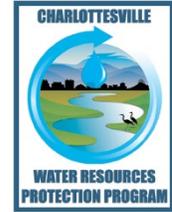




City of Charlottesville, Virginia



## Municipal Separate Storm Sewer System (MS4) Program Plan



*MS4 General Permit Registration Number VAR040051*

*Last revised June 2024*

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City of Charlottesville, Virginia  
Municipal Separate Storm Sewer System (MS4)  
Program Plan



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## A. Introduction

The City of Charlottesville, Virginia's corporate limits and population of just under 48,000 people are located within the 750 square mile Rivanna River watershed. The Rivanna River watershed is part of the larger James River watershed, the largest watershed in Virginia; the James River is a major tributary of the Chesapeake Bay. Originating from springs in the foothills of the Blue Ridge Mountains, the Rivanna River flows along the eastern portion of Charlottesville and forms a boundary with neighboring Albemarle County. The Rivanna River and its urban tributaries provide important ecological, recreational, and cultural value to the city.

The City's 10.4 square miles contain approximately thirty-five miles of open waterways, with approximately thirteen additional miles of waterways that flow inside of the stormwater infrastructure system. Charlottesville consists of three main drainage areas. Along the eastern portions of the city, approximately 1.3 square miles of land drain through tributaries of or directly into the Rivanna River. The Meadow Creek and Moores Creek watersheds are the two largest drainage areas within the city and both drain into the Rivanna River. The Meadow Creek watershed spans the northern portion of the city and has a highly urbanized drainage area of approximately eight square miles, about 70 percent of which is located within the city limits. Moores Creek, which has its headwaters in Albemarle County, forms the southern boundary of the City; approximately 3.8 square miles of the city drain into the creek. The thirty-five square mile Moores Creek watershed encompasses diverse land uses including highly urbanized areas, suburban and rural, agricultural, as well as open space within Charlottesville and Albemarle County.

Stormwater runoff plays a critical role in the quality of water resources within the City of Charlottesville, and unmanaged runoff can generate a variety of problems for local waterways. In an urban setting, impervious surfaces such as rooftops, roads, and parking lots, and highly compacted residential lawns prevent stormwater from being absorbed into the ground and replenishing groundwater supplies. As a result, stormwater is funneled into stormwater conveyance systems at much greater volumes and higher velocities than would occur in a natural setting. Along the way, the runoff picks up excess fertilizers, herbicides, and insecticides from residential areas; oil, grease, trace metals, and toxic chemicals from roadways and parking lots; sediment from improperly managed construction sites; bacteria and nutrients from pet waste; and improperly discarded trash and debris. The City has a municipal separate storm sewer system (MS4), meaning there are two separate conveyance systems for stormwater and sewage, with wastewater from residents and businesses flowing to the wastewater treatment plant, and stormwater draining untreated directly into local surface waters. Consequently, stormwater runoff reaches waterways carrying pollutants, moving very fast and in increased volumes, causing stream bank erosion, streambed scouring, excessive sedimentation, and harming water quality. The Rivanna River, Meadow Creek and Moores Creek, as well as Schenks Branch and Lodge Creek (tributaries of Meadow Creek and Moores Creek), and an unnamed tributary of Meadow Creek are classified as "impaired waterways" by the Virginia Department of Environmental Quality (DEQ) due to high bacterial concentrations and aquatic life deficiencies.

As a result of stormwater runoff's impacts to water quality, stormwater discharges from MS4s are regulated by the United States Environmental Protection Agency (EPA) under the Clean

Water Act and by the Commonwealth of Virginia under the Virginia Stormwater Management Act. The regulations governing MS4s were developed and implemented in two phases. The first phase began in the early 1990s, requiring operators of MS4s serving populations of greater than 100,000 people to apply for and obtain a permit to discharge stormwater collected by their systems into waterways. The second phase of MS4 regulations became effective March 23, 2003, and requires that operators of small MS4s (less than 100,000 people) in "urbanized areas" obtain permit coverage for stormwater discharges. Small MS4s include stormwater systems operated by cities such as Charlottesville, but also counties, towns, community colleges, and public universities.

In Virginia, discharges from small MS4s are regulated by the Department of Environmental Quality (DEQ), under the *General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4 General Permit)*. Under that permit, small MS4s must develop, implement and enforce a stormwater management program that addresses the following six "minimum control measures (MCMs)":

- MCM 1 - Public Education and Outreach
- MCM 2 - Public Involvement and Participation
- MCM 3 - Illicit Discharge Detection and Elimination
- MCM 4 - Construction Site Stormwater Runoff and Erosion and Sediment Control
- MCM 5 - Post-Construction Stormwater Management for New Development and Development on Prior Developed Lands
- MCM 6 - Pollution Prevention and Good Housekeeping for Facilities Owned or Operated by the Permittee Within the MS4 Service Area

The program must be designed and implemented to control the discharge of pollutants from the MS4 to "the maximum extent practicable" through the development and implementation of best management practices (BMP). BMPs can be programmatic, such as ordinances, inspections, and educational activities, or structural, such as vegetated roofs and bioretention facilities.

As required by the EPA and Commonwealth of Virginia, the City of Charlottesville operates and enforces a stormwater management program. The City was originally issued a stormwater discharge permit from DEQ on March 4, 2003 (Permit No. VAR040051). Subsequently, regulatory authority and program oversight was transferred to the Virginia Department of Conservation and Recreation (DCR) in January 2005. The City successfully met the requirements of the permit over the initial five year permit period, which expired on December 9, 2007. This permit was administratively extended while new permit requirements were being finalized. The City's second MS4 General Permit was issued by DCR on July 9, 2008 and remained in effect until July 1, 2013. Regulatory authority and program oversight was transferred back to DEQ in 2013, and the City's third MS4 General Permit was issued on July 1, 2013 and expired on June 30, 2018. This permit was also administratively extended while new permit requirements were being finalized. The City's fourth MS4 General Permit was issued by DEQ on November 1, 2018 and remained in effect until October 31, 2023. The City's fourth and current MS4 General Permit was issued by DEQ on November 1, 2023 and will remain in effect

until October 31, 2028.

This document represents the City of Charlottesville's currently implemented MS4 Program Plan, as well as updates made to the Program Plan, to meet the requirements of 9VAC25-890 General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems. It is important to note that the City's MS4 Program Plan is a planning document and tool, and that the MS4 General Permit contains the only enforceable requirements. Further, the MS4 Program and MS4 Program Plan are iterative and operate in the context of adaptive management. As a result, the BMPs in the MS4 Program Plan may be revised periodically over the course of the current MS4 General Permit term.

## **B. MS4 Program Plan**

The MS4 General Permit includes the following provisions in regards to the MS4 Program Plan:

### *C. The MS4 program plan.*

#### *1. The MS4 program plan shall include, at a minimum, the following written items:*

- a. The roles and responsibilities of each of the permittee's divisions and departments in the implementation of the requirements of the permit tasked with ensuring that the permit requirements are met;*
- b. If the permittee utilizes another entity to implement portions of the MS4 program, a copy of the written agreement. The description of each party's roles and responsibilities, including any written agreements with third parties, shall be updated as necessary;*
- c. For each MCM in Part I E, the following information shall be included:*
  - (1) Each specific requirement as listed in Part I E for each MCM;*
  - (2) A description of the BMPs or strategies that the permittee anticipates will be implemented to demonstrate compliance with the permit conditions in Part I E;*
  - (3) All standard operating procedures or policies necessary to implement the BMPs;*
  - (4) The measurable goal by which each BMP or strategy will be evaluated; and*
  - (5) The persons, positions, or departments responsible for implementing each BMP or strategy; and*
- d. A list of documents incorporated by reference, including the version and date of the document being incorporated.*

### **MCM #1: Public Education and Outreach**

#### **General Permit Requirement (9 VAC 25-890-40 Part I E.1):**

##### *1. Public education and outreach.*

- a. The permittee shall implement a public education and outreach program designed to:*

- (1) Increase the public's knowledge of how to reduce stormwater pollution, placing priority on reducing impacts to impaired waters and other local water pollution concerns;*
- (2) Increase the public's knowledge of hazards associated with illegal discharges and improper disposal of waste, including pertinent legal implications; and*
- (3) Implement a diverse program with strategies that are targeted toward individuals or groups most likely to have significant stormwater impacts.*

*b. The permittee shall identify no less than three high-priority stormwater issues to meet the goal of educating the public in accordance with Part I E 1 a. High-priority issues may include the following examples: Chesapeake Bay nutrients, pet wastes, local receiving water impairments, TMDLs, high-quality receiving waters, litter control, BMP maintenance, anti-icing and deicing agent application, planned green infrastructure redevelopment, planned ecosystem restoration projects, and illicit discharges from commercial sites.*

*c. The high-priority public education and outreach program, as a whole, shall:*

- (1) Clearly identify the high-priority stormwater issues;*
- (2) Explain the importance of the high-priority stormwater issues;*
- (3) Include measures or actions the public can take to minimize the impact of the high-priority stormwater issues; and*
- (4) Provide a contact and telephone number, website, or location where the public can find out more information.*

*d. The permittee shall use two or more of the strategies listed in Table 1 per year to communicate to the target audience the high-priority stormwater issues identified in accordance with Part I E 1 b including how to reduce stormwater pollution.*

<b>Table 1</b>	
<b>Strategies for Public Education and Outreach</b>	
<b>Strategies</b>	<b>Examples (provided as examples and are not meant to be all inclusive or limiting)</b>
Traditional written materials	Informational brochures, newsletters, fact sheets, utility bill inserts, or recreational guides for targeted groups of citizens
Alternative materials	Bumper stickers, refrigerator magnets, t-shirts, or drink koozies
Signage	Temporary or permanent signage in public places or facilities, vehicle signage, bill boards, or storm drain stenciling
Media materials	Information disseminated through electronic media, radio, televisions, movie theater, newspaper, or GIS story maps
Speaking engagements	Presentations to school, church, industry, trade, special interest, or community groups
Curriculum materials	Materials developed for school-aged children, students at local colleges or universities, or extension classes offered to local citizens

Training materials	Materials developed to disseminate during workshops offered to local citizens, trade organization, or industrial officials
Public education activities	Booth at community fair, demonstration of stormwater control projects, presentation of stormwater materials to schools to meet applicable education Standards of Learning or curriculum requirements, or watershed walks
Public meetings	Public meetings on proposed community stormwater Management retrofits, green infrastructure redevelopment, ecosystem restoration projects, TMDL development, climate change's effects on stormwater management, voluntary residential low impact development, or other stormwater issues

*e. The permittee may coordinate its public education and outreach efforts with other MS4 permittees; however, each permittee shall be individually responsible for meeting all of its state permit requirements.*

*f. The MS4 program plan shall include:*

- (1) A list of the high-priority stormwater issues the permittee will communicate to the public as part of the public education and outreach program;*
- (2) The rationale for selection of each high-priority stormwater issue and an explanation of how each education or outreach strategy is intended to have a positive impact on stormwater discharges;*
- (3) Identification of the target audience to receive each high-priority stormwater message;*
- (4) Nontraditional permittees may identify staff, students, members of the general public, and other users of facilities operated by the permittee as the target audience for education and outreach strategies;*
- (5) Traditional permittees may identify staff and students as part of the target audience for education and outreach strategies; however, staff shall not be the majority of the target audience;*
- (6) Staff training required in accordance with Part I E 6 d does not qualify as a strategy for public education and outreach;*
- (7) The strategies from Table 1 of Part I E 1 d to be used to communicate each high-priority stormwater message; and*
- (8) The anticipated time periods the messages will be communicated or made available to the public.*

*g. The annual report shall include the following information:*

- (1) A list of the high-priority stormwater issues the permittee addressed in the public education and outreach program;*
- (2) A summary of the public education and outreach activities conducted for the report year, including the strategies used to communicate the identified high-priority issues;*

*(3) A description of any changes in high-priority stormwater issues, including, strategies used to communicate high-priority stormwater issues or target audiences for the public education and outreach plan. The permittee shall provide a rationale for any of these changes ; and*

*(4) A description of public education and outreach activities conducted that included education regarding climate change.*

**MCM Goal:**

The goal of the City’s public education and outreach program is to provide information to citizens and the business community about the potential for their everyday activities to impact stormwater and water quality. It is expected that their contribution to stormwater pollution can be reduced by increasing public awareness of the relationship between land activities, rainfall and stormwater runoff, storm drains, and their local water resources, and by providing guidance steps and actions that the public can take.

**Program Description:**

The City’s public education and outreach program is coordinated by the Department of Utilities, with support from numerous other City programs. It involves a multi-faceted approach to disseminating educational information to the public on the impacts of stormwater runoff on waterways and ways by which they can reduce those impacts through their everyday activities. In order to tailor a consistent regional message and more effectively reach the target audiences, the City partners with the County of Albemarle, Albemarle County Public Schools, Albemarle County Service Authority, Rivanna Conservation Alliance, the University of Virginia, the Rivanna Water and Sewer Authority, Thomas Jefferson Planning District Commission, and the Thomas Jefferson Soil and Water Conservation District to form the Rivanna Stormwater Education Partnership (RSEP). See Appendix A for the City’s public education and outreach plan, developed in coordination with the RSEP.

<b>MCM#1: Public Education and Outreach - BMP Descriptions</b>
<p><b>BMP 1.1 Regional Stormwater Education Partnership</b></p> <p><b>General Description:</b></p> <p>The City of Charlottesville participates in the Rivanna Stormwater Education Partnership (RSEP), a collaborative effort amongst the stormwater permit holders and other organizations in the Charlottesville area. The RSEP provides regional stormwater education via a diverse mix of media, including radio, print, advertisements, publications, public service announcements, and a website (<a href="http://www.rivanna-stormwater.org">www.rivanna-stormwater.org</a>). The regional partnership provides general information regarding stormwater and watersheds, and focuses on issues of local interest and importance regarding stormwater and water quality. Focus areas have included pet waste management, illicit discharge detection and elimination, car washing, landscaping and yard care practices for healthy waterways, proper use and disposal of automotive chemicals, and runoff reduction practices. Stormwater pollution prevention education and outreach workshops and campaigns for the public, the local business community, and groups likely to have significant stormwater impacts are also pursued. The partnership will ensure that local impaired waters and pollutants of concern, as well as knowledge of hazards associated with illegal</p>

<p>discharges and improper disposal of waste are emphasized in education and outreach efforts. The RSEP website also includes links to publications, watershed maps, lesson plans for teachers, and information on such issues as lawn care, pet waste, rain gardens, and illicit discharges. Public service announcements have addressed car washing, pet waste, used motor oil, lawn care products, and storm drains.</p>
<p><b>Measurable or Tracking Parameter:</b></p> <p>The City will participate in a minimum of six RSEP meetings per year, document its participation in, and summarize the activities of the partnership in its annual reports. The RSEP website will be maintained and the partnership will implement or participate in at least one major activity or event (such as a workshop, tour, or speakers bureau) each permit cycle.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b></p> <p>Various RSEP generated public education publications and materials (posters, brochures, flyers, magnets, presentations, etc.)</p>
<p><b>Responsible Department(s):</b> Department of Utilities</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>
<p><b>BMP 1.2 City Environmental Webpages</b></p>
<p><b>General Description:</b></p> <p>The City launched a new website in 2020, <a href="http://www.charlottesville.gov">www.charlottesville.gov</a>. The new website contains several pages of environmental, green infrastructure, and stormwater content including information on stormwater, local waterways and watersheds, the City’s stormwater management program (including the MS4 Program Plan, current MS4 Permit and coverage letter, and most recent Annual Report), the City's Water Resources Protection Program (WRPP) and Stormwater Utility (SWU), green stormwater infrastructure, and the Adopt-A-Stream program. Online reporting of illegal dumping, illicit discharges, or other environmental problems is also available through the City website, as well as through the MyCville app, which enables real-time reporting and tracking of water pollution concerns. The website also provides a mechanism for the public to provide input on the City's MS4 Program Plan. The webpages are <a href="http://www.charlottesville.gov/greencity">www.charlottesville.gov/greencity</a>, <a href="http://www.charlottesville.gov/wrpp">www.charlottesville.gov/wrpp</a>, and <a href="http://www.charlottesville.gov/greeninfrastructure">www.charlottesville.gov/greeninfrastructure</a>. While the content on the website changes over time, educational information regarding stormwater remains available continually.</p>
<p><b>Measurable or Tracking Parameter:</b></p> <p>Charlottesville will continue to maintain a website that provides stormwater education information to the public and will continue to contribute to the dedicated RSEP website.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> N/A</p>
<p><b>Responsible Department(s):</b> Department of Utilities, Office of Sustainability</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>
<p><b>BMP 1.3 Youth Stormwater Education</b></p>
<p><b>General Description:</b></p>

<p>The City will continue to support watershed and stormwater educational activities and programs targeting youths in the community. This effort will be coordinated in part with the RSEP, utilizing education materials developed and compiled by the partnership.</p>
<p><b>Measurable or Tracking Parameter:</b> The City will document and describe the activities targeting youths.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Educational materials available on RSEP website</p>
<p><b>Responsible Department(s):</b> Department of Utilities, Department of Parks and Recreation, Office of Sustainability</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>
<p><b>BMP 1.4 Illicit Discharge and Pollution Prevention Education Program</b></p>
<p><b>General Description:</b> The City of Charlottesville will provide education to the public, to City employees, and to businesses in conjunction with its illicit discharge detection and elimination program. In an effort to reduce the potential for illicit discharges, information (including general awareness of drainage to local waterways, and recognition and reporting of suspect discharges and dumping) will be provided to City employees, businesses, and the general public.</p>
<p><b>Measurable or Tracking Parameter:</b> Number and type of education efforts will be documented.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Various RSEP generated educational materials and City specific educational materials</p>
<p><b>Responsible Department(s):</b> Department of Utilities</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>
<p><b>BMP 1.5 Public Education and Outreach Plan</b></p>
<p><b>General Description:</b> The City’s public education and outreach program (see Appendix A) has been designed, updated, and will be implemented in accordance with Part I E.1 of the MS4 General Permit. Three high priority water quality issues have been identified as well as a rationale for their selection. Strategies for education and outreach were identified and an explanation of how each strategy is intended to have a positive impact on stormwater discharges is provided. The public audience(s) for the issues have been identified, as well as anticipated time periods the messages will be communicated or made available to the public.</p>
<p><b>Measurable or Tracking Parameter:</b> Identification of three high priority issues; rationale for selection of issues; strategies for public education and outreach selected; explanation of how each strategy is intended to have positive impact on stormwater discharges; identification of public audiences; identification of anticipated time periods; delivery of high-priority messages.</p>

<b>Existing Documents Necessary for BMP Implementation:</b> Public education and outreach plan, various RSEP generated educational materials
<b>Responsible Department(s):</b> Department of Utilities, Office of Sustainability
<b>Schedule of Implementation:</b> Update public education and outreach program - Year 1 Implement public education and outreach program - Years 1 through 5

**MCM #2: Public Involvement and Participation**

**General Permit Requirement (9 VAC 25-890-40 Part I E.2):**

*2. Public involvement and participation.*

*a. The permittee shall develop and implement procedures for the following:*

- (1) The public to report potential illicit discharges, improper disposal, or spills to the MS4, complaints regarding land disturbing activities, or other potential stormwater pollution concerns;*
- (2) The public to provide comments on the permittee's MS4 program plan;*
- (3) Responding to public comments received on the MS4 program plan;*
- (4) Maintaining documentation of public comments received on the MS4 program and associated MS4 program plan and the permittee's response.*

*b. No later than three months after this permit's effective date, the permittee shall update and maintain the webpage dedicated to the MS4 program and stormwater pollution prevention. The following information shall be posted on this webpage:*

- (1) The effective MS4 permit and coverage letter;*
- (2) The most current MS4 program plan or location where the MS4 program plan can be obtained;*
- (3) The annual report for each year of the term covered by this permit no later than 30 days after submittal to the department;*
- (4) For permittees whose regulated MS4 is located partially or entirely in the Chesapeake Bay watershed, the most current Chesapeake Bay TMDL action plan or location where the Chesapeake Bay TMDL action plan can be obtained;*
- (5) For permittees whose regulated MS4 is located partially or entirely in the Chesapeake Bay watershed, the Chesapeake Bay TMDL implementation annual status reports for each year of the term covered by this permit no later than 30 days after submittal to the department;*
- (6) A mechanism for the public to report potential illicit discharges, improper disposal, or spills to the MS4, complaints regarding land disturbing activities, or other potential stormwater pollution concerns in accordance with Part I E 2 a (1);*
- (7) Methods for how the public can provide comments on the permittee's MS4 program plan in accordance with Part I E 2 a (2) and if applicable, the Chesapeake Bay TMDL action plan in accordance with Part II A 13; and*

*(8) Federal and state nontraditional permittees with security policies preventing a MS4 program and stormwater pollution prevention webpage from being publicly accessible may utilize an internal staff accessible webpage such as an intranet webpage to meet the requirements of Part 1 E 2 b.*

*c. Traditional permittees shall implement no fewer than four activities per year from two or more of the categories listed in Table 2 to provide an opportunity for public involvement to improve water quality and support local restoration and clean-up projects.*

*d. Nontraditional permittees shall implement, promote, participate in, or coordinate on no fewer than four activities per year from two or more of the categories listed in Table 2 to provide an opportunity for public involvement to improve water quality and support local restoration and clean-up projects.*

<b>Table 2 Public Involvement Opportunities</b>	
<b>Public involvement opportunities</b>	<b>Examples (provided as example and are not meant to be all inclusive or limiting)</b>
Monitoring	Establish or support citizen monitoring group
Restoration	Stream, watershed, shoreline, beach, or park clean-up day, adopt-a-waterway program, tree plantings, and riparian buffer plantings
Public education activities	Booth at community fair, demonstration of stormwater control projects, climate change's effects on stormwater management, presentation of stormwater materials to schools to meet applicable education Standards of Learning or curriculum requirements, or watershed walks
Public meetings	Public meetings on proposed community stormwater Management retrofits, green infrastructure redevelopment, ecosystem restoration projects, TMDL development, voluntary residential low impact development, climate change's effects on stormwater management, or other stormwater issues
Disposal or collection events	Household hazardous chemicals collection, vehicle fluids collection
Pollution prevention	Adopt-a-storm drain program, implement a storm drain marking program, promote use of residential stormwater BMPs, implement pet waste stations in public areas, adopt-a-street program.

