, will be recorded and maintained within the Town's stormwater database.

Section 8 Enforcement



The Department of Public Works will enforce the Town's VSMP. Enforcement provisions and procedures to conduct enforcement are provided in the Town's Stormwater Management Ordinance.

Section 9 Bonds

Bonds will be required per Town Ordinance.