

Virginia Stormwater Management Program (VSMP)


Richmond County





Policies and Procedures Pertaining to:

- Submission of Application and Plans
 - Payment of Fees
 - Review of Applications and Plans
 - Performance Guarantees
 - Permit Issuance
 - Inspections
 - Long Term Maintenance & Inspections and
 - Ordinance Enforcement
-



Before any land-disturbing projects
of 2500 sq. ft. or larger may
commence, the project must be
reviewed and approved by the
VSMP Authority.



Step 1: An operator will be required to have the following documents prepared for a VSMP Authority Permit Application to be submitted:

- A completed (DEQ) General Permit Registration Statement (as required);
- A Stormwater Pollution Prevention Plan (SWPPP) that includes:
 - A completed Erosion and Sediment Control (E&SC) Plan;
 - A completed Stormwater Management (SWM) Plan;
 - A completed Pollution Prevention Plan (as required); and
 - A description of any additional control measures necessary to address a TMDL.



Step 1 (continued)

- For a list of DEQ 2012 Impaired Waters visit:

<http://www.deq.virginia.gov/ConnectWithDEQ/VEGIS/2012WQMAssessmentGISApplications.aspx>

- For a list of Approved TMDL Reports visit:

<http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/ApprovedTMDLReports.aspx>



Step 2: File the completed VSMP Authority Permit Application with the County and pay fees.

At time of submission the Applicant will be required to submit payment:

1. In full of the DEQ's portion of the permit fee for the SWM Permit;
2. One-half of the Local portion of the permit fee for the SWM Permit; and
3. One-half of the permit fee for the E&SC Plan Review except that a permit fee for an Agreement In Lieu of an E&SC Plan for Construction of a Single Family-Dwelling will be due in full.

The remainder of the permit application fees will be due prior to final plan approvals.

Fee Schedule for Permit Coverage Issuance

Fee type	Total fee to be paid by Applicant (includes both VSMP authority and DEQ portions where applicable)	DEQ (State) portion of "total fee to be paid by Applicant" (based on 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)	\$209	\$0
General / Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre.)	\$290	\$81
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

Fee Schedule for Permit Coverage Issuance

Fee type	Total fee to be paid by Applicant (includes both VSMP authority and DEQ portions where applicable)	DEQ (State) portion of "total fee to be paid by Applicant" (based on 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 10 acres and less than 50 acres]	\$4,500	\$1,260
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

Fee Schedule for Modification or Transfer of Registration Statements for General Permits

Fee is paid to the VSMP Authority

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

Fee Schedule for Modification or Transfer of Registration Statements for General Permits

Fee is paid to the VSMP Authority

Type of Permit	Fee Amount
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 (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)	\$450
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



Fee Schedule for Annual Permit Maintenance

Fee is paid to the VSMP Authority

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



Fee Schedule for Annual Permit Maintenance

Fee is paid to the VSMP Authority

Type of Permit	Fee Amount
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	\$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



Step 3: Review of VSMP Permit Application and Plans

- The VSMP Authority will determine completeness of the VSMP permit application in a timely manner (less than 15 days).
- Non-Payment of the fees mentioned in Step 2 will be deemed an incomplete application and will not be processed until payments have been received.
- Within 15 days of submitting a completed application, the Applicant will be notified in writing by the VSMP Authority of their determination of completeness of the SWM Plan.
- Upon determination of completeness of the entire SWPPP the Applicant will be notified, in writing, regarding approval or disapproval within 60 days of communication of completeness of the SWM Plan.
- A SWPPP submitted that was once previously disapproved will be reviewed within 45 days of the date of resubmission.



Step 4: Prior to final approval of a SWM Plan and VSMP Permit being issued...

- The VSMP Authority will review the General Permit Registration Statement (GPRS) for accuracy with the plans (as required).
- The remainder of all fees have been paid in full.
- The E&SC Plan has been approved by the VA Erosion and Sediment Control Program (VESCP) Authority.
- The Pollution Prevention Plan (as required) has been approved by the VSMP Authority.
- The VSMP Authority will submit the GPRS to DEQ for processing (as required).



Step 4: Prior to final approval of a SWM Plan and VSMP Permit being issued...

- The Applicant will be required to have an instrument prepared and submitted, satisfactory to the County Attorney, that will be recorded in the local land records which provides the provisions for the long-term responsibility and maintenance of the SWM facilities per the plans.
- The Applicant must furnish a written cost estimate prepared by a Licensed Professional for implementation of an approved SWPPP.



Step 4: Prior to final approval of a SWM Plan and VSMP Permit being issued...