*e. The permittee may coordinate the public involvement opportunities listed in Table 2 with other MS4 permittees; however, each permittee shall be individually responsible for meeting all of the permit requirements.*

*f. The permittee may include staff and students in public participation events; however, the activity cannot solely include or be limited to staff participants with stormwater, groundskeeping, and maintenance duties in order for an event to qualify as a public participation event.*

*g. Staff training required in accordance with Part I E 6 d does not qualify as a public participation event unless the training activity solicits participation from target audiences beyond staff or contractors with stormwater, groundskeeping, and maintenance duties.*

*h. The MS4 program plan shall include:*

*(1) The webpage address where mechanisms for the public to report (i) potential illicit discharges, improper disposal, or spills to the MS4, (ii) complaints regarding land disturbing activities, or (iii) other potential stormwater pollution concerns;*

*(2) The webpage address that contains the methods for how the public can provide input on the permittee's MS4 program; and*

*(3) A description of the public involvement activities to be implemented by the permittee, the anticipated time period the activities will occur, and a metric for each activity to determine if the activity is beneficial to water quality. An example of metrics may include the weight of trash collected from a stream cleanup or the number of participants in a hazardous waste collection event.*

*i. The annual report shall include the following information:*

*(1) A summary of any public comments on the MS4 program received and how the permittee responded;*

*(2) A summary of stormwater pollution complaints received under the procedures established in Part I E 2 a (1), excluding natural flooding complaints, and how the permittee responded;*

*(3) A webpage address to the permittee's MS4 program and stormwater website;*

*(4) Federal and state nontraditional permittees with security policies preventing the MS4 program and stormwater pollution prevention webpage from being publicly accessible utilizing an internal staff accessible website, such as intranet, shall provide evidence of the current internal MS4 program and stormwater pollution prevention webpage;*

*(5) A description of the public involvement activities implemented by the permittee, including any efforts to reach out and engage all economic and ethnic groups;*

*(6) A description of public education and outreach activities conducted that also included education regarding climate change;*

*(7) A report of the metric as defined for each activity and an evaluation as to whether or not the activity is beneficial to improving water quality; and*

*(8) The name of other MS4 permittees with whom the permittee collaborated in the public involvement opportunities.*

**MCM Goal:**

The goal of the City's public involvement and participation program is to engage and harness the power of the community's citizens to further the City's stormwater management program while reducing stormwater pollutant loads and improving water quality. These community members contribute to the protection and restoration of local water resources while helping to spread the critical message of stormwater pollution prevention.

**Program Description:**

The City’s public involvement and participation efforts include a formal Adopt-a-Stream program; organized volunteer stream clean up and tree planting projects; organization of, participation in, promotion of, and/or sponsorship of various watershed and water quality related activities in the community; and participation in public presentations and speaking engagements.

The City’s Adopt-a-Stream program is run by the Departments of Utilities and Public Works. Information about the program can be found on the City’s website. The City provides all the needed materials, picks up the debris that is removed from the stream, and makes and maintains the signs that are posted recognizing the program’s participants.

The Department of Parks and Recreation coordinates volunteer stream clean up and tree planting projects. These projects engage local community and youth groups, camps, businesses, service fraternities, and/or school children to actively take part in the beautification and restoration of their local environment. Trees are often planted in riparian areas to augment riparian stream buffers.

The City provides a webpage, [www.charlottesville.gov/1052/Pollution-Prevention-Hotline](http://www.charlottesville.gov/1052/Pollution-Prevention-Hotline), where the public can report potential illicit discharges, improper disposal, or spills to the MS4; complaints regarding land disturbing activities; and other potential stormwater pollution concerns. The public can also provide input on the City’s MS4 Program at [www.charlottesville.gov/wrpp](http://www.charlottesville.gov/wrpp).

<b>MCM#2: Public Involvement and Participation - BMP Descriptions</b>
<b>BMP 2.1 Volunteer Stream Clean-Ups</b>
<p><b>General Description:</b> The City supports volunteer groups in stream clean-up efforts. The City provides gloves, safety vests, and trash bags for the events, as needed. Parks and Recreation, Public Works, and Utilities staff coordinate to pick up and dispose of collected refuse once clean-up efforts are complete. While the actual number of events may vary from year to year, the City’s goal is to support at least two volunteer stream clean-ups per year.</p>
<p><b>Measurable or Tracking Parameter:</b> The number of events and volunteers</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> N/A</p>
<p><b>Responsible Department(s):</b> Department of Parks and Recreation, Department of Public Works, Department of Utilities</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>
<b>BMP 2.2 Adopt-A-Stream Program</b>
<p><b>General Description:</b> The Department of Utilities coordinates the volunteer Adopt-A-Stream program. The City website includes information regarding the Adopt-A-Stream program, including guidelines, a list of streams that can be adopted, and an application. Volunteer groups must submit an application and must agree to clean their stream at least twice per year,</p>

<p>with at least two meetings per year to discuss safety and guidelines. The City provides volunteers with safety information, trash bags, and safety vests, as needed. The City can provide pick-up of collected trash, if needed. Volunteers must report the number of participants, number of bags collected, and hours spent. In return, the City places a sign at the site that recognizes the volunteer group responsible for the stream.</p>
<p><b>Measurable or Tracking Parameter:</b> The number of events, number of volunteers participating, number of volunteer hours, and the approximate amount of debris removed.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Adopt-A-Stream guidelines, application form, listings of streams available for adoption, and reporting form</p>
<p><b>Responsible Department(s):</b> Department of Public Works, Department of Utilities</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>
<p><b>BMP 2.3 Tree Planting Program</b></p>
<p><b>General Description:</b> The Department of Parks and Recreation organizes volunteer tree planting events in the City. Native species are typically used for the tree plantings and efforts often concentrate on enhancement of riparian buffers. Tree plantings will be organized in coordination with the City’s urban forest management plan.  While the number of volunteer tree plantings may vary on an annual basis, the City’s goal is to hold a minimum of two events per year.</p>
<p><b>Measurable or Tracking Parameter:</b> The number of events and volunteers and the approximate number of trees planted.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Urban Forest Management Plan</p>
<p><b>Responsible Department(s):</b> Department of Parks and Recreation</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>
<p><b>BMP 2.4 Watershed and Water Quality Activities</b></p>
<p><b>General Description:</b> The City organizes, participates in, promotes, and/or sponsors various watershed and water quality related activities in the community. These activities can include workshops, stakeholder groups, or educational events aimed at increasing public participation to reduce stormwater pollutant loads and improve water quality; support of citizen monitoring groups; or pollution prevention activities. The number and type of activities vary on an annual basis.</p>
<p><b>Measurable or Tracking Parameter:</b> The number and description of activities.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> N/A</p>

<b>Responsible Department(s):</b> Department of Utilities, Department of Parks and Recreation, Department of Neighborhood Development Services, Office of Sustainability
<b>Schedule of Implementation:</b> Ongoing – Years 1 through 5
<b>BMP 2.5 Public Involvement</b>
<p><b>General Description:</b></p> <p>The City maintains an updated MS4 Program Plan, and makes required updates at least once per year. The City keeps a copy of the most current version of the MS4 Program Plan posted to its website (<a href="http://www.charlottesville.gov/380/Stormwater-Management-Program">www.charlottesville.gov/380/Stormwater-Management-Program</a>), and provides a link from which the public can provide input and comments. The City also keeps copies of the Annual Reports required by the MS4 General Permit posted to its website; a copy of the most current Annual Report is posted within thirty days of submittal of the report to DEQ. The City also maintains a webpage (<a href="http://www.charlottesville.gov/380/Stormwater-Management-Program">www.charlottesville.gov/380/Stormwater-Management-Program</a>) where the public can report potential illicit discharges, improper disposal, or spills to the MS4; complaints regarding land disturbing activities; and other potential stormwater pollution concerns.</p>
<p><b>Measurable or Tracking Parameter:</b></p> <p>MS4 Program Plan and Annual Reports posted to the City website</p>
<b>Existing Documents Necessary for BMP Implementation:</b> MS4 Program Plan, Annual Reports
<b>Responsible Department(s):</b> Department of Utilities
<b>Schedule of Implementation:</b> Ongoing – Years 1 through 5

**MCM #3: Illicit Discharge Detection and Elimination**

**General Permit Requirement (9 VAC 25-890-40 Part I E.3):**

*3. Illicit discharge detection and elimination.*

*a. The permittee shall develop and maintain an accurate MS4 map and information table as follows:*

*(1) A map of the MS4 owned or operated by the permittee within the MS4 regulated service area no later than 24 months after the permit effective date that includes, at a minimum:*

*(a) MS4 outfalls discharging to surface waters, except as follows:*

*(i) In cases where the outfall is located outside of the MS4 permittee's legal responsibility, the permittee may elect to map the known point of discharge location closest to the actual outfall; and*

*(ii) In cases where the MS4 outfall discharges to receiving water channelized underground, the permittee may elect to map the point downstream at which the receiving water emerges above ground as an outfall discharge location. If there are multiple outfalls discharging to an underground channelized receiving water, the map shall identify that an outfall discharge location represents more than one outfall. This is an option a permittee may choose to use and recognizes the difficulties in accessing outfalls to underground channelized stream conveyances for purposes of mapping, screening, or monitoring.*

- (b) A unique identifier for each mapped item required in Part I E 3;*
  - (c) The name and location of receiving waters to which the MS4 outfall or point of discharge discharges;*
  - (d) MS4 regulated service area; and*
  - (e) Stormwater management facilities owned or operated by the permittee.*
- (2) The permittee shall maintain an outfall information table associated with the MS4 map that includes the following information for each outfall or point of discharge for those cases in which the permittee elects to map the known point of discharge in accordance with Part I E 3 a (1) (a). The outfall information table may be maintained as a shapefile attribute table. The outfall information table shall contain the following:*
- (a) A unique identifier as specified on the MS4 map;*
  - (b) The latitude and longitude of the outfall or point of discharge;*
  - (c) The estimated regulated acreage draining to the outfall or point of discharge;*
  - (d) The name of the receiving water;*
  - (e) The 6th Order Hydrologic Unit Code of the receiving water;*
  - (f) An indication as to whether the receiving water is listed as impaired in the Virginia 2022 305(b)/303(d) Water Quality Assessment Integrated Report; and*
  - (g) The name of any EPA approved TMDLs for which the permittee is assigned a wasteload allocation.*
- (3) No later than 24 months after permit issuance, the permittee shall submit to DEQ, a format file geodatabase or two shapefiles that contain at a minimum:*
- (a) A point feature class or shapefile for outfalls with an attribute table containing outfall data elements required in accordance with Part I E 3 a (2); and*
  - (b) A polygon feature class or shapefile for the MS4 service area as required in accordance with Part I E 3 a (1) (d) with an attribute table containing the following information:
    - (i) MS4 operator name;*
    - (ii) MS4 permit number (VAR04); and*
    - (iii) MS4 service area total acreage rounded to the nearest hundredth.**
- (4) All file geodatabase feature classes or shapefiles shall be submitted in the following data format standards:*
- (a) Point data in NAD83 or WGS84 decimal degrees global positional system coordinates;*
  - (b) Data projected in Virginia Lambert Conformal Conic format;*
  - (c) Outfall location accuracy shall be represented in decimal degrees rounded to at least the fifth decimal place for latitude and longitude to ensure point location accuracy (e.g., 37.61741, -78.15279); and*
  - (d) Metadata that shall provide a description of each feature class or shapefile dataset, units of measure as applicable, coordinate system, and projection.*
- (5) No later than October 1 of each year, the permittee shall update the MS4 map and outfall information table to include any new outfalls constructed or TMDLs approved or both during the immediate preceding reporting period.*
- (6) The permittee shall provide written notification to any downstream adjacent MS4 of any known physical interconnection established or discovered after the effective date of this permit.*
- b. The permittee shall prohibit, through ordinance, policy, standard operating procedures, or other legal mechanism, to the extent allowable under federal, state, or local law, regulations, or ordinances, unauthorized nonstormwater discharges into the MS4. Nonstormwater*

*discharges or flows identified in 9VAC25-890-20 D 3 shall only be addressed if they are identified by the permittee as a significant contributor of pollutants discharging to the MS4. Flows that have been identified by the department as de minimis discharges are not significant sources of pollutants to surface water.*

*c. The permittee shall maintain, implement, and enforce illicit discharge detection and elimination (IDDE) written procedures designed to detect, identify, and address unauthorized nonstormwater discharges, including illegal dumping, to the MS4 to effectively eliminate the unauthorized discharge. Written procedures shall include:*

*(1) A description of the legal authorities, policies, standard operating procedures, or other legal mechanisms available to the permittee to eliminate identified sources of ongoing illicit discharges, including procedures for using legal enforcement authorities.*

*(2) Dry weather field screening protocols to detect, identify, and eliminate illicit discharges to the MS4. The protocol shall include:*

*(a) A prioritized schedule of field screening activities and rationale for prioritization determined by the permittee based on such criteria as age of the infrastructure, land use, historical illegal discharges, dumping, or cross connections;*

*(b) If the total number of MS4 outfalls is equal to or less than 50, a schedule to screen all outfalls annually;*

*(c) If the total number of MS4 outfalls is greater than 50, a schedule to screen a minimum of 50 outfalls annually such that no more than 50% are screened in the previous 12-month period. The 50% criteria is not applicable if all outfalls have been screened in the previous three years;*

*(d) The permittee may adopt a risk-based approach to dry weather screening identifying observation points based upon illicit discharge risks upstream of an outfall. Observation points may include points of interconnection, manholes, points of discharge, conveyances, or inlets suspected to have a high likelihood of receiving illicit discharges;*

*(e) Each observation point screened may be counted as one outfall screening activity equivalent and counted towards the requirements of Part I E 3 c (2) (b) or (2) (c); however, at least 50% of the minimum annual screening events must include outfall screening;*

*(f) Illicit discharges reported by the public and subsequent investigations may not be counted as screening events; however once the resolution of the investigation and the date the investigation was closed has been documented, an observation point may be established for future screening events; and*

*(g) A checklist or mechanism to track the following information for dry weather screening events:*

*(i) The unique identifier for the outfall or observation point;*

*(ii) Time since the last precipitation event;*

*(iii) The estimated quantity of the last precipitation event;*

*(iv) Site descriptions (e.g., conveyance type and dominant watershed land uses);*

*(v) Observed indicators of possible illicit discharge events, such as floatables, deposits, stains, and vegetative conditions (e.g., dying or dead vegetation, excessive vegetative growth);*

*(vi) Whether or not a discharge was observed;*

*(vii) If a discharge was observed, the estimated discharge rate and visual characteristics of the discharge (e.g., odor, color, clarity).*



**MCM Goal:**

The goal of the City’s Illicit Discharge Detection and Elimination (IDDE) program is to protect local waterways and water quality by preventing, locating, and addressing the source of illicit discharges to our MS4. The IDDE program is proactive in its efforts to prevent illicit discharges and their associated negative impacts through education and training initiatives and dry weather outfall screening. The program is also reactive in addressing reported or observed spills and other illicit discharges through response and enforcement in an attempt to minimize their impacts.

**Program Description:**

The IDDE program is coordinated by the City’s Department of Utilities in collaboration with the Departments Neighborhood Development Services and the Charlottesville Fire Department.

The City established legal authority to prohibit illicit discharges through its Water Protection Ordinance (WPO), Article V, Storm Sewer Discharges, enacted by the Charlottesville City Council in September 2004. Article V prohibits illicit discharges and illegal connections to the MS4, authorizes inspections and monitoring, and details enforcement, penalties, and remedies.

The City has mapped its MS4 using GPS technology. These data, including locations of structures, pipes, outfalls, receiving waters, the City’s MS4 regulated service area, and stormwater management facilities owned or operated by the City, are in GIS format. Data verification and updating efforts are ongoing. The City’s updated MS4 Map and associated Information Table will be submitted to DEQ no later than 24 months after the effective date of the MS4 General Permit (by November 1, 2025).

Dry weather screening of the City’s MS4 outfalls is being conducted using a tailored version of the Center for Watershed Protection’s Outfall Reconnaissance Inventory (ORI). At least fifty outfalls are screened annually. If a potential illicit discharge is encountered, either through the screening process, through on-line reporting features, or through a report from the public or City staff, an investigation is conducted. Investigations can include storm drain network, drainage area, and/or on-site methods. If the investigation determines that there is an illicit discharge, City staff works to either discontinue or disconnect the discharge. A formal Notice of Violation (NOV) is issued to the party responsible for the discharge as well as the property owner, if appropriate. A tracking system has been developed that includes ORI data, complaints received, identified illicit discharges, steps taken to address the situation, status of any enforcement actions, and number of illicit discharges eliminated. See Appendix B for the City’s written procedures to detect, identify, and address unauthorized non-stormwater discharges to the MS4.

<b>MCM#3: Illicit Discharge Detection and Elimination (IDDE) - BMP Descriptions</b>
<b>BMP 3.1 IDDE Program</b>
<p><b>General Description:</b></p> <p>The City of Charlottesville will continue to develop, refine, and implement its illicit discharge detection and elimination (IDDE) program over the current five-year permit cycle. The program aims to protect water quality by preventing, locating, and addressing the source of illicit discharges to the MS4.</p> <p>In accordance with Part I E.3.c of the MS4 General Permit the City will develop, implement, and update (when appropriate) written procedures to detect, identify, and address unauthorized non-stormwater discharges to the City’s MS4.</p>

<p><b>Measurable or Tracking Parameter:</b> Development of procedures; records related to the IDDE program, including number of outfalls screened and number of illicit discharges addressed.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> IDDE Procedures, Outfall Reconnaissance Inventory (modified), IDDE Tracking Log</p>
<p><b>Responsible Department(s):</b> Department of Utilities, Department of Neighborhood Development Services, Charlottesville Fire Department</p>
<p><b>Schedule of Implementation:</b> Implement written procedures – Years 1 through 5 Conduct field outfall screening – Years 1 through 5</p>
<p><b>BMP 3.2 Maintenance of GIS Data, MS4 Map, and Information Table</b></p>
<p><b>General Description:</b> The City of Charlottesville maintains GIS data layers of its municipal stormwater system, areas of the system that carry stream base flow, waters receiving discharges from the City’s MS4, the outfalls of the City’s MS4 and their drainage areas, and other system-related features identified by the City as critical for effective system management. The City will develop and maintain the MS4 Map and Information Table as required in Part I E.3.a.</p>
<p><b>Measurable or Tracking Parameter:</b> Efforts related to maintenance of the GIS data; up-to-date MS4 Map and Information Table.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> MS4 Map and Information Table, Various GIS data layers</p>
<p><b>Responsible Department(s):</b> Department of Utilities</p>
<p><b>Schedule of Implementation:</b> Ongoing maintenance of data layers - Years 1 through 5 Update MS4 Map and Information Table and Submit to DEQ – Year 2 Maintenance of MS4 Map and Information Table – Years 1 through 5</p>
<p><b>BMP 3.3 Notification of Physically Interconnected MS4s</b></p>
<p><b>General Description:</b> If the City establishes or discovers a physical interconnection to any downstream adjacent regulated MS4 after the effective date of the MS4 General Permit, then the City will notify the downstream regulated MS4 in writing.</p>
<p><b>Measurable or Tracking Parameter:</b> Documentation of the existence of any physical interconnections and written notification to the downstream MS4.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Written notification(s)</p>
<p><b>Responsible Department(s):</b> Department of Utilities</p>
<p><b>Schedule of Implementation:</b> Years 1 through 5</p>

<b>BMP 3.4 Online Reporting of Environmental Concerns and Illicit Discharges</b>
<p><b>General Description:</b>                  The City website provides features for citizens to report environmental concerns and illicit discharges. On the City’s homepage, users can access a “Pollution Prevention Hotline” which allows the user to describe the concern and provide contact information. The information provided is forwarded to the Department of Utilities. The hotline can also be reached from multiple other pages on the City website. In conjunction with the RSEP, a regional online Water Pollution Hotline has been created to enable reporting of water pollution concerns. Those reports that are within the City’s jurisdictional boundary are pursued by staff from the City.</p> <p>In addition, environmental and stormwater pollution calls to various City departments are forwarded to Department of Utilities staff.</p>
<p><b>Measurable or Tracking Parameter:</b>                  The Department of Utilities tracks problems reported and City responses.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> N/A</p>
<p><b>Responsible Department(s):</b> Department of Utilities</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>

**MCM #4: Construction Site Stormwater Runoff and Erosion and Sediment Control**

**General Permit Requirement (9 VAC 25-890-40 Part I E.4):**

*4. Construction site stormwater runoff and erosion and sediment control.*

*a. The permittee shall utilize its legal authority, such as ordinances, permits, orders, specific contract language, and interjurisdictional agreements, to address discharges entering the MS4 from regulated construction site stormwater runoff. The permittee shall control construction site stormwater runoff as follows:*

*(1) If the traditional permittee is a city, county, or town that has adopted a Virginia Erosion and Sediment Control Program (VESCP), the permittee shall implement the VESCP consistent with the Virginia Erosion and Sediment Control Law (§ 62.1-44.15:51 et seq. of the Code of Virginia) and Virginia Erosion and Sediment Control Regulations (9VAC25-840);*

*(2) If the traditional permittee is a town that has not adopted a VESCP, implementation of a VESCP consistent with the Virginia Erosion and Sediment Control Law (§ 62.1-44.15:51 et seq. of the Code of Virginia) and Virginia Erosion and Sediment Control Regulations (9VAC25-840) by the surrounding county shall constitute compliance with Part I E 4 a; such town shall notify the surrounding county of erosion, sedimentation or other construction stormwater runoff problems;*

*(3) If the nontraditional permittee is a state agency; public institution of higher education, including community colleges, colleges, and universities; or federal entity and has developed standards and specifications in accordance with the Virginia Erosion and Sediment Control Law (§ 62.1-44.15:51 et seq. of the Code of Virginia) and Virginia Erosion and Sediment*

*Control Regulations (9VAC25-840), the permittee shall implement the most recent department approved standards and specifications; or*

*(4) If the nontraditional permittee is a state agency; public institution of higher education including community colleges, colleges, and universities; or federal entity and has not developed standards and specifications in accordance with the Virginia Erosion and Sediment Control Law (§ 62.1-44.15:51 et seq. of the Code of Virginia) and Virginia Erosion and Sediment Control Regulations (9VAC25-840), the permittee shall inspect all land disturbing activities as defined in § 62.1-44.15:51 of the Code of Virginia that result in the disturbance of 10,000 square feet or greater, or 2,500 square feet or greater in accordance with areas designated under the Chesapeake Bay Preservation Act, as follows:*

- (a) During or immediately following initial installation of erosion and sediment controls;*
- (b) At least once per every two-week period;*
- (c) Within 48 hours following any runoff producing storm event; and*
- (d) At the completion of the project prior to the release of any performance bond.*

*(5) If the nontraditional permittee is a school board or other local government body, the permittee shall inspect those projects resulting in a land disturbance as defined in § 62.1-44.15.51 of the Code of Virginia occurring on lands owned or operated by the permittee that result in the disturbance of 10,000 square feet or greater, 2,500 square feet or greater in accordance with areas designated under the Chesapeake Bay Preservation Act, or in accordance with more stringent thresholds established by the local government, as follows:*

- (a) During or immediately following initial installation of erosion and sediment controls;*
- (b) At least once per every two-week period;*
- (c) Within 48 hours following any runoff producing storm event; and*
- (d) At the completion of the project prior to the release of any performance bond.*

*b. The permittee shall require implementation of appropriate controls to prevent nonstormwater discharges to the MS4, such as wastewater, concrete washout, fuels and oils, and other illicit discharges identified during land disturbing activity inspections. The discharge of nonstormwater discharges other than those identified in 9VAC25-890-20 D through the MS4 is not authorized by this state permit.*

*c. Employees and contractors serving as plan reviewers, inspectors, program administrators, and construction site operators shall obtain the appropriate certifications as required under the Virginia Erosion and Sediment Control Law and its attendant regulations;*

*d. The permittee's MS4 program plan shall include:*

- (1) If the permittee implements an erosion and sediment control program for construction site stormwater runoff in accordance with Part I E 4 a (1), the local ordinance citations for the VESCP program;*
- (2) If the permittee is a town that does not implement an erosion and sediment control program for construction site stormwater runoff in accordance with Part I E 4 a (2), the county ordinance citations for the VESCP program the town is subject to;*
- (3) If the permittee implements annual standards and specifications for erosion and sediment control and construction site stormwater runoff in accordance with Part I E 4 a (3):*



**MCM Goal:**

The goal of the City’s Erosion and Sediment (E&S) Control Program is to minimize the impact of construction site runoff on local waterways and water quality. By reducing the amount of sediment and other pollutants in runoff leaving construction sites, the impacts on aquatic plants and organisms, their habitat, and overall water quality are greatly reduced.

