

Prince Edward County
Stormwater Management Program
Policies and Procedures

The County of Prince Edward adopted a local stormwater management program to protect the general health, safety, and welfare of the citizens of the County and protect the quality and quantity of state waters from the potential harm of unmanaged stormwater, including protection from a land disturbing activity causing unreasonable degradation of properties, water quality, stream channels, and other natural resources. Therefore, the County adopts the following policies and procedures for the administration and implementation of the County's Stormwater Management (SWM) Program.

Stormwater Management Program - Program Staff

Program Administrator: Robert Love, Director of Community Development
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Plan Reviewer: 3rd Party Plan Reviewer:
Hurt & Proffitt
2524 Langhorne Road, Lynchburg, VA 24501

Inspector: Robert Love, Director of Community Development
Trey Pyle, Deputy Emergency Coordinator
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Stormwater Management (SWM) Program - Program Administration

Stormwater Management Plan & Agreement in Lieu of a Stormwater Management Plan (AIL) Submission

Procedure: The Applicant, or designated agent, shall submit three (2) hard copies and one (1) digital copy, of the SWM plan to the Program Administrator for review and approval prior to beginning land disturbance on the proposed project site. Alternatively, applicants for single family residential structures separately built may submit 2 copies of an AIL instead of a SWM plan. The Applicant shall complete and submit the County's *Application for Stormwater Management Permit Coverage Form* with the submission of the SWM plan or AIL.

Procedure: The Program Administrator, or designated County staff, shall enter the date the SWM plan or AIL is received into the County's records tracking program within seven (7) business days of receiving the plan.

Policy: Upon the submission of the SWM plan or AIL, the Applicant, or designated agent, shall pay fifty percent (50%) of the locality portion of the SWM fee, per Table 1 in the County's SWM Permit Fee Schedule, to the County Treasurer. The timeline for SWM plan or AIL completeness review does not begin until the fee is paid. The Applicant shall complete and submit the *Stormwater Management Permit Fee Form* with the fee payment and the submission of the SWM plan or AIL.

Procedure: The Program Administrator, or designated County staff, shall enter the date the Applicant pays the required 50% of the SWM fee into the County's records tracking program within seven (7) business days of receiving the fee payment.

Policy: The Program Administrator shall deliver the submitted SWM plan or AIL to the Plan Reviewer within one (1) business day after the Applicant, or designated agent, has paid the applicable SWM fee.

Procedure: The Program Administrator, or designated staff, shall enter the date the SWM plan or AIL is delivered to the Plan Reviewer into the County's tracking program within seven (7) business days of SWM plan or AIL submittal to the Plan Reviewer.

VSMP Registration: E-Permitting

Policy: The Applicant, or designated agent, shall initiate the Commonwealth's E-Permitting process upon the submission of the SWM plan. The timeline for SWM plan completeness review does not begin until the E-Permitting process is initiated.

Procedure: The Program Administrator, or designated County staff, shall enter the date the Applicant initiates the E-Permitting process into the County's records tracking program within seven (7) business days of the Applicant submitting the SWM Plan.

Procedure: The Applicant, or designated agent, will monitor and complete the steps, as needed, in the E-Permitting system to obtain General Permit Coverage for the proposed project. The required steps include the payment of the Commonwealth's 28% of the applicable fee per Table 1 of the County's SWM Permit Fee Schedule. This payment is made prior to the issuance of permit coverage, but after County approval of the SWM plan.

Policy: The Program Administrator, or designated County staff, will monitor and complete the steps, as needed, in the E-Permitting system to allow the Applicant to obtain General Permit Coverage for the proposed project. The required steps include entering the date of SWM plan approval into E-Permitting system.

Procedure: The Program Administrator, or designated County staff, shall enter the County's required data into the E-Permitting process within two (2) business days of plan approval and other County required actions.

Performance Bonds

Policy: The Applicant, or designated agent, shall submit to the Program Administrator a performance bond, or other acceptable form of surety, sufficient to cover the construction (implementation) costs associated with the approved SWM Best Management Practices (BMPs) for the proposed project. The bond must be paid after SWM plan approval and before the issuance of local permit coverage. The Applicant shall also complete and submit the County's performance guarantee form (*Stormwater Management Performance Bond Form, Stormwater Management Letter of Credit Form*) with the submission and payment of the performance guarantee.

