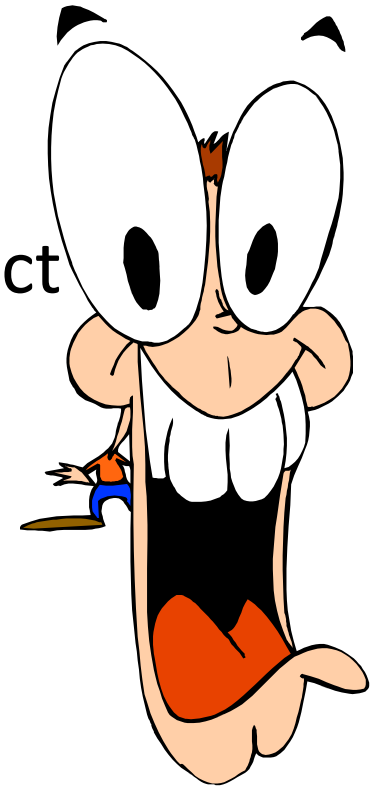
Impacts of The New SWM Regulations - What is Next??

Environment VA 2014- Collective Impact

25th Annual Environment Virginia Symposium

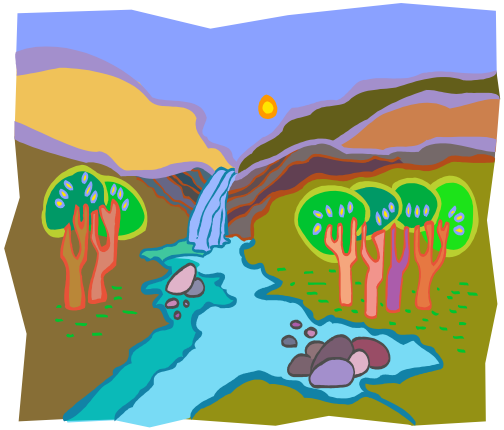


Local VSMP Administrative Requirements (continued)

9 VAC 25-870-148

VSMP shall provide for the:

1. **Identification of the authority:**
   - **Accepting registration statements**
   - **Completing plan review & approval, inspection and enforcement**
2. **Submission and approval of ESC plans**
3. **Requirements to ensure compliance with Stormwater Pollution Prevention, Stormwater Management, and Pollution Prevention Plans**
4. **Requirements for the inspection and monitoring of construction activities by the VSMP operator**
5. **Requirements for long-term inspection and maintenance of SWM facilities**
6. **Collection and use of fees**
7. **Enforcement procedures and penalties**
8. **Policies and procedures to obtain and release bonds**
9. **Procedures for reporting and record keeping**



Local SW Ordinance Development

Required Elements:

1. Identification of authority for receipt of registration statements, plan review, inspection and enforcement
2. Provisions for review and approval of ESC plans
3. Requirements for compliance with stormwater management and pollution prevention plans
4. Inspection & monitoring of construction activities
5. Long-term inspection & maintenance of SWM facilities
6. Enforcement procedures and penalties

Final VSMP Submittal Package

1. Final adopted SW Ordinance
2. Funding and Staffing Plan
3. Policies and Procedures
   - Partnerships
   - Administration of Program
   - Plan Review
   - Inspection
   - Long term BMP maintenance requirements
   - Enforcement
   - Procedures for record keeping & reporting

9VAC25-870-47 : Time Limits…

- Existing Construction Projects w/ 2009 Construction GP Coverage
- Subject to existing (Part IIC) technical criteria for 2 additional Construction GP cycles (June 30, 2024)
- After June 30, 2024, portions not under construction become subject to any new technical criteria adopted by the SWCB

9VAC25-870-48 : Grandfathering

- Construction Projects w/o 2009 Construction GP Coverage but w/ locality approval
- Subject to existing (Part IIC) technical criteria for 1 additional Construction GP cycle (June 30, 2019)
- After June 30, 2019, portions not under construction become subject to any new technical criteria adopted by the SWCB

9VAC25-870-48 : Grandfathering

- Documentation approved by the locality prior to July 1, 2012
- Documentation provided a “layout” at the time of approval
- Documentation has not be subsequently amended or modified…
- Construction Project designed to comply with existing (Part IIC) technical criteria
- 2009 Construction GP Coverage has not been issued
- Land Disturbance did not commence prior to July 1, 2014

9VAC25-870-820 : Fees

- Private Construction Projects (DEQ is the VSMP authority)
  - Based on Estimated Area to be Disturbed
  - $290 to $9,600 (total fee to be paid by applicant)
  - 2014 Construction GP Reissuance
- Private Construction Projects (Locality is the VSMP authority)
  - Based on Estimated Area to be Disturbed
  - $81 to $2,688 (department portion of total fee)

Review Time Chart

Spotsylvania County - Review Time Comparison			
Review	Days To Review		
	Code		Actual
	State	County	CBD*
Determination of completeness	15	10	1
1st Review	60	30	4
2nd Review	45	30	2
Subtotal	120	70	7
Modified plan	60	**	2
Total Potential	180	70	9
* CBD = Chesapeake Bay Division of the Department of Zoning			
** There is no provision in the County Codes for a modification and no separation if the modification is submitted during plan review process.			

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