**Program Description:**

The Department of Public Works (DPW) - Engineering Division is responsible for the implementation and enforcement of the E&S Control Program. The E&S Control Program Administrator is responsible for administering the program in accordance with State standards. DPW-Engineering staff receives DEQ E&S control training and certification at various levels, including plan review, site inspection, and program administration. As of July 1, 2014 the City serves as a local Virginia Stormwater Management Program (VSMP).

The City’s Water Protection Ordinance, Article II Erosion and Sediment Control, updated the original section of City Code in 2004 to incorporate requirements of the 2003 State E&S Control Law. The article, which was most recently updated in May 2014, details the standard operating procedures that are followed when reviewing and approving E&S Control Plans, inspecting and monitoring land disturbing activities, and assessing penalties and injunctions.

Charlottesville requires that land disturbing activities of greater than or equal to 6,000 square feet prepare an E&S control plan. The Virginia Erosion and Sediment Control Handbook serves as the official guidance used by DPW-Engineering staff for site plan review. Inspections of sites with E&S Control Plans are conducted a minimum of once every two weeks and within forty-eight hours of a runoff producing storm event. City inspectors utilize a customized/tailored site inspection form and DPW-Engineering staff tracks the total number of inspections conducted, and the number and type of enforcement actions taken.

The following legal authorities are utilized by the City to ensure compliance with the MS4 General Permit requirements:

- City of Charlottesville Water Protection Ordinance (City Code Chapter 10, Water Protection, Article II, Erosion and Sediment Control)
- City of Charlottesville Standards and Design Manual
- City of Charlottesville Land Disturbing Permit
- City of Charlottesville-approved Erosion and Sediment Control Plan
- City of Charlottesville Agreement in Lieu of an Erosion and Sediment Control Plan
- City of Charlottesville Inspection Report
- City of Charlottesville Notice to Comply
- City of Charlottesville Stop Work Order
- Virginia Erosion and Sediment Control Law and Regulations
- Virginia Erosion and Sediment Control Handbook
- Virginia General Permit for Discharges of Stormwater from Construction Activities

<b>MCM#4: Construction Site Stormwater Runoff and Erosion and Sediment Control - BMP Descriptions</b>
<b>BMP 4.1 Erosion and Sediment Control Program</b>
<b>General Description:</b>

<p>The City of Charlottesville actively implements an erosion and sediment control program, in accordance with State and local Virginia Stormwater Management Program (VSMP) requirements. Compliance with the State erosion and sediment control program and local VSMP will be used to meet the City’s requirement for construction site runoff control under its MS4 General Permit. This includes legal ordinances and policies, procedures for site plan review and approval, site inspection and enforcement, and proper certification of staff.</p>
<p><b>Measurable or Tracking Parameter:</b> Total number of inspections conducted, and total number and type of enforcement actions implemented. The status of the erosion and sediment control program will be documented and reported in MS4 Annual Reports submitted as required by the MS4 General Permit.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Virginia Erosion and Sediment Control Law and Regulations, Virginia Erosion and Sediment Control Handbook, Virginia General Permit for Discharges of Stormwater from Construction Activities, Charlottesville Water Protection Ordinance, City Standards and Design Manual, Charlottesville Engineering Site Plan Checklist, Land Disturbing Permit, Agreement in Lieu of a Plan, Site Field Inspection Sheet, Notice to Comply, Stop Work Order.</p>
<p><b>Responsible Department(s):</b> Department of Public Works</p>
<p><b>Schedule of Implementation:</b> Ongoing - Years 1 through 5</p>
<p><b>BMP 4.2 General Permit for Discharges from Construction Activities</b></p>
<p><b>General Description:</b> In accordance with local VSMP authority, the City of Charlottesville requires that construction activities disturbing one acre or greater obtain DEQ General Permit for Discharges from Construction Activities coverage. A land disturbance permit from the City is not issued until the proper documents and permit number are provided to DPW staff by DEQ. The DPW webpages provide the permit application, notice of termination, and fee form and schedule, as well as a link to the DEQ website which includes additional information. DPW keeps copies of the applicants’ transmittal letter in the project file.</p>
<p><b>Measurable or Tracking Parameter:</b> Transmittal letters in the project files.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> General Permit for Discharges from Construction Activities</p>
<p><b>Responsible Department(s):</b> Department of Public Works</p>
<p><b>Schedule of Implementation:</b> Ongoing - Years 1 through 5</p>

**MCM #5: Post-Construction Stormwater Management for New Development and Development on Prior Developed Lands**

**General Permit Requirement (9 VAC 25-890-40 Part I E.5):**

5. *Post-construction stormwater management for new development and development on prior developed lands.*

*a. The permittee shall address post-construction stormwater runoff that enters the MS4 from the following land disturbing activities by implementing a post-construction stormwater runoff management program as follows:*

*(1) If the traditional permittee is a city, county, or town, with an approved Virginia Stormwater Management Program (VSMP), the permittee shall implement the VSMP consistent with the Virginia Stormwater Management Act (§ 62.1-44.15:24 et seq. of the Code of Virginia) and VSMP Regulations (9VAC25-870) as well as maintain an inspection and maintenance program in accordance with Parts I E 5 b and c;*

*(2) If the traditional permittee is a town that has not adopted a VSMP, implementation of a VSMP consistent with the Virginia Stormwater Management Act (§ 62.1-44.15:24 et seq. of the Code of Virginia) and VSMP Regulations (9VAC25-870) by the surrounding county shall constitute compliance with Part I E 5 a; such town shall notify the surrounding county of erosion, sedimentation, or other post-construction stormwater runoff problems and maintain an inspection and maintenance program in accordance with Part I E 5 c and d;*

*(3) If the traditional permittee is a city, county, or town receiving initial permit coverage during the permit term and must obtain VSMP approval from the department, the permittee shall implement the VSMP consistent with the Virginia Stormwater Management Act (§ 62.1-44.15:24 et seq. of the Code of Virginia) and VSMP Regulations (9VAC25-870) as well as develop an inspection and maintenance program in accordance with Part I E 5 b and c no later than 60 months after receiving permit coverage;*

*(4) If the nontraditional permittee is a state agency; public institution of higher education including community colleges, colleges, and universities; or federal entity and has developed standards and specifications in accordance with the Virginia Stormwater Management Act (§ 62.1-44.15:24 et seq. of the Code of Virginia) and VSMP Regulations (9VAC25-870), the permittee shall implement the most recent department approved standards and specifications and maintain an inspection and maintenance program in accordance with Part I E 5 b;*

*(5) If the nontraditional permittee is a state agency; public institution of higher education including community colleges, colleges, and universities; or federal entity and has not developed standards and specifications in accordance with the Virginia Stormwater Management Act (§ 62.1-44.15:24 et seq. of the Code of Virginia) and Virginia Stormwater Management Regulations (9VAC25-870) the permittee shall implement a post-construction stormwater runoff control program through compliance with 9VAC25-870 and with the implementation of a maintenance and inspection program consistent with Part I E 5 b no later than 60 months after receiving permit coverage; or*

*(6) If the nontraditional permittee is a school board or other local government body the permittee shall implement a post-construction stormwater runoff control program through compliance with 9VAC25-870 or in accordance with more stringent local requirements, if applicable, and with the implementation of a maintenance and inspection program consistent with Part I E 5 b.*

*b. The permittee shall implement an inspection and maintenance program for those stormwater management facilities owned or operated by the permittee as follows:*

*(1) Within six months of the permit effective date, the permittee shall develop and maintain written inspection and maintenance procedures in order to ensure adequate long-term operation and maintenance of its stormwater management facilities. The permittee may use*

*inspection and maintenance specifications available from the Virginia Stormwater BMP Clearinghouse or inspection and maintenance plans developed in accordance with the department's Stormwater Local Assistance Fund (SLAF) guidelines;*

*(2) Employees and contractors implementing the stormwater program shall obtain the appropriate certifications as required under the Virginia Stormwater Management Act and its attendant regulations;*

*(3) The permittee shall inspect stormwater management facilities owned or operated by the permittee no less frequently than once per year. The permittee may choose to implement an alternative schedule to inspect these stormwater management facilities based on facility type and expected maintenance needs provided that the alternative schedule and rationale is included in the MS4 program plan. The alternative inspection frequency shall be no less than once per five years; and*

*(4) If during the inspection of the stormwater management facility conducted in accordance with Part I E 5 b (2), it is determined that maintenance is required, the permittee shall conduct the maintenance in accordance with the written procedures developed under Part I E 5 b (1).*

*c. For traditional permittees described in Part I E 5 a (1), (2), or (3), the permittee shall:*

*(1) Implement an inspection and enforcement program for stormwater management facilities not owned by the permittee (i.e., privately owned) that includes:*

*(a) An inspection frequency of no less often than once per five years for all privately owned stormwater management facilities that discharge into the MS4; and*

*(b) Adequate long-term operation and maintenance by the owner of the stormwater management facility by requiring the owner to develop and record a maintenance agreement, including an inspection schedule to the extent allowable under state or local law or other legal mechanism;*

*(2) Utilize its legal authority for enforcement of the maintenance responsibilities in accordance with 9VAC25-870-112 if maintenance is neglected by the owner;*

*(3) The permittee may develop and implement a progressive compliance and enforcement strategy provided that the strategy is included in the MS4 program plan.*

*(4) The permittee may utilize the inspection reports provided by the owner of a stormwater management facility as part of an inspection and enforcement program in accordance with 9VAC25-870-114 C.*

*d. The MS4 program plan shall include:*

*(1) If the permittee implements a VSMP in accordance with Part I E 5 a (1), (2), or (3):*

*(a) A copy of the VSMP approval letter issued by the department;*

*(b) Written inspection procedures and all associated documents utilized in the inspection of privately owned stormwater management facilities; and*

*(c) Written procedures for compliance and enforcement of inspection and maintenance requirements for privately owned stormwater management facilities.*

*(2) If the permittee implements a post-development stormwater runoff control program in accordance with Part I E 5 a (4):*

*(a) The most recently approved standards and specifications or if incorporated by reference, the location where the standards and specifications can be viewed; and*

*(b) A copy of the most recent standards and specifications approval letter from the department.*

- (3) A description of the legal authorities utilized to ensure compliance with Part I E 5 a for post-construction stormwater runoff control such as ordinances (provide citation as appropriate), permits, orders, specific contract language, and interjurisdictional agreements;*
- (4) Written inspection and maintenance procedures and other associated template documents utilized during inspection and maintenance of stormwater management facilities owned or operated by the permittee; and*
- (5) The roles and responsibilities of each of the permittee's departments, divisions, or subdivisions in implementing the post-construction stormwater runoff control program.*
- e. The annual report shall include the following information:*
  - (1) If the traditional permittee implements a Virginia Stormwater Management Program in accordance with Part I E 5 a (1), (2), or (3):*
    - (a) The number of privately owned stormwater management facility inspections conducted; and*
    - (b) The number of enforcement actions initiated by the permittee to ensure long-term maintenance of privately owned stormwater management facilities including the type of enforcement action;*
  - (2) Total number of inspections conducted on stormwater management facilities owned or operated by the permittee;*
  - (3) A description of the significant maintenance, repair, or retrofit activities performed on the stormwater management facilities owned or operated by the permittee to ensure it continues to perform as designed. This does not include routine activities such as grass mowing or trash collection;*
  - (4) For traditional permittees as specified in Part I E 5 a (1), a confirmation statement that the permittee submitted stormwater management facility information through the Virginia Construction Stormwater General Permit database for those land disturbing activities for which the permittee was required to obtain coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities in accordance with Part III B 1 or a statement that the permittee did not complete any projects requiring coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities (9VAC25-880);*
  - (5) A confirmation statement that the permittee electronically reported stormwater management facilities using the DEQ BMP Warehouse in accordance with Part III B 1 and 2; and*
  - (6) A confirmation statement that the permittee electronically reported stormwater management facilities inspected using the DEQ BMP Warehouse in accordance with Part III B 5.*

**MCM Goal:**

The goal of the City's Post Construction Stormwater Management program is to minimize the impacts of development and redevelopment and its associated land cover alteration and impervious surfaces on local waterways and water quality. The City promotes, requires, and employs practices that capture, treat, store, and infiltrate stormwater close to its source and prior to it reaching local waterways in order to mitigate these impacts.

**Program Summary:**

As of July 1, 2014 the City serves as a local Virginia Stormwater Management Program (VSMP). The Public Works (DPW)-Engineering Division, in conjunction with the Department of Neighborhood Development Services (NDS) is responsible for administering the post construction stormwater management site plan review process. DPW-Engineering staff is responsible for evaluating compliance with State and local stormwater regulations. The goal of the site plan review process is to ensure that stormwater management requirements are met for new development and redevelopment projects within the City.

The City's Water Protection Ordinance, Article III Stormwater Management, addresses the control of post construction runoff in order to protect downstream land and receiving waterways. Article III requires development sites that disturb greater than or equal to 6,000 square feet of land to prepare a Stormwater Management Plan, and sites that disturb greater than or equal to one acre to apply for coverage under DEQ's General Permit for Discharges of Stormwater from Construction Activities and develop a site-specific stormwater pollution prevention plan. The ordinance, which was most recently revised in May 2014, details the plan requirements, including for the control of water quality and quantity, review and approval procedures and conditions, maintenance and inspection requirements, and penalties and injunctions. Additionally, the City Standards and Design Manual contains City-specific minimum standards and design criteria for stormwater management in development and redevelopment projects.

Non-structural BMPs are also an important tool in the City's stormwater management program. Article IV of the Water Protection Ordinance, Stream Buffers, established protection of 100 foot riparian stream buffers on the City's three major waterways. The goal of the article is to provide buffers for the purposes of retarding runoff, preventing erosion, and filtering non-point source pollution from runoff. Non-structural measures may be allowed to satisfy, partially or in whole, applicable stormwater management requirements if such measures are identified in accepted technical literature, are acceptable to the City based on its exercise of sound professional judgment, and the City finds that the measures achieve equivalent benefit for water quantity and/or quality protection as would otherwise be provided by structural measures.

All permanent stormwater management facilities (SMF) that discharge into the MS4 are tracked by DPW-Engineering staff. SMFs and BMPs are reported on an annual basis to DEQ via the DEQ Construction Stormwater Database and the DEQ BMP Warehouse.

The City operates a SMF inspection and maintenance program. The program is a collaboration between the Departments of Utilities, Parks and Recreation, and Public Works. New SMFs are added to the inspection program following the final construction inspection. City-owned SMFs are inspected annually and non-City owned SMFs are inspected at least once every five years by Utilities staff or a third-party contractor. Owners of new privately-owned SMFs are required to enter into a Maintenance Agreement with the City. Maintenance of City owned and operated SMFs is completed by the Departments of Utilities, Parks and Recreation, and third-party contractors.

The following legal authorities are utilized by the City to ensure compliance with the MS4 General Permit requirement:

- City of Charlottesville Water Protection Ordinance (Article III – Stormwater Management)
- City of Charlottesville Standards and Design Manual
- City of Charlottesville-approved Final Site Plan

- City of Charlottesville Land Disturbing Permit
- City of Charlottesville Stormwater Management Bond
- City of Charlottesville Stormwater Management Facility Maintenance Agreement
- Virginia Stormwater Management Law and Regulations
- Virginia Stormwater Management Handbook
- Virginia Stormwater BMP Clearinghouse
- Virginia General Permit for Discharges of Stormwater from Construction Activities

<b>MCM#5: Post-Construction Stormwater Management in New Development and Redevelopment - BMP Descriptions</b>
<b>BMP 5.1 Stormwater Management Materials</b>
<p><b>General Description:</b>                      The City of Charlottesville maintains and makes available various stormwater management materials that provide City requirements regarding stormwater management for post-construction runoff control, and the Stream Buffer Mitigation Manual that identifies measures to replace, protect, or preserve the functions of a healthy stream buffer.</p>
<p><b>Measurable or Tracking Parameter:</b>                      The City stormwater guidance materials will remain available on the City website. Any significant changes or updates to the materials, or any new materials developed, will be documented in the MS4 Annual Report.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> City Water Protection Ordinance, City Standards and Design Manual, Stream Buffer Mitigation Manual</p>
<p><b>Responsible Department(s):</b> Department of Neighborhood Development Services, Department of Public Works, Department of Utilities</p>
<p><b>Schedule of Implementation:</b> Ongoing - Years 1 through 5</p>
<b>BMP 5.2 Development Plan Review</b>
<p><b>General Description:</b>                      The City of Charlottesville requires that site plans be reviewed for consistency with City and State stormwater management requirements. The Department of Neighborhood Development Services administers the development plan review process while the Department of Public Works-Engineering administers the local Virginia Stormwater Management Program and is responsible evaluating compliance with state and local stormwater management regulations.</p>
<p><b>Measurable or Tracking Parameter:</b>                      Number of development plans with stormwater management component reviewed</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b>                      Virginia Stormwater Management Regulations, Virginia Stormwater Management Handbook, City Water Protection Ordinance, City Standards and Design Manual, City Engineering Checklist</p>

<p><b>Responsible Department(s):</b> Department of Neighborhood Development Services, Department of Public Works</p>
<p><b>Schedule of Implementation:</b> Ongoing - Years 1 through 5</p>
<p><b>BMP 5.3 Structural Stormwater Management Facility and Best Management Practice Reporting</b></p>
<p><b>General Description:</b> Stormwater management facilities (SMF) that are installed as part of a project with General VPDES Permit for Discharges of Stormwater from Construction Activities coverage are reported through the DEQ Construction Stormwater Database by the Department of Public Works-Engineering. SMFs that are installed as part of a project that does not have coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities and BMPs installed or implemented by the City to meet TMDL Special Conditions requirements are reported through the DEQ BMP Warehouse by the Department of Utilities.</p>
<p><b>Measurable or Tracking Parameter:</b> Certification statements in Annual Reports that SMFs and BMPs were reported</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Annual Reports</p>
<p><b>Responsible Department(s):</b> Department of Utilities, Department of Public Works</p>
<p><b>Schedule of Implementation:</b> Ongoing - Years 1 through 5</p>
<p><b>BMP 5.4 Structural Stormwater Management Facility Inspection and Maintenance Program</b></p>
<p><b>General Description:</b> The City of Charlottesville has a program to ensure regular inspection and maintenance of structural SMFs within the City. New SMFs are added to the inspection program following the final construction inspection. City-owned SMFs are inspected annually and non-City owned SMFs are inspected at least once every five years.</p>
<p><b>Measurable or Tracking Parameter:</b> The number of inspections performed on public and private SMFs, and the number and type any associated enforcement actions will be reported. A description any significant maintenance, repair, or retrofit activities performed on City-owned or operated SMFs to ensure they continue to perform as designed will also be reported.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> SMF and BMP Database</p>
<p><b>Responsible Department(s):</b> Department of Utilities, Department of Parks and Recreation, Department of Public Works</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>

<b>BMP 5.5 Urban Forest Management</b>
<p><b>General Description:</b>                  The City of Charlottesville takes an active role in the preservation, protection, expansion, and monitoring of its urban forest. The Parks and Recreation Department is responsible for planting, maintenance, and removal of trees on public properties including parks, schools, street rights-of-way, and at public buildings. This includes a variety of programs, policies, studies, and efforts related to urban forest management, of which a key goal is water quality improvement and protection.</p>
<p><b>Measurable or Tracking Parameter:</b>                  Urban forest management efforts will be tracked, including number of trees planted annually by the City.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Urban Forest Management Plan, Urban Forest Assessment, Urban Tree Canopy Map, Invasive Plant Species Assessment</p>
<p><b>Responsible Department(s):</b> Department of Parks and Recreation</p>
<p><b>Schedule of Implementation:</b>                  Implement Urban Forest Management Efforts - Years 1 through 5                  Hold Arbor Day event – Years 1 through 5</p>
<b>BMP 5.6 Investigate Green Stormwater Infrastructure Retrofit Opportunities</b>
<p><b>General Description:</b>                  Much of Charlottesville was developed before stormwater management regulations were in place; consequently, these areas largely lack stormwater management facilities. Retrofits can provide treatment of stormwater quality and quantity from these currently untreated areas. Charlottesville has conducted a study of potential green stormwater infrastructure retrofit opportunities on public lands within the City. The City will explore avenues for funding and implementing, installing, or constructing retrofits identified in the study or that are otherwise identified.</p>
<p><b>Measurable or Tracking Parameter:</b>                  Any implementation of retrofits will be described in the MS4 Annual Report.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Charlottesville Stormwater Stewardship on Public Lands Study, Water Resources Protection Program Master Plan</p>
<p><b>Responsible Department(s):</b> Department of Utilities, Department of Parks and Recreation, Office of Sustainability</p>
<p><b>Schedule of Implementation:</b>                  Explore opportunities for implementation, installation, and construction of retrofits - Years 1 through 5</p>

**MCM #6: Pollution Prevention and Good Housekeeping for Facilities Owned or Operated by the Permittee within the MS4 Service Area**

**General Permit Requirement (9 VAC 25-890-40 Part I E.6):**

6. *Pollution prevention and good housekeeping for facilities owned or operated by the permittee within the MS4 service area.*