Procedure: The Program Administrator, or designated County staff, shall enter the date the performance bond, or other acceptable form of surety, is submitted to the County into the County's records tracking program within seven (7) business days of receiving the performance bond, or other acceptable form of surety.

Procedure: The performance bond, or other acceptable surety, will be returned to the Applicant upon completion of the SWM BMPs, submission of the as-built surveys and drawings for the SWM BMPs, and County approval of project termination per the timelines established in the County's SWM Ordinance.

Procedure: The Program Administrator, or designated County staff, shall enter the date the performance bond, or other acceptable surety, is returned to the Applicant into the County's records tracking program within seven (7) business days of the performance bond, or other acceptable surety, return to the Applicant.

Procedure: The County will utilize the performance bond, if needed, to address corrective issues with the approved SWM BMPs, if the applicant fails to properly install the approved

SWM BMPs. SWM inspections, which identify needed corrective measures to the SWM BMP, will be utilized in the expenditure of the performance bond.

Local Permit Issuance

Policy: The County will issue the local SWM permit once the SWM plan or AIL has been approved; the appropriate local and state permitting fees paid; the appropriate performance bond is paid; and the E-Permitting process has been completed.

Procedure: The Program Administrator, or designated County staff, shall enter the date the local SWM permit is issued into the County's records tracking program within seven (7) business days of permit issuance.

Policy: The Applicant shall not begin land disturbance on the proposed project until the County has issued local stormwater management permit coverage.

Stormwater Management (SWM) Program - Plan Review

SWM Plan & AIL Completeness Review

Policy: The Plan Reviewer will review the submitted SWM plan or AIL for completeness within ten (10) calendar days from the date the SWM plan or AIL is received from the Program Administrator. The completeness of the SWM plan will be determined in accordance with 4VAC50-60-55.B of the Virginia Stormwater Management Permit Program regulations. The completeness of the AIL will be determined by reviewing it for consistency with the requirements of County's *Agreement in Lieu of a Stormwater Management Plan*.

Procedure: The Plan Reviewer will document completeness of the SWM plan or AIL or identify missing items that need to be addressed in the SWM plan or AIL utilizing the County's *Stormwater Management Plan Completeness Review Checklist*.

Policy: The Plan Reviewer will notify the Applicant of the decision regarding the completeness of the submitted SWM plan or AIL within fifteen (15) calendar days of SWM plan or AIL submission.

Policy: If the Plan Reviewer does not review and determine the completeness of the submitted SWM plan or AIL within fifteen (15) calendar days of SWM plan or AIL submission, the SWM plan or AIL will be deemed complete.

Procedure: If the SWM plan or AIL is determined to be not complete, the Applicant will be notified in writing, or through email, the reasons for the SWM plan or AIL not being complete.

Procedure: If the SWM plan or AIL is determined to be complete, the Applicant will be notified in writing, or through email, that the SWM plan or AIL is complete and (for SWM plans) the SWM plan will be reviewed.

Procedure: The Plan Reviewer shall enter the date the SWM plan or AIL was determined complete or not complete into the County's records tracking program within seven (7) business days of completeness review.

SWM Plan Review

Policy: The Plan Reviewer will review the complete SWM plan within forty-five (45) calendar days from the date the SWM plan was deemed complete. If the Plan Reviewer exceeds the forty-five (45) calendar days for plan review, the SWM plan shall be deemed approved.

Policy: A condition of plan approval is that all stormwater management best management practices, except for those on individual residential lots, are required to have legally enforceable long-term maintenance agreements. The maintenance agreements shall be submitted with the proposed SWM plan for review and approval.

Procedure: The Plan Reviewer will complete the County's *Stormwater Management Plan Review Checklist* to document the deficiencies of the SWM plan and identify additional information needed. If the complete SWM plan cannot be approved, the Applicant will be notified in writing, or through email, of the reasons that the plan cannot be approved.

Procedure: The Plan Reviewer will complete the County's *Stormwater Management Plan Review Checklist* to document satisfactory conditions of the SWM plan. If the SWM plan can be approved, the Applicant will be notified in writing, or through email, that the SWM plan is approved.

