

## **Prince Edward County: Stormwater Management Program Information**

Do you plan to clear or are you already clearing land to:

- Construct a new home or barn?
- Construct a commercial building or office park?
- Construct the roads and clear lots for a residential subdivision?
- Create open space (more lawn, ball field, horse ring, playground, etc.)?

The clearing and grading related to the above land-disturbing projects may generate stormwater runoff that could have negative impacts to neighboring properties and to the County's natural resources. If you are planning to disturb land, you may need to obtain the following permits from the County and State:

- County Erosion and Sediment Control (ESC) Program - land-disturbing permit
- County Stormwater Management (SWM) Program - SWM permit
- Department of Environmental Quality (DEQ) - Construction General Permit (CGP) coverage

For the SWM Program, a "land-disturbing activity" is defined as a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading or excavation. The SWM Program applies to land-disturbing activities that disturb greater than or equal to 1 acre. The SWM Program also applies to land-disturbing activities that are less than 1 acre, if the activity is on a parcel within a Common Plan of Development (CPD) or sale (residential subdivision, office park, industrial park, etc.) and the total land disturbance of the CPD or sale is greater than or equal to 1 acre. There are exemptions to the definition, and examples are:

- Clearing for agricultural purpose
- Management, tilling, planting, or harvesting of agricultural, horticultural or forest crops
- Single family residences separately built disturbing less than 1 acre and not part of a CPD or sale
- Activities disturbing less than 1 acre and not part of a CPD or sale.

Why do you need these environmental permits? Federal and State Laws and their attendant Regulations have been passed to protect neighboring properties and the County's natural resources from the sediment and increased stormwater runoff from land-disturbing projects. Sediment and increased runoff may degrade the quality of streams and/or cause flooding.

The County's ESC Program has been in effect since the late 1970's. If qualifying projects disturb greater than or equal to 10,000 square feet, an ESC Plan must be developed and submitted to the County for review and approval before initiation of land-disturbance. Upon ESC Plan approval, a land-disturbing permit may be issued for the project.

Virginia's SWM Program became effective statewide on January 29, 2009. The SWM Program requires the development of a SWM Plan and the project to obtain coverage under the Construction General Permit (CGP). In the spring of 2014, Prince Edward County adopted a SWM Program, effective July 1, 2014, to allow SWM Plan review and approval for qualifying projects at the local level.

Qualifying land-disturbing projects must also obtain coverage under the CGP issued by the Department of Environmental Quality prior to initiating land disturbance. The initial step to obtain permit coverage is to submit a complete CGP Registration Statement to DEQ certifying development of a Stormwater Pollution

Prevention Plan (SWPPP). The SWPPP includes the following:

- County-approved ESC Plan
- County-approved SWM Plan
- Complete Pollution Prevention Plan (PPP)

The ESC Plan is developed to minimize erosion and sedimentation resulting from the land-disturbing activity during construction. The ESC Plan submittal includes the appropriate County form and payment of the applicable County fee.

The SWM Plan is developed to minimize flooding and degradation of surface waters after the land-disturbing project has been completed. The SWM Plan is submitted to the County for review and approval. SWM Plan submittal includes the County **Application for Stormwater Management Permit Coverage Form** and payment of 50% of the appropriate fee. The SWM Plan must address the technical criteria, water quality and water quantity, of the County's SWM Program. The water quality component establishes a limit on the phosphorus load associated with stormwater runoff from new development and re-development. The water quantity component establishes stormwater runoff criteria to address stream channel stability and flooding issues. Upon SWM Plan approval, the remainder of the fees is paid.

The PPP is developed prior to submitting the CGP Registration Statement to DEQ. The PPP will be reviewed by County staff when inspecting the active land-disturbing activity. The PPP addresses the following items:

- Vehicle and equipment wash water;
- Exposure of building materials, construction waste, trash to precipitation and stormwater;
- Exposure of fertilizers, pesticides, herbicides, and detergents from precipitation and stormwater;
- Exposure of sanitary waste to precipitation and stormwater;
- Discharge of fuels, oils and other lubricants used in vehicle and equipment operation and maintenance;
- Chemical spill and leak prevention and response procedures;
- Wastewater from concrete washout;
- Wastewater from the washout and cleanout of stucco, paint, form release oils, curing compounds, etc.;
- Dewatering discharges

The project will be inspected for compliance with the approved ESC and SWM Plans. ESC inspections are more frequent than SWM inspections. Permit coverage cannot be terminated until the project is finished and in compliance with the ESC and SWM Plans.

It is important to note that for projects requiring CGP coverage, no building permit or land disturbing permit can be issued until proof of CGP coverage is provided to or obtained by the County. Proof of CGP coverage can be:

- A copy of the DEQ CGP coverage letter is provided to the County, or
- The County checks the DEQ CGP database, if operational, for coverage

## **What is the first step in moving forward with your proposed project?**

It is recommended that you contact the **County Administrator** of Prince Edward County to determine the appropriate forms, fees and permits required for your proposed project. Please contact the **County Administrator** early in the planning process as the review and approval of the required plans and permit issuance may take several months.