*a. The permittee shall maintain and implement written good housekeeping procedures for those activities listed in Part I E 6 b at facilities owned or operated by the permittee designed to meet the following objectives:*

*(1) Prevent illicit discharges;*

*(2) Ensure permittee staff or contractors properly dispose of waste materials, including landscape wastes and prevent waste materials from entering the MS4;*

*(3) Prevent the discharge of wastewater or wash water not authorized in accordance with 9VAC25-890-20 D 3 u, into the MS4 without authorization under a separate VPDES permit; and*

*(4) Minimize the pollutants in stormwater runoff.*

*b. The permittee shall develop and implement written good housekeeping procedures that meet the objectives established in Part I E 6 a for the following activities:*

*(1) Road, street, sidewalk, and parking lot maintenance and cleaning:*

*(a) Within 24 months of permit issuance, permittees that apply anti-icing and deicing agents shall update and implement procedures in accordance with Part I E to include implementation of best management practices for anti-icing and deicing agent application, transport, and storage;*

*(b) Procedures developed in accordance with Part I E shall prohibit the application of any anti-icing or deicing agent containing urea or other forms of nitrogen or phosphorus;*

*(2) Renovation and significant exterior maintenance activities (e.g., painting, roof resealing, and HVAC coil cleaning) not covered under a separate VSMP construction general permit. The permittee shall develop and implement procedures no later than 36 months after permit issuance;*

*(3) Discharging water pumped from construction and maintenance activities not covered by another permit covering such activities;*

*(4) Temporary storage of landscaping materials;*

*(5) Maintenance of permittee owned or operated vehicles and equipment (i.e., prevent pollutant discharges from leaking permittee vehicles and equipment);*

*(6) Application of materials, including pesticides and herbicides shall not exceed manufacturer's recommendations; and*

*(7) Application of fertilizer shall not exceed maximum application rates established by applicable nutrient management plans. For areas not covered under nutrient management plans where fertilizer is applied, application rates shall not exceed manufacturer's recommendations.*

*c. The permittee shall require through the use of contract language, training, written procedures, or other measures within the permittee's legal authority that contractors employed by the permittee and engaging in activities described in Part I E 6 b follow established good housekeeping procedures and use appropriate control measures to minimize the discharge of pollutants to the MS4.*

*d. The written procedures established in accordance with Part I E 6 a and b shall be utilized as part of the employee training program , and the permittee shall develop a written training plan for applicable field personnel that ensures the following:*

- (1) Applicable field personnel shall receive training in the prevention, recognition, and elimination of illicit discharges no less often than once per 24 months;*
- (2) Employees performing road, street, sidewalk, and parking lot maintenance shall receive training in good housekeeping procedures required under Part I E 6 b (1) no less often than once per 24 months;*
- (3) Employees working in and around facility maintenance, public works, or recreational facilities shall receive training in applicable Part I E 6 a and b good housekeeping procedures required no less often than once per 24 months;*
- (4) Employees working in and around high-priority facilities with a stormwater pollution prevention plan (SWPPP) shall receive training in applicable site specific SWPPP procedures no less often than once per 24 months;*
- (5) Employees whose duties include emergency spill control and response shall be trained in spill control and response. Emergency responders, such as firefighters and law enforcement officers, trained on the handling of spill control and response as part of a larger emergency response training shall satisfy this training requirement and be documented in the training plan; and*
- (6) Employees and contractors hired by the permittee who apply pesticides and herbicides shall be trained and certified in accordance with the Virginia Pesticide Control Act (§ 3.2-3900 et seq. of the Code of Virginia). Certification by the Virginia Department of Agriculture and Consumer Services (VDACS) Pesticide and Herbicide Applicator program shall constitute compliance with this requirement. Contracts for the application of pesticide and herbicides executed after the effective date of this permit shall require contractor certification.*

*e. The permittee shall maintain documentation of each training activity conducted by the permittee to fulfill the requirements of Part I E 6 d for a minimum of three years after training activity completion. The documentation shall include the following information:*

- (1) The date when applicable employees have completed the training activity;*
- (2) The number of employees who have completed the training activity; and*
- (3) The training objectives and good housekeeping procedures required under Part I E 6 a covered by training activity.*

*f. The permittee may fulfill the training requirements in Part I E 6 d, in total or in part, through regional training programs involving two or more MS4 permittees; however, the permittee shall remain responsible for ensuring compliance with the training requirements.*

*g. Within 12 months of permit coverage, the permittee shall identify any new high-priority facilities located in expanded 2020 census urban areas with a population of at least 50,000.*

*h. Within 36 months of permit coverage, the permittee shall implement SWPPPs for high priority facilities meeting the conditions of Part I E 6 i and which are located in expanded 2020 census urban areas with a population of at least 50,000.*

*i. The permittee shall maintain and implement a site specific SWPPP for each high-priority facility as defined in 9VAC25-890-1 that does not have or require separate VPDES permit coverage, and which any of the following materials or activities occur and are expected to have exposure to stormwater resulting from rain, snow, snowmelt, or runoff:*

- (1) Areas where residuals from using, storing or cleaning machinery or equipment remain and are exposed to stormwater;*
  - (2) Materials or residuals on the ground or in stormwater inlets from spills or leaks;*
  - (3) Material handling equipment;*
  - (4) Materials or products that would be expected to be mobilized in stormwater runoff during loading or unloading or transporting activities (e.g., rock, salt, fill dirt);*
  - (5) Materials or products stored outdoors (except final products intended for outside use where exposure to stormwater does not result in the discharge of pollutants);*
  - (6) Materials or products that would be expected to be mobilized in stormwater runoff contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers;*
  - (7) Waste material except waste in covered, non-leaking containers (e.g., dumpsters);*
  - (8) Application or disposal of process wastewater (unless otherwise permitted); or*
  - (9) Particulate matter or visible deposits of residuals from roof stacks, vents or both not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater runoff.*
- j. Each SWPPP as required in Part I E 6 c shall include the following:*
- (1) A site description that includes a site map identifying all outfalls, direction of stormwater flows, existing source controls, and receiving water bodies;*
  - (2) A description and checklist of the potential pollutants and pollutant sources;*
  - (3) A description of all potential non-stormwater discharges;*
  - (4) A description of all structural control measures, such as stormwater management facilities and other pollutant source controls, applicable to SWPPP implementation (e.g., permeable pavement or oil-water separators that discharge to sanitary sewer are not applicable to the SWPPP), such as oil-water separators, and inlet protection designed to address potential pollutants and pollutant sources at risk of being discharged to the MS4;*
  - (5) A maintenance schedule for all stormwater management facilities and other pollutant source controls applicable to SWPPP implementation described in Part I E 6 h (4);*
  - (6) Site specific written procedures designed to reduce and prevent pollutant discharge that incorporate by reference applicable good housekeeping procedures required under Part I E 6 a and b;*
  - (7) A description of the applicable training as required in Part I E 6 d (4);*
  - (8) An inspection frequency of no less often than once per year and maintenance requirements for site specific source controls. The date of each inspection and associated findings and follow-up shall be logged in each SWPPP;*
  - (9) A log of each unauthorized discharge, release, or spill incident reported in accordance with Part IV G including the following information:*
    - (a) Date of incident;*
    - (b) Material discharged, released, or spilled; and*
    - (c) Estimated quantity discharged, released or spilled.*

*(10) A log of modifications to the SWPPP made as the result of any unauthorized discharge, release, or spill in accordance Part I E 6 j or changes in facility activities and operation requiring SWPPP modification; and*

*(11) The point of contact for SWPPP implementation.*

*k. No later than June 30 of each year, the permittee shall annually review any high-priority facility owned or operated by the permittee for which a SWPPP has not been developed to determine if the facility meets any of the conditions described in Part I E 6 g . If the facility is determined to need an SWPPP, the permittee shall develop an SWPPP meeting the requirements of Part I E 6 h no later than December 31 of that same year. The permittee shall maintain a list of all high-priority facilities owned or operated by the permittee not required to maintain an SWPPP in accordance with Part I E 6 g and this list shall be available upon request.*

*l. The permittee shall review the contents of any site specific SWPPP no later than 30 days after any unauthorized discharge, release, or spill reported in accordance with Part IV G to determine if additional measures are necessary to prevent future unauthorized discharges, releases, or spills. If necessary, the SWPPP shall be updated no later than 90 days after the unauthorized discharge.*

*m. The SWPPP shall be kept at the high-priority facility and utilized as part of employee SWPPP training required in Part I E 6 d (4). The SWPPP and associated documents may be maintained as a hard copy or electronically as long as the documents are available to employees at the applicable site.*

*n. If activities change at a facility such that the facility no longer meets the definition of a high priority facility, the permittee may remove the facility from the list of high-priority facilities with a high potential to discharge pollutants.*

*o. If activities change at a facility such that the facility no longer meets the criteria requiring SWPPP coverage as described in Part I E 6 g, the permittee may remove the facility from the list of high-priority facilities that require SWPPP coverage.*

*p. The permittee shall maintain and implement turf and landscape nutrient management plans that have been developed by a certified turf and landscape nutrient management planner in accordance with § 10.1-104.2 of the Code of Virginia on all lands owned or operated by the permittee where nutrients are applied to a contiguous area greater than one acre. If nutrients are being applied to achieve final stabilization of a land disturbance project, application shall follow the manufacturer's recommendations.*

*q. Within 12 months of permit coverage, the permittee shall identify contiguous areas greater than one acre located in expanded 2020 census urban areas with population of at least 50,000 and within the permittee's MS4 service area requiring turf and landscape nutrient management plans.*

*r. Within 36 months of permit coverage, the permittee shall implement turf and landscape nutrient management plans on contiguous areas greater than one acre located in expanded 2020 census urban areas with a population of least 50,000 and within the permittee's MS4 service area.*

*s. If nutrients are being applied to achieve final stabilization of a land disturbance project, application shall follow the manufacturer's recommendations. For newly established turf where nutrients are applied to a contiguous area greater than one acre, the permittee shall*

*implement a nutrient management plan no later than six months after the site achieves final stabilization.*

*t. Nutrient management plans developed in accordance with Part I E 6 n shall be submitted to the Department of Conservation and Recreation (DCR) for approval.*

*u. Nutrient management plans that are expired as of the effective date of this permit shall be submitted to DCR for renewal within six months after the effective date of this permit.*

*Thereafter, all nutrient management plans shall be submitted to DCR at least 30 days prior to nutrient management plan expiration. Within 36 months of permit coverage, no nutrient management plans maintained by the permittee in accordance with Part I E 6 n shall be expired due to DCR documented noncompliance with 4VAC50-85-130 provided to the permittee.*

*v. Nutrient management plans may be maintained as a hard copy or electronically as long as the documents are available to employees at the applicable site.*

*w. Nontraditional permittees with lands regulated under § 10.1-104.4 of the Code of Virginia, including state agencies, state colleges and universities, and other state government entities, shall continue to implement turf and landscape nutrient management plans in accordance with this statutory requirement.*

*x. The MS4 program plan shall include:*

*(1) A list of written good housekeeping procedures for the operations and maintenance activities as required by Part I E 6 a and b;*

*(2) A list of all high-priority facilities owned or operated by the permittee required to maintain an SWPPP in accordance with Part I E 6 g that includes the facility name, facility location, and the location of the SWPPP hardcopy or electronic document being maintained. The SWPPP for each high-priority facility shall be incorporated by reference;*

*(3) A list of locations for which turf and landscape nutrient management plans are required in accordance with Part I E 6 n and s, including the following information:*

*(a) The total acreage covered by each nutrient management plan;*

*(b) The DCR approval date and expiration date for each nutrient management plan;*

*(c) The location of the nutrient management plan hardcopy or electronic document being maintained;*

*(4) A summary of mechanisms the permittee uses to ensure contractors working on behalf of the permittees implement the necessary good housekeeping and pollution prevention procedures, and stormwater pollution plans as appropriate; and*

*(5) The written training plan as required in Part I E 6 d.*

*y. The annual report shall include the following:*

*(1) A summary of any written procedures developed or modified in accordance with Part I E 6 a and b during the reporting period;*

*(2) A confirmation statement that all high-priority facilities were reviewed to determine if SWPPP coverage is needed during the reporting period;*

*(3) A list of any new SWPPPs developed in accordance Part I E 6 i during the reporting period;*

*(4) A summary of any SWPPPs modified in accordance with Part I E 6 j, 6 l, or 6 m;*

*(5) The rationale of any high-priority facilities delisted in accordance with Part I E 6 l or m during the reporting period;*

*(6) The status of each nutrient management plan as of June 30 of the reporting year (e.g., approved, submitted and pending approval, and expired);*

*(7) A list of the training activities conducted in accordance with Part I E 6 d, including the following information:*

- (a) The completion date for the training activity;*
- (b) The number of employees who completed the training activity; and*
- (c) The objectives and good housekeeping procedures covered by the training activity.*

**MCM Goal:**

The goal of the City’s pollution prevention and good housekeeping program for City facilities is to minimize stormwater pollution and its negative impacts on local waterways and water quality from municipal operations by developing and implementing standard operating procedures, engaging in proactive environmental management and stewardship practices, conducting sound maintenance activities, and providing training for municipal staff.

**Program Summary:**

The City’s stormwater pollution prevention and good housekeeping efforts include staff training; the implementation of BMPs for municipal operations, including written standard operating procedures for minimizing pollutant discharge from municipal operations and maintenance activities; MS4 operations and maintenance activities; and development and implementation of nutrient management and stormwater pollution prevention plans for applicable municipal facilities.

Staff training is coordinated by the Departments of Public Works, Parks and Recreation, Utilities, and Neighborhood Development Services. Training events are typically classroom sessions, but can also be field based, and include information on general stormwater awareness and education; recognition and reporting of illicit discharges; good housekeeping and pollution prevention practices for road, street, sidewalk, and parking lot maintenance, and activities in and around maintenance, public works, and recreational facilities; spill response; and various state certifications. See Appendix E for the City’s Training Schedule and Program.

The City’s MS4 operations and maintenance program, which is run by the Department of Public Works, Public Service Division, and the Utilities Department includes routine parking lot and street sweeping as well as storm drain and pipe cleaning. In order to reduce the adverse effect of public streets and roads on receiving waters, the goal of the City is to sweep at least 2,000 curb-miles annually. Additionally, routine storm drain intake system cleaning and flushing of structures and pipes is conducted to clear debris from the stormwater system and prevent it from entering and polluting local waterways. The City’s goal is to clean and flush 10% of City-owned structures and pipes annually.

The City is required by the MS4 General Permit to develop and implement nutrient management and stormwater pollution prevention plans (SWPPP) for certain City owned properties and facilities. The identification of these properties and facilities and the subsequent plan development and implementation was completed during previous MS4 General Permit terms. Implementation and maintenance of the plans will continue throughout the course of the current MS4 General Permit term.

<b>MCM#6: Pollution Prevention and Good Housekeeping for Facilities Owned or Operated by the Permittee within the MS4 Service Area</b>
<b>BMP Descriptions</b>
<b>BMP 6.1 Street Sweeping Program</b>
<p><b>General Description:</b> The City of Charlottesville implements a regular street sweeping program. The goal of the City is to sweep at least 2,000 curb-miles annually.</p>
<p><b>Measurable or Tracking Parameter:</b> Document the number of curb miles of streets swept annually.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Street sweeping schedule</p>
<p><b>Responsible Department(s):</b> Department of Public Works</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>
<b>BMP 6.2 Stormwater Infrastructure Flushing and Cleaning</b>
<p><b>General Description:</b> The City of Charlottesville implements a stormwater infrastructure flushing and cleaning program. The Department of Utilities stormwater crew and the City’s contractor will continue routine storm drain intake system cleaning and flushing of structures and pipes. Work is performed on a neighborhood-by-neighborhood basis and in response to complaints. The stormwater crew will also continue to clear catch basins before and during significant storm events. The goal of the City is to clean 10% of structures and flush 10% of pipes (City owned) annually.</p>
<p><b>Measurable or Tracking Parameter:</b> Document the percent of structures and pipes cleaned and flushed on an annual basis.</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Infrastructure flushing and cleaning schedule</p>
<p><b>Responsible Department(s):</b> Department of Utilities</p>
<p><b>Schedule of Implementation:</b> Ongoing – Years 1 through 5</p>
<b>BMP 6.3 Training for Appropriate Personnel</b>
<p><b>General Description:</b> The City of Charlottesville provides training to applicable City employees. The Departments of Public Works, Utilities, Parks and Recreation, and Neighborhood Development Services organize and/or participate in training regarding pollution prevention and other stormwater-related issues, recognition and reporting of illicit discharges; good housekeeping and pollution prevention practices for road, street, and parking lot maintenance, and activities in and around maintenance, public works, and recreational facilities; and/or basic spill response. The Charlottesville Fire Department coordinates and pursues training and certifications related to emergency response and hazardous materials. Department of Public Works-Engineering staff maintain state certifications related to the Erosion and Sediment Control and Stormwater</p>

Management Programs. Department of Parks and Recreation staff maintain state Pesticide and Herbicide Applicator certifications.
<b>Measurable or Tracking Parameter:</b> Description of training offered and the number of attendees.
<b>Existing Documents Necessary for BMP Implementation:</b> Various training materials
<b>Responsible Department(s):</b> Department of Public Works, Department of Utilities, Department of Parks and Recreation, Department of Neighborhood Development Services, Fire Department
<b>Schedule of Implementation:</b> Conduct training – Years 1 through 5
<b>BMP 6.4 Written Procedures for Operations and Maintenance Activities</b>
<b>General Description:</b> The City has developed, and will maintain and implement written procedures designed to prevent illicit discharges, ensure City staff and contractors properly dispose of waste materials, prevent the discharge of wastewater or wash water, and minimize the pollutants in stormwater runoff.
<b>Measurable or Tracking Parameter:</b> The City will submit a summary of any written procedures that are developed or modified with the appropriate annual report.
<b>Existing Documents Necessary for BMP Implementation:</b> Written procedures for operations and maintenance
<b>Responsible Department(s):</b> Department of Public Works, Department of Parks and Recreation, Department of Utilities
<b>Schedule of Implementation:</b> Develop and implement written procedures for anti-icing and deicing agent application, transport, and storage – Year 2 Develop and implement written procedures for renovation and significant exterior maintenance activities – Year 3 Maintain and implement written procedures – Years 1 through 5
<b>BMP 6.5 Stormwater Pollution Prevention Plans for Municipal Facilities</b>
<b>General Description:</b> The City will continue to implement stormwater pollution prevention plans for municipal high priority facilities that have a high potential for discharging pollutants.
<b>Measurable or Tracking Parameter:</b> Completed annual comprehensive site compliance evaluations
<b>Existing Documents Necessary for BMP Implementation:</b> Stormwater pollution prevention plans

<p><b>Responsible Department(s):</b> Department of Public Works, Department of Parks and Recreation, Department of Utilities, Charlottesville Fire Department</p>
<p><b>Schedule of Implementation:</b> Implement stormwater pollution prevention plans – Years 1 through 5</p>
<p><b>BMP 6.6 Turf and Landscape Nutrient Management Plans</b></p>
<p><b>General Description:</b> The City will maintain and implement turf and landscape nutrient management plans developed by a certified turf and landscape nutrient management planner on all lands owned or operated by the City where nutrients are applied to a contiguous area greater than one acre.</p>
<p><b>Measurable or Tracking Parameter:</b> Maintained turf and landscape nutrient management plans</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> Turf and landscape nutrient management plans</p>
<p><b>Responsible Department(s):</b> Department of Parks and Recreation</p>
<p><b>Schedule of Implementation:</b> Maintain and implement turf and landscape nutrient management plans – Years 1 through 5</p>
<p><b>BMP 6.7 Green Public Lands Management Strategies</b></p>
<p><b>General Description:</b> The City will identify and employ various green public lands management strategies that protect and improve water quality.</p>
<p><b>Measurable or Tracking Parameter:</b> Implementation of strategies will be documented in the annual report</p>
<p><b>Existing Documents Necessary for BMP Implementation:</b> N/A</p>
<p><b>Responsible Department(s):</b> Department of Parks and Recreation</p>
<p><b>Schedule of Implementation:</b> Identify and implement green public lands management strategies – Years 1 through 5</p>

**TMDL Special Conditions (9 VAC 25-890-40 Part II)**

The City is subject to the MS4 General Permit’s Part II, TMDL Special Conditions, Part A, Chesapeake Bay TMDL Special Condition, and Part B, Local TMDL Special Condition. Both parts require development and implementation of TMDL Action Plans to address impaired waters.

The Chesapeake Bay TMDL Special Condition requires the reduction of pollutants of concern (POC), total nitrogen and total phosphorus, over three five-year MS4 General Permit cycles. The City submitted a Draft Third Phase Chesapeake Bay TMDL Action Plan to DEQ on October 1, 2023. DEQ reviewed this Draft Action Plan and the FY2023 MS4 Annual Report and

determined that the City has *prima facie* satisfied the required pollutant of concern reductions to date (40% of the Level 2 Scoping Run). The City is required to submit a Final Third Phase Chesapeake Bay TMDL Action Plan that details how the remaining POC reductions (60% of the Level 2 Scoping Run) will be achieved by June 30, 2028 to DEQ by November 1, 2024. Additionally, Chesapeake Bay TMDL Implementation Annual Status Reports are required to be submitted no later than October 1 of each year and shall cover the previous year from July 1 to June 30.

The Local TMDL Special Condition requires the City to update existing Local TMDL Action Plans no later than 18 months from the effective date of the MS4 General Permit (by May 1, 2025) and develop and initiate implementation of new Local TMDL Action Plans no later than 30 months from the effective date (by May 1, 2026). Local TMDL Action Plans may be implemented in multiple phases over more than one permit cycle using the adaptive iterative approach provided adequate progress is achieved in the implementation of BMPs designed to reduce pollutant discharges in a manner that is consistent with the assumptions and requirements of the applicable TMDL. The MS4 Annual Reports shall include a summary of actions conducted to implement each Local TMDL Action Plan.

## **C. Annual Report**

The City will submit an annual report for the reporting period of July 1 through June 30 to the Department of Environmental Quality by the following October 1 each permit year. The information provided to DEQ in the annual report will be in accordance with the provisions of 9VAC25-890-40 Part I.D.