Procedure: The Plan Reviewer shall enter the date the SWM plan was approved or not approved into the County's records tracking program within seven (7) business days of plan review.

Policy: Upon SWM plan approval, the Applicant will pay the remaining fifty (50) percent of the locality portion of the SWM fee per Table 1 in the County's SWM Permit Fee Schedule. The Applicant shall complete and submit the *Stormwater Management Permit Fee Form* with the fee payment. The Applicant should complete and submit a copy of the initial fee form, if available, to provide proof of the initial fee payment at plan submission.

Procedure: The Program Administrator, or designated County staff, shall enter the date the Applicant pays the remainder 50% of the locality portion of the SWM fee into the County's records tracking program within seven (7) business days of fee payment.

Stormwater Management (SWM) Program - Inspections

SWM Inspections

Policy: The permitted land disturbing activity will be inspected at least three (3) times during project implementation. The inspections will be as follows: at the beginning of land disturbance; at the initial installation of each approved SWM best management practice; and at project completion.

Policy: The Inspector will provide a written inspection report for each SWM inspection completed. The Inspector will complete the appropriate County inspection form (*Stormwater Management Project SWPPP or Stormwater Management Project Site Inspection Form*) to document site conditions and to provide a written report of site inspection.

Procedure: The inspector should complete the County's *Stormwater Management Project SWPPP Inspection Form* to document the first inspection of the project and the *Stormwater Management Project Site Inspection Form* to document the remaining project inspections. The Inspector may elect to complete both forms during the first inspection.

Procedure: The Inspector shall enter the date of site inspection into the County's records tracking program within seven (7) business days of site inspection.

Policy: The Inspector will provide a signed copy of the *Stormwater Management Project SWPPP Inspection Form* or *Stormwater Management Project Site Inspection Form* to the operator of the permitted land disturbing activity.

Procedure: The County's *Stormwater Management Project SWPPP Inspection Form* or *Stormwater Management Project Site Inspection Form* will be used to identify any deficiencies with approved SWM plan or AIL implementation and provide a timeline for the implementation of corrective measures.

SWM Re-inspections

Procedure: If corrective measures are required, the Inspector will re-inspect the land disturbing activity within three (3) business days of the completion deadline for corrective measures.

Procedure: The Inspector shall enter the re-inspection date into the County's records tracking program within seven (7) business days of the re-inspection date.

Policy: The Inspector will provide a written re-inspection report for each SWM re-inspection completed. The Inspector will complete the County's *Stormwater Management Project SWPPP Inspection Form* or *Stormwater Management Project Site Inspection Form*, as applicable, to document site conditions and to provide a written re-inspection report.

Policy: The Inspector will provide a signed copy of the County's *Stormwater Management Project SWPPP Inspection Form* or *Stormwater Management Project Site Inspection Form*, as applicable, to the operator of the permitted land disturbing activity.

Procedure: The re-inspection report will identify any corrective measures that have not been completed and provide a new timeline for the implementation of the corrective measures. Depending on the severity of non-compliance with the corrective action, the inspector may move forward with additional enforcement action.

Stormwater Management (SWM) Program - Enforcement

Policy: For qualifying projects identified not to have SWM permit coverage, the Program Administrator will utilize one of the following: 1.) *Notice of Stormwater Management Permit Requirement Form* or 2.) *Stormwater Management Project Stop Work Order Form* and initiate enforcement options and will send the completed form to the identified property owner. The Program Administrator shall send the completed form via certified mail to the property owner within one (1) business day of project being identified. The completed form may also be posted on the identified site in addition to or as an alternative to being sent by certified mail.

Procedure: The Inspector shall enter the date the *Notice of Stormwater Management Permit Requirement Form* was sent to the property owner and/or posted onsite into the County's records tracking program within seven (7) business days of sending the notice of permit requirement.

Policy: If the *Notice of Stormwater Management Permit Requirement Form* has been sent to the property owner and/or posted onsite and the property owner has not responded within seven (7) calendar days of receipt by certified mail, the Program Administrator will complete and send, by certified mail, the *Stormwater Management Project Stop Work Order Form* to the property owner. The Program Administrator shall send the *Stormwater Management Project Stop Work Order Form* within one (1) business day of the expiration of the 7 calendar day deadline for property owner response.