- A reasonable performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement (as required) has been submitted acceptable to the County Attorney to ensure that all improvements required by the plans shall be completed.
 - A performance bond may not be required for the construction of a single family dwelling with an approved SWM Plan, however, no Certificate of Occupancy will be issued until the installation of the SWM facilities is completed.
- Evidence of (DEQ) General Permit Coverage has been obtained by the VSMP Authority.



Step 5: Permit Issuance and During Construction Inspections

- Upon the completion of Step 4 the VSMP Authority will issue to the Applicant a permit for the approved project to begin land-disturbance. No other permits will be issued for a property unless a VSMP Authority Permit has been issued first.
- During construction the Operator will be required to
 - Perform inspections of the construction site (and associated off-site areas as required) at least once every 7 days to ensure compliance with the approved plans; and
 - Document every inspection performed with the deficiencies found and corrective actions made.



Step 5: Permit Issuance and During Construction Inspections

- During construction the VSMP Authority will:
 - Perform inspections of the construction site in conjunction with the VESCP inspections.
 - Log and issue VSMP Inspection Reports (verbal and/or written) to the Operator with a description of any necessary corrective actions and a completion deadline.

Note: Modifications to an approved SWM Plan must be reviewed and approved by the VSMP Authority. Upon submitting a request to modify an approved SWM Plan the VSMP Authority will respond in writing either approving or disapproving such a request within 60 days. (May be subject to additional permit fees.)



Enforcement

- Any person who violates any provision of the (VSMP) ordinance or standards and specifications adopted or approved thereunder, neglects or refuses to comply with any order issued hereunder by the VSMP Authority or a court, shall be subject to a civil penalty not to exceed \$32,500 for each violation within the discretion of the court. Each day of violation of each requirement shall constitute a separate offense.



Enforcement

- Violations for which a civil penalty may be imposed under this subsection shall include but are not limited to the following:
 - No state permit registration;
 - No SWPPP;
 - Incomplete SWPPP;
 - SWPPP not available for review;
 - No approved Erosion and Sediment Control Plan;
 - Failure to install stormwater BMPs or erosion and sediment controls;



Enforcement

- Violations for which a civil penalty may be imposed under this subsection shall include but are not limited to the following:
 - Stormwater BMPs or erosion and sediment controls improperly installed or maintained;
 - Operational deficiencies;
 - Failure to conduct required inspections;
 - Incomplete, improper, or missed inspections; and
 - Discharges not in compliance with the requirements of the general permit.



Step 6: Construction Ends

- The Operator/Applicant is required to:
 - Ensure that all necessary permanent control measures required by the SWPPP for the site are in place and functioning effectively and that final stabilization has been achieved on all portions of the site.
 - Provide a written request for the release of performance bonds.
 - Provide a written statement prepared by a Licensed Professional to the effect that “all construction is in substantial conformity to the VSMP Authority approved SWPPP and the regulations and requirements of Richmond County’s SWM Ordinance,” and



Step 6: Construction Ends

- The Operator/Applicant is required to:
 - Provide a construction record drawing (“As-Built Plan”) prepared by a Licensed Professional for permanent stormwater management facilities.
 - Record in the local land records the instrument prepared which provides the provisions for long-term responsibility and maintenance of the SWM facilities
 - Submit a “Notice of Termination” to the VSMP Authority within 30 days of meeting the permit termination conditions.



Step 7: Termination of VSMP Permit and Release of Performance Guarantees

- Upon receiving the Applicant/Operator's request to terminate the VSMP Permit and the required documentation the VSMP Authority will:
 - Perform a final site inspection;
 - Confirm that a long-term maintenance agreement for the SWM facilities has been recorded;
 - Assemble and maintain the required records and documentation of the project;



Step 7: Termination of VSMP Permit and Release of Performance Guarantees

- Upon receiving the Applicant/Operator's request to terminate the VSMP Permit and the required documentation the VSMP Authority will:
 - Forward to DEQ the Notice of Termination for processing;
 - Process the release of performance guarantees (bond) within 30 days of receipt of such written request; and
 - Obtain confirmation of Construction General Permit Termination by DEQ.



Step 8: Post- Construction Inspections

- Post-construction inspections of stormwater management facilities are required to be inspected at a minimum once every five years. The VSMP Authority may serve by written notice to the owner of a facility 90 days prior to the due date of the required inspection.
- The Owner is required to provide an inspection report prepared by a licensed professional or land surveyor or a person who works under the direction and oversight thereof; or a person who holds an appropriate certificate of competence from the State Board.



Step 8: Post- Construction Inspections

- A VSMP Authority staff person who holds an appropriate certificate of competence from the State Board and employed by the County may conduct inspections of individually owned stormwater management facilities upon individual residential lots.
- Fees may be charged to offset the VSMP Authority's time and expense to inspect and ensure long-term effectiveness of any permanent stormwater management measures.



Any Questions?

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