**Public Education and Outreach Plan  
and  
Public Involvement and Participation Program  
Small MS4 MCM1 and MCM2**

**November 28, 2023**



**Prepared By:**

**Rivanna Stormwater Education Partnership**

**Albemarle County  
Albemarle County Public Schools  
Albemarle County Service Authority  
City of Charlottesville  
Rivanna Conservation Alliance  
Rivanna Water and Sewer Authority  
Thomas Jefferson Planning District Commission  
Thomas Jefferson Soil and Water Conservation District  
University of Virginia**

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## **1.0 Rivanna Stormwater Education Partnership (RSEP)**

Founded in March 2003, the Rivanna Stormwater Education Partnership (RSEP) meets a minimum of six times a year to plan and implement stormwater education initiatives and share information about each partner's stormwater programs. Education initiatives are undertaken by RSEP to help make citizens aware of stormwater issues, while also equipping them with practical knowledge and actions to help improve local water quality. RSEP utilizes a multi-faceted approach to educate and provide outreach across targeted urban areas (Figure 1). Past campaign materials, including print ads, movie theater ads, posters on public transit buses, magnets, radio spots, and utility bill inserts are written in simple, easy to understand language and often utilize simple pictures or drawings to help the message come across to all generations and all education levels. RSEP also provides some campaigns in Spanish. Education and outreach materials are available at [www.rivanna-stormwater.org](http://www.rivanna-stormwater.org). Each partner pays an annual membership fee to help fund RSEP projects. In addition, the RSEP has successfully applied for and partnered on grants to supplement education efforts.

### **1.1 Members**

RSEP was initially created as a collaborative effort among local public entities in the City of Charlottesville and the surrounding County of Albemarle that hold small Municipal Separate Storm Sewer (MS4) permits under the National Pollutant Discharge Elimination System program. RSEP has since expanded to also include non-MS4 members in the region who have interests related to education, outreach, and public participation in stormwater management. While the core premise of RSEP still remains focused on helping MS4 members achieve permit compliance with Minimum Control Measures (MCM) 1 and 2, the inclusion of non-MS4 members allows RSEP to look beyond compliance and reach a broader audience.

The MS4 permit holders that comprise RSEP are Albemarle County, the City of Charlottesville, and the University of Virginia. Other members of RSEP are Albemarle County Public Schools, the Albemarle County Service Authority, the Rivanna Water and Sewer Authority, the Rivanna Conservation Alliance, the Thomas Jefferson Planning District Commission, and the Thomas Jefferson Soil and Water Conservation District. The Thomas Jefferson Soil and Water Conservation District (TJSWCD) provides support to RSEP and serves as its coordinating body.

### **1.2 Collaboration Benefits**

This program plan has been developed with the intent to increase public's knowledge on how to reduce stormwater pollution, increase the public's knowledge of hazards associated with illegal discharges and improper disposal of waste, and has been developed as a diverse program with strategies that are targeted toward individuals or groups likely to have significant stormwater impacts. RSEP has produced effective and far-reaching education programs that have benefited from the variety of expertise and resources each partner offers. Planning and implementing education initiatives through RSEP has resulted in Rivanna River watershed-focused projects and

has avoided the over-exposure and redundancy that might result if each partner were carrying out projects on their own.



Figure 1. Urban areas targeted by RSEP Education and Outreach (US Census-designated urban areas, 2020)

## 2.0 High Priority Water Quality Issues

RSEP members collaborated to determine the high priority water quality issues for the region, which will be the focus of the education and outreach campaigns for the current MS4 permit cycle. During the 2013-2018 permit cycle, RSEP chose local and regional water quality impairments, bacteria, sediment, and nutrients (nitrogen and phosphorus), as their high priority

issues. Campaigns conducted during this time frame were considered successful. However, RSEP found the chosen issues somewhat limited the extent of outreach efforts that the group could undertake. For the 2018-2023 permit cycle, RSEP members chose to address broader categories of water quality issues, namely runoff volume reduction, potential runoff pollutants, and TMDL impairments as the high priority issues. By grouping regional water quality impairments as one high priority issue, RSEP was able to address this highly important topic, while allowing the group to also address other issues that also have the potential to impact water quality in the region. Due to the success of this approach, RSEP has decided to continue with these same high priority water quality issues for the 2023-2028 permit cycle.

## **2.1 Runoff Volume Reductions**

One of the biggest challenges facing urban waterways is the sheer volume of runoff being transported from impervious surfaces to the streams. In developed areas, rainwater falls on impervious surfaces, such as buildings, parking lots, and driveways which prevent water from infiltrating into the ground and recharging local aquifers. This rainwater flows rapidly across impervious surfaces and into storm sewers, which direct the water to local streams. As a result of this rapid transport to local streams, stream flow volumes and velocities are significantly higher than would be observed under natural conditions. These high, rapid flows can cause stream bank erosion and changes in stream ecosystem habitats. In addition, flooding has become an increasing issue due to the severity and intensity of rainstorms in recent years, combined with concerns about other climate change impacts. Best management practices (BMPs) can be installed to mitigate the impacts of development by slowing down the transport of water from impervious surfaces to local streams.

While localities and developers are required to install BMPs for certain construction projects, maintenance of these BMPs is not always taken into account during their installation. In addition, there are many BMPs homeowners can implement or install to reduce the runoff volume and velocity from their properties and contribute to healthier streams. RSEP intends to provide education and outreach to both homeowners as well as new and existing BMP owners during the permit period. The goal of this education program will be to educate recipients on the negative impacts of increased stormwater volume and velocity and also provide ideas for ways they can reduce, mitigate, or treat runoff from their property. Example messaging may include information about rain barrel installations, downspout disconnections, or information about local flood resilience planning.

## **2.2 Potential Runoff Pollutants**

As stormwater flows across roadways, parking lots, and driveways, it picks up pollutants such as sediment, oil, nutrients, bacteria, and trash that are lying on the surface. Sources of these pollutants can be as varied as the pollutants themselves, ranging from pet waste left by a local resident to a diesel fuel spill on a local industrial site to cigarette butts tossed on the ground by

passing smokers. Additionally, emerging contaminants that do not yet fall under TMDLs, such as chlorides and PCBs, could be covered in this category if local conditions warrant such coverage.

There are two primary ways to handle potential runoff pollutants. The first is to prevent the potential pollutant from becoming a water quality issue. Educational messaging for this approach may range from reminding restaurants how to properly handle their used cooking oil to information on excess salt usage during the winter to reminding residents to obtain a soil test before applying fertilizer on their lawns. The second way to handle potential runoff pollutants is to try to capture them after they are out in the environment. While this approach is not ideal, it is a necessary component of a comprehensive outreach program. In addition to reducing runoff as previously discussed, certain BMPs can also help trap or absorb these pollutants in the environment and prevent them from reaching local waterways. In addition, the illicit discharge and elimination (IDDE) programs run by the various MS4 permit holders will help to identify and eliminate possible illicit discharges resulting from human activity in the watershed. IDDE outreach and education efforts provided by RSEP have and will continue to warn against storm drain dumping and encourage use of the RSEP Water Pollution Hot Line to report suspected illegal discharges.

### **2.3 TMDL Impairments – Bacteria, Sediment, Nitrogen, Phosphorus**

The Chesapeake Bay TMDL requires pollution reductions in sources of phosphorus, nitrogen, and sediment loads across the Bay watershed and sets pollution limits need to achieve desired water quality standards. These TMDL impairments have significant impacts in the local area. Sediment source reductions are also required locally by the Rivanna River Benthic TMDL. TMDLs for many local streams also touch on sediment as a pollutant source, with bacteria as an added pollutant of concern in many of these local streams.

TMDL impairments are logical topics for MS4 outreach and education programs, as most of the streams with TMDLs in the local areas are urban streams and MS4s are concentrated in the urban areas. Of the stream miles assessed within the targeted urban areas, almost 30% have an impaired benthic macro-invertebrate community, as a result of too much sediment in our waterways<sup>1</sup>. The *Final Report of the Benthic TMDL Development for the Rivanna River Watershed* submitted to VA DEQ (2008) identifies an existing sediment load from land-based and in-stream erosion from the MS4 point source. Over a quarter (26%) of streams assessed within the targeted urban areas are considered impaired by excessive amounts of bacteria<sup>2</sup>. Bacteria impairments in these streams can be caused by a variety of sources in urban stormwater including pet waste, leaking sewer pipes, wildlife excrement, and agricultural uses. As for nitrogen and phosphorus, the MS4 general permit requires permittees to utilize turf and landscape management plans to minimize nutrient usages, while also prohibiting the usage of deicers containing urea, nitrogen, or phosphorus. Similar messaging is also relevant to local residents and business owners.

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<sup>1</sup> *Final 2012 305(b)/303(d) Water Quality Assessment Integrated Report*, VA DEQ, 2014

<sup>2</sup> *Final 2012 305(b)/303(d) Water Quality Assessment Integrated Report*, VA DEQ, 2014

The goal of outreach and education campaigns focusing on TMDL impairments will include a variety of approaches, strategies, and target audiences. Licensed dog owners in the City and County could be targeted to pick up pet waste to reduce bacteria. Strategies utilized to address reductions in runoff volume could be used to target sediment. While homeowners, gardeners, and landscape maintenance professionals could be targeted to address fertilizer usage.

### **3.0 Public Education and Outreach Opportunities**

The public education and outreach opportunities that RSEP plans to provide during the 2023-2028 permit cycle are included in Table 1. These strategies will be used to communicate the high priority water quality issues to the target audiences. At minimum, two strategies will be used per year to communicate to the target audience regarding the high priority stormwater issues.

### **4.0 Public Involvement and Participation Opportunities**

This Outreach and Education Plan will be posted on the [RSEP website](#), [the City of Charlottesville's website](#), [Albemarle County's website](#), and [UVA's website](#) and will remain available for the duration of the 2023-2028 MS4 Permit Cycle. At any time during the permit cycle, the public can visit any of these websites to report potential illicit discharges, improper disposal or spills to the MS4, complaints regarding land disturbing activities, or other potential stormwater pollution concerns. In addition, the public can also utilize these websites to provide input on any of the RSEP partners MS4 program plans, including this Outreach and Education Plan.

The public involvement and participation opportunities that RSEP plans to provide during the 2023-2028 permit cycle are included in Table 1. No fewer than four activities per year from a minimum of two or more of the activity categories will be conducted to provide an opportunity for public involvement to improve water quality and support local restoration and clean-up projects.

### **5.0 Adjusting Target Audiences and Messaging**

As necessary, RSEP will adjust target audiences and messages to address any observed weaknesses or shortcomings in the public education and outreach program. Educational materials may be developed, modified, or improved to address changing needs. In addition, the messaging or activities described in Table 1 may be altered to appeal to different target audiences or to address different high priority issues than the ones listed. Other methods beyond those currently described in Table 1 are likely to be employed as well.

Table 1. Planned Public Education and Outreach and Public Involvement and Participation Opportunities

Time Frame - Frequency	Strategy or Activity Description	High Priority Water Quality Issue Addressed			Target Audience / Metric to Determine if Activity is Beneficial to Water Quality	MCM 1	MCM 2
		Runoff Volume	Runoff Pollutants	TMDL Pollutants			
Spring - once during permit cycle	Written Materials - <i>Utility Bill Inserts</i>	✓	✓	✓	Homeowners and residents – number of inserts delivered	✓	
Spring - once during permit cycle	Written Materials – <i>Electronic Utility Bill Inserts</i>	✓	✓	✓	Homeowners and residents – number of electronic recipients	✓	
Fall - Once during permit cycle	Written Materials - <i>Charlotteville Area Transit Bus Ad</i>		✓	✓	Homeowners and residents – number of bus riders during ad period	✓	
Winter Once during permit cycle	Media Materials - <i>Charlotteville Public Access Station PSAs</i>	✓	✓	✓	Homeowners and residents – there is no metric to determine viewership or number of times the ad is shown, however it is still a worthwhile effort that may catch viewers not reached via other methods	✓	
Fall or Spring - 2-3x during permit cycle	Media Materials - <i>Cville Weekly Ads</i>		✓	✓	Homeowners and residents – estimated distribution	✓	
Winter and Summer - Annually	Media Materials - <i>Social Media Promotion</i>	✓	✓	✓	Homeowners and residents – estimated number of followers	✓	
Ongoing	Media Materials – <i>GIS StoryMap</i>	✓	✓	✓	Homeowners and residents – no tracking available, but information is linked from RSEP	✓	



## City of Charlottesville - MS4 Program Plan

### Appendix B Illicit Discharge Detection and Elimination Procedures

The City of Charlottesville's illicit discharge detection and elimination (IDDE) program aims to protect water quality by preventing, locating, and removing the source of illicit discharges to our MS4. The IDDE program is coordinated by the City's Department Utilities in coordination with the Department of Neighborhood Development Services and the Charlottesville Fire Department. The following description details the program's implementation status to date as well as the methods and procedures employed.

#### Establish Legal Authority

- Water Protection Ordinance (WPO), Article V, Storm Sewer Discharges
  - Enacted by City Council in September 2004
  - Prohibits illicit discharges and illegal connections to the MS4
  - Authorizes inspections and monitoring
  - Details enforcement, penalties, and remedies

#### GIS Mapping of the Storm Sewer System

- MS4 has been mapped using GPS technology - data verification and updating efforts are ongoing
  - All data is in GIS
    - Location of all structures, pipes, and outfalls
    - All receiving waters to which the City's MS4 discharges
    - MS4 regulated service area
    - Stormwater management facilities owned or operated by the City
- All stormwater outfalls have been identified (MS4 and non-MS4), and drainage areas have been delineated
  - New outfalls and associated drainage areas are added to the map
- An information table has been developed to accompany the map and includes the following information for each MS4 outfall or point of discharge:
  - The unique identifier of each MS4 outfall
  - Latitude and longitude
  - Estimated MS4 acreage served
  - Name of receiving surface water, 6<sup>th</sup> order Hydrologic Unit Code, and indication of whether the water is listed as impaired on the Virginia 2016 305(b)/303(d) report
  - Name of any applicable EPA approved TMDL(s)
- Known physical interconnections and points of discharge have been identified, and downstream MS4 (University of Virginia) has been notified

#### Identification of Priority Areas

- Land Use and Potential Generating Sites - industrial areas and specific operations
- Data on illicit discharges and dump sites gathered from previous reports, investigations, Notices of Violation (NOV), dry weather screening, and stream corridor assessments (SCA)
- Age of existing infrastructure

- Hot Spot identification compiled from MS4 mapping efforts

#### Dry Weather Inspections/Screening

- 2004 and 2005 SCAs – noted if flow was present (and if it was suspicious) at all outfalls
- 2006 through 2013: Screening of major/regulated outfalls
- 2013-ongoing: all MS4 outfalls being screened
  - At least 50 outfalls to be screened annually - selection based on areas identified as priorities (based upon such criteria as age of infrastructure, land use, historical illegal discharges, dumping, or cross-connections), as well as a strategy to address previously unscreened outfalls outside of priority areas.
- The Center for Watershed Protection’s Outfall Reconnaissance Inventory (ORI) is utilized as the basis for the screening process. The ORI collects general information, including:
  - Unique outfall identifier
  - Time since and quantity of last rain
  - Site description
    - land use in drainage area
    - outfall/conveyance description - type, material, shape, dimensions, whether or not it is submerged
  - Estimated discharge rate – flow description
  - Visual observations – odor, color, turbidity, floatables
  - Physical indicators – outfall damage, deposits/stains, abnormal vegetation, pool quality, pipe benthic growth
  - Overall outfall characterization
- Hard copies of the ORIs are kept on file in the ESD office, and are entered into an electronic tracking database.

#### Reporting of Illicit Discharges

Reports of suspected illicit discharges typically come from City staff, colleagues of City staff, and the general public via telephone and email. Two hotlines have been established to facilitate the reporting of suspected illicit discharges:

- The City website provides an online Pollution Prevention Hotline, where an email contact form can be submitted describing the pollution concern. The form can be accessed from any location on the City website.
- The Rivanna Stormwater Education Partnership (RSEP) created a regional water pollution hotline that enables reporting of suspected illicit discharges via telephone or email.

#### Responding to Reported/Observed Illicit Discharges

The Utilities Department and Charlottesville Fire Department (CFD) are responsible for responding to reports of suspected illicit discharges. CFD is trained and equipped to respond to situations where hazardous materials have been released to the MS4 or surface waters. Utilities handles required follow-up and reporting. Reports shall be responded to with an investigation as soon as practicable, as follows:

- If the illicit discharge is active, an investigation shall be conducted as soon as practicable.
- If the illicit discharge is intermittent or historic, an investigation shall be conducted as soon as practicable, but within five business days of receiving the report.
- If the illicit discharge is suspected of being sanitary sewage or significantly contaminated, it shall be prioritized for investigation first.

- If the illicit discharge is suspected of being less hazardous to human health and safety, the investigation may be delayed until after all suspected sanitary sewage or significantly contaminated discharges have been investigated and addressed.

### Isolating and Tracing the Source of Illicit Discharges

If the discharge is identified as dangerous, immediately call the Charlottesville Fire Department for assistance in clean-up.

If the nature and source of the discharge can be immediately identified, the party responsible for causing the illicit discharge should be immediately notified to cease the operations or activities at fault.

If the nature and source of the discharge is not immediately obvious, use strategies to identify the discharge and locate the source of contamination.

#### *Storm Drain Network Investigations*

This initial phase isolates the discharge to a specific section of the drainage network through strategic manhole inspections.

- Manhole Inspections - Moving up the storm sewer line from the outfall or point in the system where an illicit discharge has been identified, manholes closest to the outfall should be investigated first, with staff progressively moving up the storm sewer network and inspecting manholes until it can be determined either where the source is coming in or between which two manholes the source is coming in. Visual observations should be used to look for presence of flow, colors, odors, floatable materials, or deposits or stains.

#### *Drainage Area Investigations*

This method involves conducting surveys and analyses of the drainage area where the discharge has been located. This method works when the discharge has distinct or unique characteristics that can be linked to a particular business or operation.

- Windshield (drive-by) survey of the drainage area to locate possible generating sites
- GIS / permit database analyses to identify industrial and other potential generating sites

#### *On-Site Investigations*

Once the segment of the system has been identified, these methods can be used to find the exact location of the specific discharge or illegal connection.

- Video Inspection – The City owns a closed circuit television video crawler that is used to investigate storm sewer lines. In this way, possible illegal connections can be identified and further investigated.
- Dye and/or Smoke Testing – These methods can be used to verify the existence of an illegal connection once the investigation has been narrowed down to a specific area.

If an illicit discharge is identified, but within six months of the beginning of the investigation neither the source has been identified nor the same discharge has been observed again, it shall be documented that the source remains unidentified and the investigation can be closed.

If the observed/reported discharge is intermittent, and attempts to observe the discharge while it is active are unsuccessful, it shall be documented and the investigation can be closed.

If the observed/reported discharge is continuous or expected to occur more frequently than one time, at least three separate follow-up investigations shall be made in order to verify that the discharge has been addressed.

#### Removing the Source of an Illicit Discharge

If the source of the illicit discharge is identified as an operational activity (such as improper disposal of paint or construction related materials, or washing of vehicles, equipment, or property), then the activity is immediately stopped. Any remedial actions that can be taken to mitigate the discharge are assessed and pursued as appropriate.

If the source of the illicit discharge is a spill or release of a hazardous material, the Charlottesville Fire Department is called to respond to the situation and employ appropriate spill response measures. As necessary, a third party spill response contractor will be engaged to support appropriate clean-up and monitoring steps.

If the source of the illicit discharge is an illegal or illicit connection to the storm sewer system, then measures to eliminate or disconnect the connection are employed in conjunction with the responsible party.

In all cases, the City obtains confirmation that the source of the discharge has been addressed via a follow-up investigation(s).

#### Enforcement and Use of Legal Authorities

After identification of the responsible party, in most cases a Notice of Violation (NOV) documenting the situation is issued to the responsible party and property owner as appropriate. On occasion, it may be deemed sufficient to address the illicit discharge through education or clarification to the responsible party and a formal NOV is not warranted. In cases where an NOV is issued, the responsible party may be required to submit a Stormwater Pollution Prevention/Corrective Action Plan for City approval. If the responsible party is uncooperative, does not engage in appropriate corrective actions, or is a repeat offender then enforcement actions as detailed in Article V of the WPO can be pursued.

#### Tracking of Illicit Discharge Investigations

- A tracking system has been developed that documents:
  - Date(s) illicit discharge was initially observed, reported, or both
  - Results of the investigation, including the source, if identified
  - Any follow-up to the investigation
  - Resolution of the investigation
  - Date the investigation was closed

#### Annual Reporting Requirements

The City shall report annually on:

- Confirmation statement that the MS4 Map and information table were updated to reflect any changes made to the MS4 occurring on or before June 30 of the reporting year.
- Total number of outfalls screened
- List of illicit discharges to the City's MS4, including spills reaching the MS4, with the following information:
  - The location and source of the discharge

- The dates that the discharge was observed, reported, or both
- Whether the discharge was discovered during dry weather screening, reported by the public, or other method (describe other method)
- How the investigation was resolved
- A description of any follow-up activities
- The date the investigation was closed

# CITY OF CHARLOTTESVILLE

Department of Public Works  
Environmental Sustainability Division

305 4<sup>th</sup> Street NW • Charlottesville, Virginia 22903  
Telephone 434-970-3631  
Fax 434-970-3659



June 30, 2014

Mr. Jeffrey A. Sitler  
Associate Director of Environmental Resources  
Facilities Management  
University of Virginia  
575 Alderman Road  
P.O. Box 400726  
Charlottesville, VA 22904

Mr. Sitler,

The City of Charlottesville is the owner and operator of a regulated small municipal separate storm sewer system (MS4). The City's MS4 is permitted under the Virginia General Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems, permit number VAR040051. The permit requires written notification to any downstream MS4 to which the City's MS4 is physically interconnected. This letter is to officially notify the University of Virginia that the City of Charlottesville's MS4 is physically interconnected to the University's MS4. Please let me know if you would like more detailed information as to the nature of these interconnections. I can be reached at 434-970-3997 or via email at [frisbee@charlottesville.org](mailto:frisbee@charlottesville.org).

Thank you,

  
Dan Frisbee  
Water Resources Specialist

## **City of Charlottesville – MS4 Program Plan**

### **Appendix C**

#### **Erosion and Sediment Control Program Procedures**

The City's Department of Public Works-Engineering Division administers the Erosion and Sediment (E&S) Control Program. As of July 1, 2014, PWD-Engineering also administers the City's local Virginia Stormwater Management Program (VSMP). In order to effectively administer these programs, the City has developed various local regulations, policies, procedures, and associated documents that govern the management of land disturbing activities in the city. As the local VSMP is a newly adopted program, the associated documents included in this appendix that are used for plan review and site inspection are documents that will be routinely evaluated and revised as necessary by PWD-Engineering in order to optimize their effectiveness and utility.

Included in this appendix are the following documents:

- C.1 – City of Charlottesville Water Protection Ordinance, Article I, In General
- C.2 – City of Charlottesville Water Protection Ordinance, Article II, Erosion and Sediment Control
- C.3 – Erosion and Sediment Control and Stormwater Management Standard Operating Procedure
- C.4 – City of Charlottesville E&S and SWM Application
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**Sec. 10-1. Short title.**

This chapter shall be known and may be cited as the city's "Water Protection Ordinance."