Procedure: The Inspector shall enter the date the *Stormwater Management Project Stop Work Order Form* was sent to the property owner and/or posted onsite into the County's records tracking program within seven (7) business days of sending the form.

Policy: Enforcement action, per the County's SWM Ordinance, will be initiated on a permitted project after a third consecutive re-inspection report requiring repeat corrective measures to bring the permitted project into compliance with the approved stormwater management plan. However, enforcement action may be initiated after the initial site visit if County staff determines that significant environmental impacts are being created by the land disturbing project.

Stormwater Management (SWM) Program - Long-term Inspections and Maintenance for Best Management Practices (BMPS)

Policy: All SWM BMPs, except for SWM BMPs on individual residential lots, are required to have legally enforceable long-term maintenance agreements. The maintenance agreement will be reviewed and approved by the Program Administrator during the complete SWM plan review and approval process.

Procedure: The Program Administrator, or designated County staff, shall enter the date the required SWM BMP long-term maintenance agreement was approved into the County's records tracking program within seven (7) business days of the approval date of the long-term maintenance agreement.

Policy: The Applicant will provide as-built drawings, appropriately sealed and signed by a professional registered in the Commonwealth of Virginia pursuant to Article 1 of Chapter 4 of Title 54.1 as required, for all SWM BMPs requiring long-term maintenance agreements prior to local permit and general permit termination. The professional that signs and seals the as-built drawings is certifying that the stormwater management facility has been constructed in accordance with the approved plan.

Policy: The as-built drawings of the SWM BMP will be submitted no later than thirty (30) calendar days from the date of SWM BMP completion.

Procedure: The Program Administrator, or designated County staff, shall enter the date the as-built drawings of the SWM BMP was received into the County's records tracking program within seven (7) business day of receiving the as-built drawings.

Policy: The owner of a SWM BMP which has a long-term maintenance agreement will submit a third party inspection report with-in one (1) year of SWM BMP completion and at least once every five (5) years thereafter in accordance with the approved BMP maintenance agreement.

Procedure: The Program Administrator, or designated County staff, shall enter the date the third party inspection report was received into the County's records tracking program within seven (7) business day of receiving the third party inspection report.

Policy: The owner of the SWM BMP shall perform all maintenance, if maintenance needs are identified in the inspection report, per the recorded maintenance agreement. The owner will provide a record of the maintenance performed to the County within seven (7) business days of performing the required maintenance.

Policy: If the owner of the SWM BMP does not provide proof of performing the required maintenance, enforcement action per the County's Stormwater Management Ordinance and the BMP long-term maintenance agreement shall be taken by the County.

Procedure: The Program Administrator, or designated County staff, shall enter the date the required SWM BMP maintenance was completed into the County's records tracking program within seven (7) business days from receipt of the report documenting completed maintenance.

Permit Modifications

Procedure: If a permit modification is requested, the Applicant, or designated agent, shall complete and submit a revised copy of the County's *Application for Stormwater Management Permit Coverage Form* to the Program Administrator.

Policy: Upon the submission of the revised *Application for Stormwater Management Permit Coverage Form*, the Applicant, or designated agent, shall pay the permit modification fee, per Table 2 in the County's SWM Permit Fee Schedule, and 100% of the permit fee increase (new permit fee minus the original permit fee) if applicable, to the County Treasurer. The timeline for modification approval does not begin until the fee is paid. The Applicant shall complete and submit the *Stormwater Management Permit Fee Form* with the fee payment and the submission of the revised application form.

Procedure: The Program Administrator, or designated County staff, shall enter the date the revised *Application for Stormwater Management Permit Coverage Form* is received into the County's records tracking program within seven (7) business days of receiving the revised application form.

Procedure: The Program Administrator, or designated County staff, shall enter the date the Applicant pays the required modification fee and the applicable increase in permit fee, into the County's records tracking program within seven (7) business days of receiving the fee payment.

Administrative Change to Permit

Procedure: If a permit modification is requested, that has no change to the original amount of land disturbed, the Applicant, or designated agent, shall complete and submit a revised copy of the County's *Application for Stormwater Management Permit Coverage Form* to the Program Administrator.

Policy: The Program Administrator, or designated County staff, shall complete the review of the permit modification request within three (3) business days after the Applicant, or designated agent, has paid the applicable permit modification fee and increase in permit fee, if applicable.