(5-5-14, § 1, eff. 7-1-14)

**Sec. 10-2. Authority.**

This chapter is adopted pursuant to authority conferred by: (i) the Virginia State Water Control Law, set forth within the Virginia Code, Title 62.1, Chapter 3.1 (§§ 62.1-44.2 through 62.1-44.34:28), including, without limitation, §§ 62.1-44.15:27 and 62.1-44.15:54; (ii) Virginia Code, Title 15.2, Chapters 21 and 22; and (iii) the federal Clean Water Act (33 U.S.C. § 1251 et seq.).

(5-5-14, § 1, eff. 7-1-14)

**Sec. 10-3. Purpose.**

The purposes of this chapter are:

- (1) To ensure the general health, safety, and welfare of the citizens of the City of Charlottesville by (i) protecting the quality and quantity of state waters from the potential harm of unmanaged stormwater, including protection from land-disturbing activity causing unreasonable degradation of properties, water quality, stream channels, and other natural resources, and to establish procedures whereby stormwater requirements related to water quality and quantity shall be administered and enforced, and (ii) preventing degradation of properties, stream channels, waters and other natural resources of the city, by establishing requirements for the control of soil erosion, sediment deposition and nonagricultural runoff; and

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- (2) To provide a framework for the administration, implementation and enforcement of the provisions of the Virginia Stormwater Management Act and the Virginia Erosion and Sediment Control Law, and to delineate the procedures and requirements to be followed in connection with permits issued by the city, acting as a VSMP and VESCP authority, respectively; and
- (3) To establish procedures whereby the requirements of the city's VSMP, VESCP and MS4 programs shall be enforced in conjunction with one another, and to ensure integration of those program requirements with flood insurance, floodplain management and other programs requiring compliance prior to authorization of construction, in order to make the submission and approval of plans, issuance of permits, payment of fees, and coordination of inspection and enforcement activities more convenient and efficient both for the city and for those persons responsible for compliance with the programs.

(5-5-14, § 1, eff. 7-1-14)

**Sec. 10-4. Rules of construction.**

This chapter protects paramount public interests and shall be liberally construed to effectuate its several purposes. The following rules of construction shall apply in the construction of this chapter, unless such application would be contrary to the purposes of this chapter or the context clearly indicates otherwise:

- (1) All references to any statute, ordinance, regulation, guideline, handbook, manual or standard shall be to such statute, ordinance, regulation, guideline, handbook, manual or standard as it exists on the date of adoption of this chapter and includes any subsequent amendment, reenactment, renumbering, or reissuance in a subsequent edition.
- (2) Any reference to "this article," "Article II," "Article III," or "Article IV" shall include references to all applicable references of Article I.
- (3) All references to "days" shall be to calendar days.
- (4) All references to a "fee schedule" shall mean and refer to a schedule of the fees and charges associated with the various applications, inspections, permits and approvals required by this chapter, as approved and amended by the city council from time to time. All required fees shall be made payable to the city treasurer.

(5-5-14, § 1, eff. 7-1-14)

**Sec. 10-5. Definitions.**

In addition to the definitions set forth within the Virginia Administrative Code (VAC) at 9VAC25-840-10, 9VAC25-850-10 and 9VAC25-870-10, which are expressly adopted and incorporated herein by reference, the following words and terms used in this chapter shall have the following meanings unless otherwise specified herein. In the event of a conflict between any definition incorporated by reference and any definition following below, the definition incorporated by reference shall have precedence.

*Act* means, according to the context of its use, (1) the Stormwater Management Act set forth within Title 62.1, Chapter 3.1, Article 2.3 (§ 62.1-44.15:24 et seq.) of the Virginia Code or (2) the Erosion and Sediment Control Law set forth within Title 62.1, Chapter 3.1, Article 2.4 (§ 62.1-44.15:51 et seq.) of the Virginia Code.

*Administrator* means, when referring to a person performing duties relative to the city's VSMP or VESCP as set forth within this chapter, the city's department of neighborhood development services. The department of neighborhood development services shall have authority to act by and through the director

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of neighborhood development services and any city official, employee, contractor or other agent designated by the director of neighborhood development services to perform any responsibilities or functions assigned to the VSMP or VESCP Administrator. Whenever the term "administrator" is used within any of the regulations or other VAC sections incorporated by reference into this chapter, the term shall have the meaning assigned within those regulations or VAC sections.

*Agreement in lieu of a plan* means (i) a contract between the VESCP administrator and a property owner which specifies conservation measures which must be implemented in the construction of an individual single-family residence, not part of a common plan of development or sale; or (ii) a contract between the VSMP administrator and a property owner which specifies methods that will be implemented to comply with the requirements of Article III of this chapter in the construction of an individual single-family residence, not part of a common plan of development or sale. Such contract may be executed by the administrator in lieu of a formal erosion and sediment control plan or stormwater management plan, as applicable.

*Applicant* means any person submitting an application for a permit or requesting the issuance of a permit under any provision of this chapter.

*Best management practice ("BMP")* means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the runoff volume and pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

*Board* means the State Water Control Board.

*Clean Water Act* or *CWA* means the federal Clean Water Act, 33 U.S.C. 1251 et seq., formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

*Clearing* means any activity which removes vegetative ground cover, including, but not limited to, root mat removal or top soil removal.

*Common plan of development or sale* refers to a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules.

*Conservation standards, criteria or specifications* means the criteria, guidelines, techniques, and methods for the control of erosion and sedimentation whether promulgated by the program authority or contained in (1) the Virginia Erosion and Sediment Control Handbook and other regulations promulgated by the State Water Control Board, or (2) the Stormwater Management Handbook and other regulations promulgated by the Virginia Department of Environmental Quality.

*Control measure* means any BMP or stormwater facility, or other method used to minimize the discharge of pollutants to state waters.

*DEQ* and *department* mean the Virginia Department of Environmental Quality.

*Development, land development and land development project* as used within this chapter each refer to land improved or to be improved as a unit, under single ownership or unified control, such improvement(s) including all of the land disturbance, and the resulting landform, associated with the construction of residential, commercial, industrial, institutional, recreational, transportation, or utility facilities or structures, and or the clearing of land for non-agricultural or non-silvicultural purposes. The term shall include the entire area within a common plan of development or sale.

*Director*, as used in Article V of this chapter, shall mean and include the city's director of public works and director of neighborhood development services, and the employees and agents authorized by either of them to exercise authority or to take enforcement action under the provisions of Article V. The term director as used within Articles II and III of this chapter, shall mean the director of neighborhood

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development services. Whenever the term "director" is used within any of the regulations or other VAC sections incorporated by reference into this chapter, the term shall have the meaning assigned within those regulations or VAC sections.

*Erosion and sediment control plan* means a document containing materials and provisions for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives.

*Erosion impact area* means an area of land not associated with current land-disturbing activity but subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of six thousand (6,000) square feet or less used for residential purposes.

*Excavating* means any digging, scooping, or other method(s) of removing earth materials.

*Filling* means any depositing or stockpiling of earth materials.

*General permit* means the state general permit, defined following below.

*Grading* means any excavating or filling, and any combination thereof, including the land in its excavated or filled conditions.

*Illegal discharge* and *illicit discharge* each means and refers to any discharge to the city's municipal storm sewer system ("MS4") that is not composed entirely of stormwater, except: (i) discharges pursuant to a VPDES permit; (ii) discharges resulting from firefighting activities; and (iii) any discharges specifically authorized within Article V of this chapter.

*Illicit connection* means any connection to the city's municipal storm sewer system ("MS4") made without the express written approval of an authorized city official.

*Land disturbance* or *land-disturbing activity* means any man-made change to the land surface that (i) actually or potentially changes its runoff characteristics, including, without limitation, clearing, grading, or excavation, or (ii) that may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands in the Commonwealth, including, without limitation, clearing, grading, excavating, transporting and filling. The entire land area within a common plan of development or sale, as a whole, shall be considered to be a single land-disturbing activity.

*Layout* means a conceptual drawing sufficient to identify and provide for specific stormwater management facilities required at the time of approval.

*Licensed professional* means an individual who is licensed as a professional engineer, architect, certified landscape architect or land surveyor pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.

*Local erosion and sediment control program* or *VESCP* means an outline of the various methods employed by the city to regulate land-disturbing activities and thereby minimize erosion and sedimentation in compliance with the state program, including, without limitation, city ordinances, policies and guidelines, technical materials, inspection, enforcement and evaluation.

*Minor modification* means, in relation to the state general permit, an amendment to an existing state general permit, before its expiration, not requiring extensive review and evaluation, including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor state general permit modification or amendment is one that does not substantially alter state general permit conditions, substantially increase or decrease the amount of surface water

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impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

*Mitigation plan* means a plan, a component of a stormwater management/BMP plan, an erosion and sediment control plan, or an agreement in lieu of a plan, that describes how encroachments into a stream buffer will be mitigated through runoff treatment, re-vegetation, the addition of extra buffer areas, or other appropriate measures.

*MS4* means the city's municipal separate storm sewer system. The terms "municipal separate storm sewer" and "municipal separate storm sewer system" shall have the meanings set forth within 9VAC25-870-10.

*Natural channel design concepts* means the utilization of engineering analysis and fluvial geomorphic processes to create, rehabilitate, restore, or stabilize an open conveyance system for the purpose of creating or recreating a stream that conveys its bankfull storm event within its banks and allows larger flows to access its bankfull bench and its floodplain.

*Operator* means the owner or operator of any facility or activity subject to regulation under this chapter.

*Owner* means the owner(s) of the freehold of land, or a lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person in control of a property. As used herein, "owner" also refers to, in the appropriate context, any person authorized to act as the agent for the owner.

*Peak flow rate* means the maximum instantaneous flow from a given storm condition at a particular location.

*Permit* means any building permit, grading permit, or other permit, including the approval of any site plan or subdivision plat, which is required to be issued by any board, commission, officer, employee or agency of the city as a prerequisite to any land-disturbing activity or development. In relation to the provisions of Articles II and III of this chapter the term shall mean an approval issued by the VSMP/VESCP administrator for the initiation of a land-disturbing activity in accordance with this chapter, after evidence of state general permit coverage has been received.

*Permittee* means the person to whom a permit authorizing a land-disturbing activity is issued, and, in the appropriate context the term may refer to the person who certifies that an approved erosion and sediment control plan will be followed.

*Person* means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town or other political subdivision of the Commonwealth, any interstate body, or any other legal entity.

*Pollution prevention plan* shall mean a plan for implementing pollution prevention measures during construction activities, which meets the requirements of 9VAC25-870-56.

*Project* shall have the same meaning as set forth above for the term development.

*Public waters* means and refers to the public waters and waterways of the United States and of the Commonwealth of Virginia.

*Redevelopment for purposes of this chapter*, means and refers to construction of buildings, structures, fixtures or other improvements to land as replacement(s) for existing improvements.

*Regulations* means (1) in the context of the provisions of Article II, the Virginia Erosion and Sediment Control Regulations set forth within 9VAC25-840-10 et seq. of the Virginia Administrative Code, or (2) in the context of the provisions of Article III, the Virginia Stormwater Management Regulations set forth within 9VAC25-870-10 et seq. of the Virginia Administrative Code.

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*Residential development* means a tract or parcel of land developed or to be developed as a single unit under single ownership or unified control, and which is to contain three (3) or more residential dwelling units.

*Responsible land disturber* or *RLD* means an individual holding a certificate of competence issued by the department, who is responsible for the operations of carrying out land-disturbing activity in accordance with an approved erosion and sediment control plan. The RLD may be the owner, applicant, permittee, designer, superintendent, project manager, contractor or any other project or development team member; however, the identity of the RLD must be designated on the approved erosion and sediment control plan or permit.

*Runoff volume* means the volume of water that runs off the land development project from a prescribed storm event.

*Site* means the land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity. All of the land that is part of a development, or of common plan of development or sale shall be considered as a single site.

*State* means the Commonwealth of Virginia, inclusive of its departments, boards, agencies and divisions.

*State board* means the Virginia State Water Control Board.

*State general permit* means the state permit titled "General Permit for Discharges of Stormwater From Construction Activities" referenced within the Virginia Administrative Code at 9VAC25-880-1 et seq., authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.

*State permit* means an approval to conduct a land-disturbing activity issued by the state board. Under a state permit, the state imposes and enforces requirements pursuant to the federal Clean Water Act and related regulations and the Virginia Stormwater Management Act and related regulations.

*State waters* means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

*State Water Control Law* means Chapter 3.1 (§ 62.1-44.2 et seq.) of Title 62.1 of the Virginia Code.

*Stormwater and stormwater runoff* mean precipitation that is discharged across the land surface or through conveyances to one (1) or more waterways. The term may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

*Stormwater management plan* means any document(s) containing material that describes method(s) for complying with the requirements of Article III of this chapter.

*Stormwater pollution prevention plan* or *SWPPP* means a document or set of documents prepared in accordance with good engineering practices, meeting the requirements set forth within 9VAC25-870-54, in which potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from a construction site are described, and control measures are identified.

*Stream buffer* means an area of land at or near a tributary streambank and/or nontidal wetland that has an intrinsic water quality value due to the ecological and biological processes it performs or is otherwise sensitive to changes which may result in significant degradation to the quality of state waters.

*Subdivision* shall have the same meaning as set forth within section 29-3 of the City Code.

*Total maximum daily load* or *TMDL* means the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs may be expressed in terms of either mass per time, toxicity, or other appropriate measures. The TMDL process provides for point source versus nonpoint source trade-offs.

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*Transporting* means any moving of earth materials from one place to another place, other than such movement incidental to grading, when such movement results in destroying the vegetative ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

VAC means the Virginia Administrative Code. References to specific sections of the Virginia Administrative Code appear in the following format: e.g., 9VAC25-870-10. Whenever reference to a specific VAC section is given, the provisions of that VAC section shall be deemed incorporated into this chapter by reference, as if set forth herein verbatim.

*Virginia Erosion and Sediment Control Program* or *VESCP* means a program approved by the state that has been established by the city for the effective control of soil erosion, sediment deposition, and nonagricultural runoff associated with a land-disturbing activity to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources, and shall include such items, where applicable, as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement where authorized in Article II of this chapter, and evaluation consistent with the requirements of this chapter and related federal, state and local regulations.

*Virginia Erosion and Sediment Control Program Authority* or *VESCP Authority* shall mean the City of Charlottesville, acting pursuant to authority granted by the state to operate a VESCP.

*Virginia Stormwater BMP Clearinghouse Website* means a state website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

*Virginia Stormwater Management Act* means Article 2.4 (§ 62.1-44.15:24 et seq.) of the State Water Control Law and the related state regulations set forth within 9VAC25-870-10 et seq.

*VSMP* or *Virginia Stormwater Management Program* means a program approved by the state board after September 13, 2011, that has been established by the city to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in Article III, and evaluation consistent with the requirements of Article III.

*VSMP Authority* or *Virginia Stormwater Management Program Authority* means the City of Charlottesville, acting pursuant to authority granted by the state to operate a VSMP.

*Water dependent facility* refers to land development that cannot exist outside the stream buffer and must be located on a shoreline because of the intrinsic nature of its operation, including, without limitation: intake and outfall structures of water and sewage treatment plants and storm sewers; water-oriented recreation areas; and boat docks and ramps.

(5-5-14, § 1, eff. 7-1-14)

**Sec. 10-6. Program administration.**

- (a) The city council hereby designates the department of neighborhood development services as its administrator for the programs referenced in Articles II, III, and IV. Administration and enforcement of Article V shall be as set forth within sections 10-92 and 10-93
- (b) The administrator shall administer and enforce the provisions of this chapter, acting by and through its director. The director may enter into agreements or contracts with the local soil and water conservation district, an adjacent locality, or another public or private entity, to carry out or assist with the responsibilities of this chapter. The director of the department of neighborhood development services shall have authority to assign specific responsibilities or functions of the administrator to

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authorized agents of such department, such as another city official, employee, or an independent contractor, consistent with requirements of this chapter and applicable state laws and regulations.

- (c) The administrator shall establish reasonable regulations and interpretive guidelines for the administration of this chapter, subject to approval of city council. Such regulations and guidelines shall be consistent with this chapter and all applicable federal and state statutes and regulations.
- (d) The administrator shall assure that the erosion and sediment control program set forth in Article II is administered by a certified program administrator, a certified plan reviewer, and a certified project inspector. Such positions may be filled by the same person. The administrator shall assure that persons reviewing stormwater management plans and conducting related inspections shall hold a certificate of competence issued by the board.
- (e) The administrator shall take appropriate enforcement actions to achieve compliance with this chapter, and shall maintain a record of enforcement actions for all active land-disturbing activities and developments.
- (f) The administrator is authorized to cooperate with any federal or state department, agency, or official in connection with plans for erosion and sediment control or stormwater management. The administrator may also recommend to the city manager any proposed agreement with such agency for such purposes, which agreement shall be executed, if at all, by the city manager on behalf of the city.

(5-5-14, § 1, eff. 7-1-14)

**Sec. 10-7. Saving provision.**

The adoption of this chapter shall not abate any pending action, liability, or penalty of any person accruing or about to accrue, nor waive any right of the city under any provision in effect prior to the date of adoption of this chapter, unless expressly provided for in this chapter. As they pertain to land-disturbing activity for development that is the subject of a site plan or subdivision plat approved prior to July 1, 2014, the requirements of this chapter in relation to such development shall be as prescribed within the Regulations, or as otherwise specified by state law.

(5-5-14, § 1, eff. 7-1-14)

**Sec. 10-8. Appeals from decisions under this chapter.**

- (a) Any person who is aggrieved by a decision of the administrator pursuant to this chapter shall have the right of review of such action by the city council. Any such appeal shall be filed in writing with the clerk of the city council within thirty (30) days of the date of such decision.
- (b) An appeal received by the city council pursuant to this section shall be referred to the planning commission for review and findings of fact. The planning commission shall review the appeal at its next regular meeting following the date the notice of appeal is received by the clerk of council, and shall report its findings to city council. The city council shall review the appeal within thirty (30) days after the date of the planning commission meeting, at a regular or a special meeting of city council.
- (c) The city council shall consider evidence presented by the owner, the administrator, and any other aggrieved person.
- (d) The council shall render its decision in writing and may affirm, reverse or modify the administrator's decision. The council's decision shall constitute the final decision of the city on the matter(s) which are the subject of the appeal.

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- (e) Any person aggrieved by a final decision of the city council pursuant to this section shall have the right of review of such decision by the circuit court of the city. Any such appeal shall be filed by the aggrieved person in writing with the circuit court within thirty (30) days of the city council's final decision.
- (f) For the purposes of this section, "aggrieved person" is limited to the owner, a permittee, owners of adjacent and downstream property and any interested governmental agency or officer thereof.

(5-5-14, § 1, eff. 7-1-14)

**Sec. 10-9. Compliance with chapter required prior to issuance of permits for development involving land-disturbing activities.**

- (a) A person shall not commence, conduct or engage in any land-disturbing activity until such person has submitted a permit application to the administrator and has obtained the administrator's approval of a permit authorizing commencement of land-disturbing activity.

- (1) The applicant shall submit with the application for a permit:

- a. A proposed erosion and sediment control plan;
- b. A proposed stormwater management plan, if required;
- c. A state general permit registration statement, if required;
- d. For the land that is proposed to be disturbed, (i) a valid, approved preliminary site plan that provides a layout, as defined in 9VAC25-870-10, or a valid approved site plan, (ii) a valid, approved preliminary subdivision plat that provides a layout, as defined in 9VAC25-870-10, or a valid, approved final subdivision plat, or (iii) for land use or construction not subject to the requirement of an approved site plan or subdivision plat, the applicant shall submit a written certification of the purpose of the proposed land-disturbing activity together with a zoning administrator determination stating that the use sought to be established on the land is permitted under applicable zoning district regulations and will comply with applicable requirements of the city's zoning and other local ordinances;
- e. Any request for exception(s) from applicable technical requirements; and
- f. Payment of required application fee(s), pursuant to section 10-10

The administrator shall not issue any approval(s) for commencement of any land-disturbing activity until all such required submissions and plans have been received and approved.

- (2) The administrator shall act on each plan included within the application, in accordance with the following:

- a. The administrator, or any duly authorized agent of the administrator, shall promptly review the materials submitted with an application. The administrator or his agent shall determine the completeness of the application within fifteen (15) calendar days of receipt, in accordance with the procedure referenced in 9VAC25-870-108(B).
- b. The administrator or his agent shall act on a plan within the time period(s) and in accordance with the procedures referenced within 9VAC25-870-108(B). However, when a proposed erosion and sediment control plan is determined to be inadequate, notice of disapproval, stating the specific reasons for disapproval, will be communicated to the applicant within forty-five (45) days.
- c. Approval or denial of a plan shall be based on compliance with the requirements of this chapter. Any decision shall be communicated in writing to the person responsible for the

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land-disturbing activity or the person's agent. Where available to the applicant, electronic communication will be deemed communication in writing. If a plan meeting all of the requirements of this chapter is submitted and no action is taken within the required time period, the plan shall be deemed approved. If a plan is not approved, the reasons for not approving the plan shall be provided in writing.

- d. When all requirements have been satisfied and all required plans have been approved, the administrator shall issue a consolidated stormwater management and erosion and sediment control permit, when all of the following requirements have been satisfied:
  1. Upon the development of an online reporting system by DEQ, but no later than July 1, 2014, the administrator shall not issue a permit to authorize any land-disturbing activity until evidence has been obtained of state general permit coverage, where required; and
  2. The administrator must receive the performance guarantee(s) and other instruments and documentation specified in subparagraphs (3) through (6), following below; and
  3. All fees required by section 10-10 shall be paid by the applicant.
- (3) Prior to issuance of any approval or permit, the administrator shall require (or in the case of an agreement in lieu of a plan, may require) the applicant to submit a reasonable performance bond with surety, a cash escrow, letter of credit, any combination thereof, or such other legal arrangement acceptable to the administrator (individually, and collectively, "performance guarantee"), to ensure that measures could be taken by the city at the applicant's expense, upon the applicant's failure, after proper notice, within the time specified, to initiate or maintain appropriate actions which may be required of applicant by the approved plan(s) and permit(s) or permit conditions as a result of applicant's land-disturbing activity. Separate performance guarantees shall be established and required to assure compliance with the approved stormwater management plan and with the erosion and sediment control plan, except as provided in subparagraph (c), below.
  - a. Each performance guarantee shall be effective from a date prior to the issuance of any permit or approval until sixty (60) days after completion of the requirements of approved plan(s) and permit(s) or permit conditions. The instrument(s) of security shall provide that the performance guarantee for stormwater requirements shall be and remain in effect until satisfactory completion of all permit conditions has been achieved. Within sixty (60) days of the satisfactory completion of the requirements of the permit conditions, such security, or the unexpended or unobligated portion thereof, if any, shall be refunded to the applicant or terminated.
  - b. If approved by the administrator, the applicant may submit any required performance guarantee as part of, or included in, any other performance guarantee(s) required in connection with a site plan, subdivision plat or other required approval. In cases where any such consolidated performance guarantee is authorized, the administrator shall separately establish the specific amount(s) attributable to erosion and sediment control requirements, stormwater management requirements, construction of public facilities and improvements, and other activities for which a performance guarantee is to be provided.
  - c. The instrument(s) of security shall provide the administrator and its authorized agents with a right of entry, for the purpose of initiating or maintaining appropriate actions that are required by the permit, or permit conditions associated with a land-disturbing activity when the applicant, a permittee, or other person responsible for carrying out the land-disturbing activities or the requirements of a permit and permit conditions, after proper notice, has failed to take acceptable action within the time specified.

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- d. This requirement for performance bonding/ security is in addition to all other provisions and requirements of this article, state law and state regulations, relating to the issuance of permits, and is not intended to otherwise affect the requirements for such permits.
  - e. If the administrator is required to take action upon a failure of the permittee, the administrator may collect from the permittee the difference should the amount of the reasonable cost of such action exceed the amount of the performance guarantee held by the administrator.
  - f. The administrator may require submission of other materials and supporting documentation as the administrator deems necessary in order for the applicant to demonstrate that all land clearing, construction, disturbance, land development and drainage will be done according to the approved permit.
- (4) Prior to issuance of any approval or permit for land-disturbing activity involving one (1) or more acres of land, the administrator shall require the applicant to submit a stormwater pollution prevention plan (SWPPP). The SWPPP shall include the content specified by 9VAC25-870-54, 9VAC25-870-55 and 9VAC27-870-56, as well as the requirements and general information specified by 9VAC25-880-70, Section II.
- a. The SWPPP shall be amended by the operator whenever there is a change in design, construction, operation or maintenance that has a significant effect on the discharge of pollutants to state waters which is not addressed by the existing SWPPP.
  - b. The SWPPP must be maintained by the operator at a central location at the site of the development. If no onsite location is available, notice of the SWPPP's location must be posted near the main entrance at the development site. Operators shall make the SWPPP available for public inspection in accordance with 9VAC25-880-70, Section II, either electronically or paper copy.
- (5) Except as provided in section 10-56(d), prior to issuance of any approval or permit for land-disturbing activity associated with development for which permanent stormwater management facilities are required, the administrator shall require the applicant to submit a proposed written instrument, in a form suitable for recordation in the city's land records, specifying long-term responsibility for and maintenance of the stormwater management facilities and other techniques specified within the proposed stormwater management plan for management of the quality and quantity of runoff.
- (b) No site plan shall be granted final approval, and no final subdivision plat shall be signed by any city board, commission, agency, department, official or employee, unless and until such final site plan or final subdivision plat includes improvements, facilities and treatments identified within a stormwater management plan approved by the administrator in accordance with this chapter.
- (c) No authorization or permit for any construction, land use or development involving any land-disturbing activity, including any grading permit, building permit, foundation permit, demolition permit, or other city-issued development permit, shall be issued by any city board, commission, agency, department, official or employee, unless and until a stormwater management plan has been approved and a permit has been issued by the administrator in accordance with this chapter.

(5-5-14, § 1, eff. 7-1-14)

**Sec. 10-10. Fees for review and approval of plans.**

- (a) The city council will, from time to time, approve a schedule of the fees and charges associated with the various applications, actions, inspections, permits and approvals required by this chapter in connection with the review of plans, issuance of VSMP and VESCP Authority permits, issuance of

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state general permit coverage, and implementation of the VSMP and VESCP related to land-disturbing activities. Prior to the issuance of any permit authorizing commencement of any land-disturbing activity, and prior to conducting any inspection or other action required by this chapter for which a fee is specified, the administrator shall assess, collect and administer the applicable fees and charges set forth within the most recent fee schedule adopted by city council.

- (b) The city council hereby adopts and incorporates by reference the statewide fee schedule(s) enacted by the state board pursuant to Virginia Code § 62.1-44.15:28 and 9VAC25-870-700 et seq., and said fee schedule(s) shall be deemed included within the local fee schedule referenced in paragraph (a), above. Prior to the issuance of any permit authorizing the commencement of any land-disturbing activity, the administrator shall assess, collect and administer the fees as set forth within 9VAC25-870-700-700 et seq., including, without limitation:
- (1) Fees for the modification or transfer of registration statements from the state general permit issued by the state board; provided, however, that if the state general permit modifications result in changes to stormwater management plans that require additional review by the administrator, then, in addition to the state general permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference between the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage. No such modification fee shall be assessed to (i) permittees who request minor modifications to a state general permit, or (ii) permittees whose general permits are modified or amended at the initiative of DEQ (excluding errors in the registration statement identified by the administrator and errors related to the acreage of the site); and
  - (2) Annual fees for maintenance of the state general permit, including fees on expired permits that have been administratively continued. State general permit maintenance fees shall be paid annually to the city, on or before the anniversary date of general permit coverage. State general permit maintenance fees shall apply, and shall continue to be paid, until state general permit coverage is terminated. No permit will be reissued or automatically continued without payment of the required fee for state general permit coverage.
  - (3) Payment of the state's portion of the statewide permit fee shall not be required for coverage under the state general permit, for construction activity involving a single-family detached residential structure, when such activity is exempted from such fee pursuant to regulations established by the state board.

State general permit coverage and maintenance fees may apply to each state general permit holder. Persons whose coverage under the state general permit has been revoked shall apply to DEQ for an individual permit for discharges of stormwater from construction activities. All persons seeking approval of a stormwater management plan, all persons seeking coverage under the state general permit, and all permittees who request modifications to or transfers of their existing registration statement for coverage under a state general permit, shall be subject to the fees referenced within this paragraph, in addition to any separate fees that may apply under paragraph (a) of this section.

- (c) Fees shall be paid when due, by applicants, permittees, and other persons responsible for carrying out conditions of a permit. An incomplete payment will be deemed a nonpayment. Interest shall be charged for non-payments and for late payments, at the rate set forth in Virginia Code § 58.1-15, calculated on a monthly basis at the applicable periodic rate. A 10% late payment fee shall be charged to any delinquent account that is more than ninety (90) days past due. The city shall be entitled to all remedies available under the Virginia Code in collecting any past due amount.

(5-5-14, § 1, eff. 7-1-14)

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**Secs. 10-11—10-20. Reserved.**

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FOOTNOTE(S):

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--- (2) ---

**Editor's note**— Section 1 of an ordinance of May 5, 2014, effective July 1, 2014 amended Ch. 10, Art. I, §§ 10-1—10-9, to read as herein set out in §§ 10-1—10-10. Prior to inclusion of said ordinance, Art. II pertained to similar subject matter. See also the Code Comparative Table. [\(Back\)](#)

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FOOTNOTE(S):

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--- (3) ---

**Editor's note**— Section 2 of an ordinance of May 5, 2014, effective July 1, 2014 amended Ch. 10, Art. II, in its entirety, to read as herein set out. Prior to inclusion of said ordinance, Art. II pertained to similar subject matter. See also the Code Comparative Table. ([Back](#))

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[Sec. 10-21. Purpose and authority; applicability.](#)

[Sec. 10-22. Determination of land-disturbing activity.](#)

[Sec. 10-23. Determination of erosion impact area.](#)

[Secs. 10-24—10-30. Reserved.](#)

**Sec. 10-21. Purpose and authority; applicability.**

- (a) The purpose of this article is to prevent degradation of properties, stream channels, waters and other natural resources of the city, by establishing requirements for the control of soil erosion, sediment deposition and nonagricultural runoff, and by establishing procedures by which these requirements shall be administered and enforced.
- (b) This chapter is authorized by the Code of Virginia, Title 62.1, Chapter 3.1 (State Water Control Law) article 2.4, § 62.1-44.15:51 et seq. (Erosion and Sediment Control Law).
- (c) This article shall apply to any land-disturbing activity within the city, except that state agency projects shall be subject to the requirements of Virginia Code § 62.1-44.15:56. Each owner of land within the city shall comply with the requirements of this article, as provided herein:
  - (1) Prior to engaging in any land-disturbing activity, or allowing any land-disturbing activity to occur, on such owner's property;
  - (2) At all times during any land-disturbing activity until it is completed, including all times when the land-disturbing activity is performed by a contractor engaged in construction work; and
  - (3) When notified by the administrator that an erosion impact area exists on such owner's land, and the notice requires the owner to submit an erosion and sediment control plan in order to control erosion and sedimentation.
- (d) This article is intended to be interpreted, administered and enforced in conjunction with the definitions and provisions of Article I. References to "this article", and references to "provisions of this article" shall be deemed to include (i) the provisions of Article I of this chapter, and (ii) the provisions, criteria, and requirements of each federal or state statute, regulation, standard and specification adopted or referred to within Articles I and II of this chapter.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-22. Determination of land-disturbing activity.**

- (a) The determination of whether an activity is a land-disturbing activity for purposes of this article shall be made by the administrator. Except as may otherwise be required by federal or state law or regulations, the term "land-disturbing activity" shall not include:
  - (1) Disturbed land areas of less than six thousand (6,000) square feet;
  - (2) Home gardens, individual home landscaping, repairs or maintenance work;
  - (3) Individual service connections; administrator;

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- (4) Installation, maintenance, or repair of any underground public utility lines, when such activity occurs on an existing hard surfaced road, street or sidewalk, provided the activity is confined to the area of the road, street or sidewalk that is hard surfaced;
  - (5) Septic tank lines or drainage fields, unless included in an overall plan for land-disturbing activity relating to construction of a building to be served by the septic tank system;
  - (6) Surface or deep mining operations and projects, or oil and gas operations and projects, conducted in accordance with a permit issued pursuant to Code of Virginia Title 45.1; however, such activities shall not be conducted unless allowed by the city's zoning ordinance;
  - (7) Tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the state Board in regulation, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with Code of Virginia § 10.1-1100 et seq., or is converted to bona fide agricultural or improved pasture use, as described in subsection B of § 10.1-1163. Such activities shall not be conducted unless allowed by the city's zoning ordinance.
  - (8) Agricultural engineering operations, including but not limited to the construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds not required to comply with the provisions of the Dam Safety Act (§ 10.1-604 et seq.), ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation. Such activities shall not be conducted unless allowed by the city's zoning ordinance.
  - (9) Repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities and other related structures and facilities of a railroad company;
  - (10) Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
  - (11) Shoreline erosion control projects on tidal waters when all of the land-disturbing activities are within the regulatory authority of and approved by local wetlands boards, the Marine Resources Commission, or the United States Army Corps of Engineers; however, any associated land that is disturbed outside of this exempted area shall remain subject to this article and the regulations adopted pursuant thereto; and
  - (12) Emergency work to protect life, limb, or property, and emergency repairs; however, if the land-disturbing activity would have required an approved erosion and sediment control plan if there were no emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of this article.
- (b) Upon the determination by the administrator that an activity is a land-disturbing activity the owner shall submit an erosion and sediment control plan to the administrator for review and approval, and shall otherwise take all actions necessary to comply with the requirements of this article.
- (c) Whenever land-disturbing activity involves activity at a separate location (including but not limited to borrow and disposal areas), the administrator may either:
- (1) Consider the off-site activity as being part of the proposed land-disturbing activity; or
  - (2) If the off-site activity is already covered by an approved erosion and sediment control plan, the administrator may require the applicant to provide proof of such approval and to certify that the plan will be implemented in accordance with the requirements of this article.

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- (d) An erosion and sediment control plan shall be submitted and approved for a development and the buildings constructed within, regardless of the phasing of construction.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-23. Determination of erosion impact area.**

- (a) In order to prevent further erosion, the administrator may require submission and approval of an erosion and sediment control plan for any land determined to be an erosion impact area, regardless of the size of such area. The determination of whether an erosion impact area exists shall be rendered by the administrator.
- (b) The administrator shall determine whether an erosion impact area exists on a property. The administrator shall make this determination after an investigation initiated by the administrator or upon the complaint of any citizen.
- (c) Upon making a determination that an erosion impact area exists, the administrator shall immediately notify the owner of the property, in writing, of the determination. The notice shall be served by certified mail to the address of the owner based on the most recent tax records of the city, or by personal delivery. The written notice shall (i) instruct the owner to submit an erosion and sediment control plan for review and approval as provided in this article, and (ii) state the date by which the plan must be submitted.
- (d) Upon receipt of the notice required by this section the owner shall submit to the administrator for approval an erosion and sediment control plan designed to prevent further erosion, and the owner shall in all other aspects comply with the requirements of the notice and of this article. The owner shall not permit any portion of the land that is the subject of the notice to remain in a condition such that soil erosion and sedimentation causes reasonably avoidable damage or harm to adjacent or downstream property, roads, streams, lakes or ponds.
- (e) For good cause shown, the administrator may grant to an owner an extension of time to comply with the requirements of this section and this article.

(5-5-14, § 2, eff. 7-1-14)

**Secs. 10-24—10-30. Reserved.**

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[Secs. 10-44—10-49. Reserved.](#)

**Sec. 10-31. Permit required for land-disturbing activities.**

No person shall engage in any land-disturbing activity within the city until an erosion and sediment control plan has been approved and a land-disturbing permit has been issued by the administrator in accordance with section 10-9 of the city code. The land-disturbing permit is required in addition to any other approval required by this chapter, by the city's zoning or subdivision ordinances, or from the city's building official (including, without limitation, any building permit, foundation permit, or demolition permit).

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-32. Responsibilities of owner of land when work to be conducted by contractor.**

Whenever a land-disturbing activity is proposed to be conducted by a contractor performing construction work pursuant to a construction contract, the preparation, submission and approval of the required erosion and sediment control plan shall be the responsibility of the owner of the land.

(5-5-14, § 2, eff. 7-1-14)

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**Sec. 10-33. Conformity to state handbook and regulations.**

Pursuant to Code of Virginia § 62.1-44.15:54 the city hereby adopts the regulations, references, guidelines, standards and specifications promulgated by the state board, and the City's Design and Standards Manual, for the effective control of soil erosion and sediment deposition to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources. Said regulations, references, guidelines, standards and specifications for erosion and sediment control are included in but not limited to the Virginia Erosion and Sediment Control Regulations set forth within the Virginia Administrative Code at 9VAC25-840-10 et seq. and the Virginia Erosion and Sediment Control Handbook, including all amendments thereto. The regulations, references, guidelines, standards and specifications referenced within this paragraph shall be used (i) by an applicant when preparing and submitting an erosion and control plan for review and approval of the administrator under the provisions of this article, and (ii) by the administrator, in considering the adequacy of a submitted plan.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-34. Fees.**

Fees shall be submitted at the time of filing any erosion and sediment control plan, and thereafter, as specified within the most recent fee schedule approved by city council. Each re-submission of a plan following rejection by the administrator shall constitute a new application requiring an additional application fee.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-35. Erosion and sediment control plan.**

- (a) No person shall engage in any land-disturbing activity until such person has submitted to the administrator for review and approval an erosion and sediment control plan, along with an application for a land-disturbing permit in accordance with Article I.
- (b) The owner shall submit four (4) copies of an erosion and sediment control plan that satisfies the requirements of this section, and a certification stating that all requirements of the approved plan will be complied with.
- (c) The standards contained within the regulations, and within the Virginia Erosion and Sediment Control Handbook, as amended, and the City's Standards and Design Manual, shall be used by the applicant in preparing and submitting an erosion and sediment control plan.
- (d) The administrator may require additional information as may be necessary for its complete review of the plan.
- (e) In lieu of paragraphs (b)—(d), above, where land-disturbing activity will involve land under the jurisdiction of more than one (1) locality's program, an erosion and sediment control plan, at the option of the applicant, may be submitted to the state board or its agent (DEQ) for review and approval, rather than to each locality.
- (f) In lieu of paragraphs (b)—(d), above, any person engaging in the creation and operation of wetland mitigation banks in multiple jurisdictions, which have been approved and are operated in accordance with applicable federal and state guidance, laws, or regulations for the establishment, use, and operation of mitigation banks, pursuant to a permit issued by the Department of Environmental Quality, the Marine Resources Commission, or the U.S. Army Corps of Engineers, may, at the option

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of that person, file general erosion and sediment control specifications for wetland mitigation banks annually with the DEQ for review and approval consistent with guidelines established by the board.

- (g) Pursuant to Virginia Code § 62.1-44.15:55(D), electric, natural gas and telephone utility companies, interstate and intrastate natural gas pipeline companies shall, and railroad companies shall, and authorities created pursuant to Code of Virginia § 15.2-5102 may, file general erosion and sediment control specifications annually with the Board for review and approval.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-36. Review and approval of erosion and sediment control plan.**

Each erosion and sediment control plan submitted pursuant to this article shall be reviewed and approved as provided herein:

- (1) The plan shall be submitted along with the application required by section 10-9 of Article I, and shall be reviewed by the administrator to determine its compliance with the requirements of this article and with applicable state laws and regulations.
- (2) During review of the plan the administrator may correspond with the owner from time to time to review and discuss the plan with the owner, and may require additional information from the owner as necessary in order for the plan to be approved.
- (3) The administrator shall review erosion and sediment control plans submitted, and shall either grant written approval or written notice of disapproval in accordance with the time periods and other requirements set forth within Code of Virginia § 62.1-44.15:55 and Article I of this chapter.
- (4) Applicants for land-disturbing permits may be required to provide a performance bond, cash escrow or other financial guarantee, determined in accordance with section 10-9 of this chapter, to ensure that measures could be taken by the administrator at the applicant's expense should the applicant fail, after proper notice, within the time specified, to initiate or maintain appropriate measures required by the approved erosion and sediment control plan as a result of applicant's land-disturbing activity.
- (5) If the owner is required to obtain approval of a site plan or subdivision plat for a development, the administrator shall not approve an erosion and sediment control plan or authorize the commencement of any land-disturbing activity, unless and until the site plan or plat has received final approval as provided by law. Notwithstanding the foregoing, the administrator may approve an erosion and sediment control plan and may authorize commencement of land-disturbing activity, prior to approval of a required final site plan or final subdivision plat only in the following circumstances:
  - a. To correct any existing erosion or other condition conducive to excessive sedimentation which is occasioned by any violation of this chapter or by accident, act of God, or other cause beyond the control of the owner, provided that the activity proposed shall be strictly limited to the correction of such condition;
  - b. To install underground public utility mains, interceptors, transmission lines and trunk lines for which plans have previously been approved by the operating public utility or public service corporation and have previously been approved by the city as being substantially in accord with the comprehensive plan, where required by Code of Virginia § 15.2-2232.

(5-5-14, § 2, eff. 7-1-14)

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**Sec. 10-36.1. Variances.**

The administrator may waive or modify any of the standards that are deemed inappropriate or too restrictive for site conditions, by granting a variance. A variance may be granted under these conditions:

- (1) At the time of plan submission, an applicant may request a variance to become part of the approved erosion and sediment control plan. The applicant shall explain the reasons for requesting variances in writing. Specific variances which are allowed by the administrator shall be documented in the plan.
- (2) During construction, the person responsible for implementing the approved plan may request a variance in writing from the administrator. The administrator shall respond in writing either approving or disapproving such a request. If the administrator does not approve a variance within ten (10) days of receipt of the request, the request shall be considered to be disapproved. Following disapproval, the applicant may resubmit a variance request with additional documentation.
- (3) The administrator shall consider variance requests judiciously, keeping in mind both the need of an applicant to maximize cost effectiveness and the public interest and need to protect off-site properties and resources from damage.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-37. Agreement in lieu of a plan.**

- (a) If land-disturbing activity is for the purpose of establishing or modifying a single-family detached dwelling, then, in lieu of an erosion and sediment control plan, the administrator may enter into a contract with the property owner that specifies conservation measures that must be implemented in the construction of the single-family dwelling.
- (b) In determining whether to allow an agreement in lieu of a plan, the administrator shall consider the potential threat to water quality and to adjacent land resulting from the land-disturbing activity, as well as applicable provisions of state law and regulations. When an agreement in lieu of a plan is authorized and approved by the administrator, the administrator and the owner shall have all of the rights, responsibilities and remedies set forth in this article as though such agreement in lieu of a plan was an erosion and sediment control plan.
- (c) The administrator may waive the requirement for a responsible land disturber holding a certificate of competence, in connection with an agreement in lieu of a plan for construction of a single-family residence. If a violation occurs during the land-disturbing activity, then the person responsible for carrying out the agreement in lieu of a plan shall correct the violation and shall provide the name of an responsible land disturber holding a certificate of competence, as provided by Code of Virginia § 62.1-44.15:55.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-38. Amendment of approved plan.**

The administrator may require changes to an approved erosion and sediment control plan, and require an owner to submit an amended plan, in the following circumstances:

- (1) An inspection reveals that the plan is inadequate to satisfy the requirements of this article;

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- (2) The person responsible for carrying out the plan finds that, because of changed circumstances, or for other reasons, the approved plan cannot be effectively carried out and proposed amendments to the plan, consistent with the requirements of this article are agreed to by the administrator and the person responsible for carrying out the plan; or
- (3) In the event that land-disturbing activity has not commenced during the one hundred eighty-day period following plan approval, or if land-disturbing activity pursuant to an approved plan has ceased for more than one hundred eighty (180) days, the administrator may evaluate the existing approved erosion and sediment control plan to determine whether the plan still satisfies the requirements of this article and state erosion and sediment control criteria, and to verify that all design factors are still valid. If the administrator finds the previously approved plan to be inadequate, a modified plan shall be submitted for approval by the administrator prior to the commencement or resumption of land-disturbing activity.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-39. Duty to comply, maintain and repair.**

Upon approval by the administrator of an erosion and sediment control plan, each owner shall:

- (1) Comply with the approved plan when performing, or allowing to be performed, any land-disturbing activities, or activities to correct an erosion impact area;
- (2) Maintain and repair all erosion and sediment control structures and systems to ensure continued performance of their intended function;
- (3) Comply with all requirements of this article, and with applicable state laws and regulations; and
- (4) Provide the name of a responsible land disturber, as defined in Article I of this chapter, who will be in charge of and responsible for carrying out the land-disturbing activity.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-40. Inspection and monitoring.**

- (a) As a condition of approval of an erosion and sediment control plan, the administrator may require the person responsible for carrying out the plan to monitor the land-disturbing activity as provided herein:
  - (1) Any monitoring conducted shall be for the purpose of ensuring compliance with the erosion and sediment control plan, and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation.
  - (2) The condition requiring monitoring and reporting shall state: (i) the method and frequency of such monitoring, and (ii) the format of the report and the frequency for submitting reports.
  - (3) The person responsible for carrying out the plan will maintain records of inspections and maintenance, to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation.
- (b) The administrator shall periodically inspect the land-disturbing activity in accordance with 9VAC25-840-60, to assure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation as provided herein. The owner, permittee, or person responsible for carrying out the plan shall be given notice of the inspection.