Procedure: If the permit modification request cannot be approved, the Applicant will be notified in writing, or through email, of the reasons that the modification request cannot be approved. The applicant will be notified within three (3) business day of the completion of permit modification review.

Procedure: If the permit modification request can be approved, the Applicant will be notified in writing, or through email, that the permit modification is approved. The applicant will be notified within three (3) business day of the completion of permit modification review.

Revised SWM Plan Required

Procedure: If a permit modification is requested, that requires a revision to the approved SWM Plan, the Applicant, or designated agent, shall submit three (3) hard copies and one (1) digital copy, if possible, of the revised SWM plan to the Program Administrator for review and approval prior to beginning land disturbance on the modified project site. The Applicant shall complete and submit the County's *Application for Stormwater Management Permit Coverage Form* with the submission of the revised SWM plan

Procedure: The County's policies and procedures related to SWM Plan review and approval will be followed in the review of the revised SWM plan per the requested permit modification.

Permit Maintenance Fees

Policy: The Applicant, or designated agent, shall pay the required permit maintenance fee, per Table 3 in the County's SWM Permit Fee Schedule, on the anniversary date of permit coverage each year the project remains active until the project has been terminated. The Applicant shall complete and submit the *Stormwater Management Permit Fee Form* with the maintenance fee payment.

Procedure: The Program Administrator, or designated County staff, shall notify the Applicant, or designated agent, of a permitted project of the requirement to pay the permit maintenance fee on the anniversary date of permit coverage. The notification shall be written and sent to the Applicant, or designated agent, by certified mail ten (10) business days prior to the anniversary date of permit coverage.

Policy: If the Applicant, or designated agent, does not pay the permit maintenance fee on or by the due date or within seven (7) business days after the due date, the Program Administrator, or designated County staff, shall initiate enforcement action against the operator. The enforcement action may be the issuance of a Stop Work Order or other applicable options provided for in the County's SWM Ordinance.

Procedure: The Program Administrator, or designated County staff, shall enter the date the permit maintenance fee notification was sent by certified mail into the County's records tracking program within seven (7) business days of mailing.

Procedure: The Program Administrator, or designated County staff, shall enter the date the permit maintenance fee notification was received by the Applicant, or designated agent, into the County's records tracking program within seven (7) business days of receipt by certified mail.

Procedure: The Program Administrator, or designated County staff, shall enter the date the permit maintenance fee was paid into the County's records tracking program within seven (7) business days of receiving payment of the permit maintenance fee.

Procedure: The Program Administrator, or designated County staff, shall enter the date that enforcement action was initiated to obtain permit maintenance fee payment into the County's records tracking program within seven (7) business days of initiating enforcement action.

Stormwater Management Permit Termination

Policy: The Applicant, or designated agent, shall terminate the project's stormwater management permit coverage at the completion of the project. The County's *Stormwater Management Permit Termination Checklist* shall be completed and submitted to the Program Administrator for review and approval to obtain termination of permit coverage.

Policy: The Program Administrator, or designated County Staff, will review the submitted *Stormwater Management Permit Termination Checklist* and inspect the permitted project within ten (10) business days from the date the form was received to determine if permit coverage should be terminated. The Program Administrator, or designated County staff, will complete the County's section of the submitted *Stormwater Management Permit Termination Checklist* to document satisfactory project completion in accordance with the SWM Plan and requirements of the County's SWM Ordinance.

Procedure: The Program Administrator, or designated County staff, shall enter the date that the *Stormwater Management Permit Termination Checklist* was received into the County's records tracking program within seven (7) business days of form receipt.

Procedure: If the Program Administrator, or designated County staff, determines that permit termination cannot be approved, the Applicant will be notified in writing, or through email, of the reasons that permit coverage cannot be terminated. The Applicant will be notified within three (3) business days of the completion of permit termination review.

Procedure: If the Program Administrator, or designated County staff, determines that permit termination can be approved, the Applicant will be notified in writing, or through email, that permit coverage for the project has been terminated. The Applicant will be notified within three (3) business days of the completion of permit termination review.

Procedure: The Program Administrator, or designated County staff, shall enter the date that permit termination was approved or not approved into the County's records tracking program within seven (7) business days of permit termination review.