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- (1) Monitoring, reports and inspections required by the administrator shall be conducted in accordance with the requirements of Code of Virginia § 62.1-44.15:58 and 62.1-44.15:60, and applicable provisions of state regulations.
- (2) If the administrator determines that there is a failure to comply with the approved plan, notice shall be served on the permittee or person responsible for carrying out the plan, in accordance with the requirements of Code of Virginia § 62.1-44.15:58. Upon failure to comply within the specified time, the land-disturbing permit may be revoked and the permittee or person responsible for carrying out the plan shall be deemed to be in violation of this article and shall be subject to the penalties provided herein.
- (3) Upon determination of a violation of this article the administrator may, in conjunction with or subsequent to a notice to comply, issue an order requiring that all or part of the land-disturbing activities be stopped until an approved plan or any required permits are obtained. In cases where the alleged noncompliance is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters, or where the land-disturbing activities have commenced without an approved plan or any required permits, such an order may be issued without regard to whether the permittee has been issued a notice to comply. Any such order shall be served in the same manner as a notice to comply. A stop-order shall have the effects, shall remain in effect, as set forth within Code of Virginia § 62.1-44.15:58. Upon completion and approval of corrective action, or obtaining an approved plan and any required permits, the order shall be lifted. Upon failure to comply with any such order within the specified time, the land-disturbing permit may be revoked and the permittee or person responsible for carrying out the plan shall be deemed to be in violation of this article and shall be subject to the penalties provided herein.
- (4) Any person violating or failing, neglecting or refusing to obey an order issued by the administrator may be compelled in a proceeding instituted in the Circuit Court of the City of Charlottesville to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.
- (5) Nothing in this section shall prevent the administrator from taking any other action authorized by this article.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-41. Determination of noncompliance with plan; stop work orders.**

Upon a determination by the administrator that an owner has failed to comply with an approved erosion and sediment control plan, the administrator shall provide notice to a permittee or person responsible for carrying out the erosion and sediment control plan, and may issue an order requiring that all or part of the land-disturbing activities be stopped, in accordance with the provisions of Code of Virginia § 62.1-44.15:58 and applicable state regulations

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-42. Program personnel requirements.**

- (a) An erosion and sediment control plan shall not be approved until it is reviewed by a certified plan reviewer.
- (b) Inspections of land-disturbing activities shall be conducted by a certified inspector.

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- (c) The city's erosion and sediment control program may be carried out by one (1) or more persons; however, at all times the city's program, at a minimum, shall consist of a certified program administrator, a certified plan reviewer and a certified project inspector, who may be the same person.
- (d) The certifications required by this section shall be those granted by the state board, as set forth within Code of Virginia § 62.1-44.15:53.

(5-5-14, § 2, eff. 7-1-14)

**Sec. 10-43. Penalties, injunctions and other legal actions.**

- (a) Any person violating the provisions of this article shall, upon conviction, be guilty of a Class 1 misdemeanor.
- (b) The following may apply to the circuit court for injunctive relief to enjoin a violation or a threatened violation of this article, without the necessity of showing that an adequate remedy at law does not exist:
  - (1) The city; and
  - (2) The owner of property that has sustained damage or that is in imminent danger of being damaged; however, an owner of property shall not apply for injunctive relief unless (i) owner has notified in writing both the administrator and the person who has violated the provisions of this article, that a violation of this article has caused, or creates a probability of causing, damage to owner's property, and (ii) neither the person who has violated this article nor the administrator has taken corrective action within fifteen (15) days to eliminate the conditions which have caused, or create the probability of causing, damage to the owner's property.
- (c) In addition to any criminal penalties provided under this section, any person who violates any provision of this article may be liable to the city in a civil action for damages.
- (d) Any person who violates any provision of this article shall, upon a finding of the Charlottesville General District Court, be issued a civil penalty. The civil penalty for any one (1) violation shall be not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00). The civil penalty for violations listed within the schedule set forth following below shall be as set forth within the schedule. The administrator may issue a summons for collection of any civil penalty.
  - (1) There is hereby established a schedule of civil penalties for certain violations of this article, and any civil penalty assessed by a court to a person who is found to have violated the sections referenced in the schedule shall be in accordance with the schedule.

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<b>Schedule of Violations Subject to Prescribed Civil Penalties</b>	<b>Section</b>	<b>Penalty</b>
Additional measures - failure to install additional measures as deemed necessary by the administrator or his inspector once work has commenced	10-38	\$100.00
Bond - failure to obtain bond	10-36	\$100.00

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E&S plan - failure to submit if required by administrator	10-35	\$1,000.00
E&S plan - failure to comply with approved plan	10-35 10-39	\$500.00
Corrections - failure to comply with mandatory corrections as issued on an E&S inspection notice or report	10-40	\$500.00
Existing conditions - failure to submit plan or provide controls after receipt of notice	10-21 10-23	\$500.00
Inspection - failure to request at the time(s) required by approved plan	10-39 10-24	\$100.00
Land-disturbing permit or approved plan - commencement of land-disturbing activities without an approved permit or plan	10-31	\$1,000.00
Land-disturbing permit or approved plan - failure to comply with provisions	10-39	\$500.00
Live waterway - causing silt or debris to enter when engaged in land-disturbing activity without an approved plan and permit	10-31	\$500.00
Stop work order - failure to cease work after issuance	10-40	\$1,000.00

- 
- (2) Each day during which the violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same operative set of facts result in civil penalties which exceed a total of ten thousand dollars (\$10,000.00), except a series of violations arising from the commencement of land-disturbing activities without an approved plan for any site. The assessment of a civil penalty pursuant to this subsection (d) shall be in lieu of criminal sanctions and shall preclude the prosecution of such violation as a misdemeanor. In any trial for a scheduled violation, it shall be the burden of the city to show the liability of the violator by a preponderance of the evidence. An admission or finding of liability shall not be a criminal conviction for any purpose.
- (e) Without limiting the remedies which may be obtained under this section, any person violating or failing, neglecting or refusing to obey any injunction, mandamus or other remedy obtained pursuant to this section shall be subject, in the discretion of the court, to a civil penalty not to exceed two

- CODE

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DIVISION 2. EROSION AND SEDIMENT CONTROL PLAN FOR LAND-DISTURBING ACTIVITIES

thousand dollars (\$2,000.00) for each violation. A civil action for such violation or failure may be brought by the city against such person.

- (f) With the consent of any person who has violated or failed, neglected or refused to obey any regulation or order of the administrator; any condition of a permit; or any provision of this article or associated regulations, the administrator may provide, in an order issued against such person, for the payment of civil charges for violations in specific sums, not to exceed two thousand dollars (\$2,000.00). Such civil charges shall be instead of any appropriate civil penalty which could be imposed under subsection (d) or (e) of this section.
- (g) Any civil penalties assessed by a court pursuant to this section shall be paid into the city treasury. However, where the violator is the locality itself, or its agent, the court shall direct the penalty to be paid into the state treasury.

(5-5-14, § 2, eff. 7-1-14)

**Secs. 10-44—10-49. Reserved.**

### **110) Stormwater Management (SWM) and Erosion and Sediment Control (E&S) Plans**

- All projects that are equal to or greater than 6,000 square feet of disturbed area are subject to the provisions set forth in Chapter 10 of the City Code and will be submitted, reviewed and approved according to the appropriate ordinances.
- Single-family detached residential structures that disturb less than 6,000 square feet of land and that are part of a larger common plan of development or sale (e.g., subdivision) are required to obtain an Agreement In Lieu of Erosion and Sediment Control Plan. If the common plan of development in which the single family residential structure is located is equal to or greater than 1 acre, an Agreement In Lieu of Stormwater Management Plan must be obtained in addition to a SWPPP provided for that lot in compliance with the construction general permit. These agreements where applicable must be submitted to the City and approved by the E&S/VSMP Administrator before land disturbance may begin. Proof of a SWPPP where applicable must be submitted to the City before the subject agreements above are approved.
- When a site plan, site plan amendment, subdivision plat or PUD is submitted showing more than 6,000 square feet of disturbed area, an Erosion and Sediment Control Plan and a Stormwater Management Plan is required to be submitted to the Department of Neighborhood Development Services with the appropriate checklists, applications and fees.
- If the project is equal to or greater than one acre, coverage under the construction general permit must be obtained. Operators of these land-disturbing activities are required to submit a registration statement, Stormwater Pollution Prevention Plan (SWPPP) and associated fee to the City of Charlottesville during the plan review process. Please note that for NEW ISSUANCE ONLY, half of the total state permit fee will be due when the stormwater management plan is submitted for review. The second half of the total fee will need to be submitted with when applying for construction general permit coverage after plan approval. VSMP registration statements shall be submitted in accordance with 9VAC25-870-59 of the state code.
- When an E&S and SWM submission is not part of a site plan application, 4 copies will be required.
- When an E&S and SWM submission is part of a site plan application, the number of copies required shall parallel the requirements of all site plan submissions.
- E&S and SWM plans will be reviewed by the City Engineer or his/her designee for compliance with all local, state and federal requirements and good engineering practice.
- If the plans are deemed to be inadequate for approval, review comments will be compiled into a memorandum and forwarded to the appropriate city planner for that project, or directly to the applicant in some cases. Revised plans are to be submitted as before and this process will be

repeated until all comments are addressed to the satisfaction of the City Engineer or his/her designee.

- A Stormwater Maintenance Agreement should be submitted and reviewed during the plan review process. Once the Stormwater Maintenance Agreement has been found acceptable, it should be recorded at the court house and a copy of the recordation receipt and final agreement must be provided prior to plan approval.
- Also included with the plan submission should be separate itemized lists of all E&S measures and SWM measures with unit prices. These itemized price lists will be used to establish the bond amount for the E&S Bond and the SWM Bond. A 20% contingency should be added to the itemized total.
- A Letter of Credit is one type of surety used for the E&S and SWM Bond. The template can be found at (J:\NEIGHPLAN\Engineering\Stormwater\Regulatory\E&S and VSMP\Bonds). Once the bond is received, the original bond and memo (J:\NEIGHPLAN\Engineering\Stormwater\Regulatory\E&S and VSMP\Bonds) are sent to the City Attorney for review and approval. These bonds are kept on file with the City Attorney.
- When the developer is ready to begin construction a Pre-Construction meeting is scheduled with all persons who will be involved with the project as it proceeds. Before a land disturbance permit is issued, all associated plans must be approved, the stormwater maintenance agreement must be recorded, all bonds must be posted, registration statements must be provided, and the SWPPP must be completed. In addition 4 copies of the final E&S/Stormwater Management plans should be submitted for distribution at the preconstruction meeting. Two signed copies will be given to the developer/owner in which one set must remain on site at all times. The E&S/VSMP Administrator will receive one copy of the plan the remaining copy will be given the City's E&S Inspector.
- The issuance of a Land Disturbance Permit allows the developer to begin installing initial E&S measures. This shall be done as the first step in any land disturbing activity. Once the initial E&S measures are in place, a City E&S inspector is called to ensure that everything has been installed correctly. Once it has been deemed by the E&S inspector that all the measures follow the approved E&S plan, the developer is given permission to begin construction and other grading activities.
- E&S bonds may be returned at the completion of a project once the E&S Inspector has determined that the site is stabilized adequately to inhibit erosion and no further construction or land disturbance will take place.
- SWM bonds may be returned at the completion of a project once all of the final SWM measures have been installed, inspected by the City and found to be in compliance with the approved plans. In addition, as-built drawings will need to be submitted to the City and approved.
- A memo then is sent to the City Attorney requesting release of the bonds. (J:\NEIGHPLAN\Engineering\Stormwater\Regulatory\E&S and VSMP\Bonds)

### **111) E&S and SWM Enforcement and Violations**

- Chapter 10 of the City Code addresses Erosion and Sediment Control and Stormwater Management enforcement.
- All sites will be inspected by the City per 9VAC25-840-60 (for E&S) and 9VAC25-870-200 (for SWM) of the state code.
- If the inspection does not result in a violation, the Inspector will use a checklist or other City forms to document that the project is in satisfactory condition and the checklist will be saved on the computer in the project folder. (J:\NEIGHPLAN\Engineering\Stormwater\Regulatory\E&S and VSMP\Projects)
- If an inspection does result in one or more violations of the approved E&S and/or SWM Plan, an Inspection Report will be generated by the inspector. The report is then emailed or faxed to the Construction Activity Operator and in some cases the RLD. The inspection report will note the date and time that the project will be re-inspected. The inspection report and in some cases pictures of the violations are scanned and saved on the computer in the project folder, where all documents associated with the project including Notice to Comply and Stop work orders are stored. (J:\NEIGHPLAN\Engineering\Stormwater\Regulatory\E&S and VSMP\Projects)
- If a violation has not been addressed adequately by the deadline provided in the Inspection Report, a Notice to Comply may be issued.
- A Notice to Comply will again document the violations and provide a revised date and time that all deficiencies shall be brought into compliance. If a violation has not been addressed following a Notice to Comply, a Stop Work Order may then be issued.
- If a Stop Work Order is produced, all work on the project is shut down except any work that is required to bring the site into compliance and satisfy the deficiencies spelled out in the Inspection Report and the Notice to Comply, along with any other violations that were noted on the Stop Work Order. Once the project is brought back into compliance and all fee penalties have been paid where assessed, regular construction activities may resume.
- Form letters for an Inspection Report, Notice to Comply and Stop Work Order are located at (J:\NEIGHPLAN\Engineering\Stormwater\Regulatory\E&S and VSMP\Forms)
- Penalty fees may be assessed for all violations as outlined in Chapter 10 of the City Code and per the most recently adopted fee schedule.

### **112) E&S and SWM Reports and Recordkeeping**

- Reporting and record keeping shall adhere to 9VAC25-840-65 (E&S) and 9VAC25-870-126 (SWM) of the state code.
- All projects with over 6,000 SF of land disturbance will be tracked by the Administrator and shall record pertinent details as outlined in the state code. This includes, but is not limited to, the name of project, physical address, parcel number, owner information, contractor information,

date plans were approved, land disturbance area, general description of the work being performed, hydrologic unit code, impaired surface water that the SWM facility drains to, description of permanent SWM features with associated drainage areas to each facility and reference to the state approved BMP type.

- All Land Disturbing Activities must comply with City of Charlottesville's Water Protection Ordinance.
- Information will be compiled each year and provided to the appropriate City staff for annual reports on the City's MS4 permit.



## EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT PLAN APPLICATION

Please return to: City of Charlottesville  
Department of Neighborhood Development Services  
P. O. Box 911, City Hall  
Charlottesville, VA 22902  
Telephone: (434) 970-3182 Fax: (434) 970-3359

### A. Project Information

Project Name: \_\_\_\_\_

City Tax Map No: \_\_\_\_\_ Parcel: \_\_\_\_\_

Total Project Area (sq. ft. or acres): \_\_\_\_\_ Land Disturbance (sq. ft. or acres): \_\_\_\_\_

Address (if no address, description of location): \_\_\_\_\_

### B. Applicant Information

Applicant Name: \_\_\_\_\_ Contact Name: \_\_\_\_\_

Applicant Email: \_\_\_\_\_ Applicant Phone: \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### C. Property Owner Information

Owner Name: \_\_\_\_\_ Contact Name: \_\_\_\_\_

Owner Email: \_\_\_\_\_ Owner Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### Right of Entry

I, the undersigned, hereby grant the designated officer of the City of Charlottesville the right to enter my property for the purpose of inspection and monitoring for compliance with the approved Erosion & Sediment Control and Stormwater Management plan for project.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Original inked signature required. The Right of Entry must be signed by the owner of property as defined in Chapter 10, section 10-5 of the City of Charlottesville Water Protection Ordinance <sup>(1)</sup>**

**D. Person Responsible for Plan Implementation**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Business: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Signature of Person Responsible for E&S and SWM Plan Implementation**

I, the undersigned, certify that I fully understand the provisions of the City of Charlottesville’s E&S and SWM plan for the above referenced project including compliance with the City of Charlottesville’s Water Protection Ordinance.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Original inked signature required. This certification must be signed by the owner of the property or operator of the construction activity as defined in Chapter 10, section 10-5 of the City of Charlottesville Water Protection Ordinance <sup>(1)</sup> <sup>(2)</sup>**

**E. Materials Accompanying this Application**

1. Two (2) copies of the proposed Erosion & Sediment Control and Stormwater Management Plan, including:
  - Narrative  Calculations  Plan  Checklists
2. Construction Gen. Permit Registration Statement (If applicable)
3. The following fees based on the Land Disturbance Area (LDA):
  - a. E&S Fee (\$500 + \$125 per acre or portion of.), **Partial acreage rounds up to the next whole number**
  - b. SWM Fee (\$500 where 6,000 SF ≤ LDA < 1 AC)
  - c. State Permit Fee (If applicable, refer to schedule for total fee), **Please note that only 50% of the total SWM for sites that are one acre or more, is required at the time this application is submitted. The other half of the total SWM fee will be required after plan approval and before the City submits permit information to DEQ for coverage under the construction general permit. When submitting the second half of this fee, please use the permit fee form that can be found on the City website.**

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<sup>(1)</sup> **Owner** means the owner(s) of the freehold of land, or a lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person in control of a property. As used herein, "owner" also refers to, in the appropriate context, any person authorized to act as the agent for the owner.

<sup>(2)</sup> **Operator** means the owner or operator of any facility or activity subject to the regulation under Chapter 10 – Water Protection in the City of Charlottesville Code of Ordinances.

**For Office Use Only**

Adept Plan No: \_\_\_\_\_ Date Received: \_\_\_\_\_

E&S Fee Submitted: \_\_\_\_\_ SWM Fee Submitted: \_\_\_\_\_

# CITY OF CHARLOTTESVILLE

## Neighborhood Development Services

610 E. Market St., P.O. Box 911, Charlottesville, Virginia 22902

Phone (434) 970-3182, Fax (434) 970-3359



### E&S and SWM Plan Submittal Requirements Checklist

#### Applications

Yes	No	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E&S and SWM Plan Application (or Amendment Application)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Registration Statement (for sites over 1 acre of land-disturbing activity)

#### Checklists

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E&S and SWM Plan Submittal Requirements Checklist
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E&S Checklist
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Engineering Checklist

#### Fees

Yes	No	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E&S Fee
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWM Fee
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Construction Permit Fee

#### Plans General

Yes	No	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed E&S Plan (City Code Sec. 10-35)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed SWM Plan (City Code Sec. 10-53)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Agreement In Lieu of Plan (E&S and/or SWM)

#### Plans Specific

Yes	No	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Erosion & Sediment Control measures and details (Sec. 10-35.c)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Applies appropriate technical criteria as required (Sec. 10-53.b)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General description of proposed SWM facilities (Sec. 10-53.c.1)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General description of mechanism through which permanent SWM facilities will be maintained and operated (Sec. 10-53.c.1)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Owner contact information (City Code Sec. 10-53.c.2)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TMP number where land-disturbing activity will occur (Sec. 10-53.c.2)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Narrative that describes current and proposed site conditions (Sec. 10-53.c.3)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Type, location, and receiving water of SWM discharges (Sec. 10-53.c.4)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Type, location (address, coord, and HUC), total area treated, impervious area treated, and lbs/yr of pollutant removal for the proposed SWM facility. (Sec. 10-53.c.5)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hydrologic and hydraulic calcs including runoff characteristics (Sec. 10-53.c.6)

- |                          |                          |                          |  |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Documentation and calculation verifying compliance with water quality and quantity requirements (Sec. 10-53.c.7)   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | All contributing drainage areas (Sec. 10-53.c.8.a)   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Existing streams, culverts, ditches, wetlands, surface waters and floodplains (Sec. 10-53.c.8.b)   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Soil types, forest cover and other vegetative areas (Sec. 10-53.c.8.c)   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Current land use to include structures, roads, utilities and easements (Sec. 10-53.c.8.d)  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sufficient info on adjoining parcels to assess impacts of stormwater (Sec. 10-53.c.8.e)  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Limits of clearing and grading and proposed drainage patterns (Sec. 10-53.c.8.f)   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed land use, structures, roads, utilities and SWM facilities (Sec. 10-53.c.8.g)  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Tabulation of percentages of area to be adapted for use to include but not limited to proposed locations of utilities, paved surfaces and easements (Sec. 10-53.c.8.h) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Description of proposed timing and/or phasing of development (Sec. 10-53.c.8.i)  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other info as required by 9VAC25-870-55 and the City's Standards and Design Manual (Sec. 10-53.c.9)  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Signature and seal by professional (Sec. 10-53.c.11)   |



## EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT PLAN AMENDMENT APPLICATION

Please return to: City of Charlottesville  
Department of Neighborhood Development Services  
P. O. Box 911, City Hall  
Charlottesville, VA 22902  
Telephone: (434) 970-3182 Fax: (434) 970-3359

### A. Project Information

Project Name: \_\_\_\_\_

City Tax Map No: \_\_\_\_\_ Parcel: \_\_\_\_\_

Total Project Area (sq. ft. or acres): \_\_\_\_\_ Land Disturbance (sq. ft. or acres): \_\_\_\_\_

Address (if no address, description of location): \_\_\_\_\_

### B. Applicant Information

Applicant Name: \_\_\_\_\_ Contact Name: \_\_\_\_\_

Applicant Email: \_\_\_\_\_ Applicant Phone: \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### C. Property Owner Information

Owner Name: \_\_\_\_\_ Contact Name: \_\_\_\_\_

Owner Email: \_\_\_\_\_ Owner Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### Right of Entry

I, the undersigned, hereby grant the designated officer of the City of Charlottesville the right to enter my property for the purpose of inspection and monitoring for compliance with the approved Erosion & Sediment Control and Stormwater Management plan for project.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Original inked signature required. The Right of Entry must be signed by the owner of property as defined in Chapter 10, section 10-5 of the City of Charlottesville Water Protection Ordinance <sup>(1)</sup>**

**D. Person Responsible for Plan Implementation**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Business: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Signature of Person Responsible for E&S and SWM Plan Implementation**

I, the undersigned, certify that I fully understand the provisions of the City of Charlottesville’s E&S and SWM plan for the above referenced project including compliance with the City of Charlottesville’s Water Protection Ordinance.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Original inked signature required. This certification must be signed by the owner of the property or operator of the construction activity as defined in Chapter 10, section 10-5 of the City of Charlottesville Water Protection Ordinance <sup>(1) (2)</sup>**

**E. Materials Accompanying this Application**

1. Two (2) copies of the proposed Erosion & Sediment Control and Stormwater Management Plan, including:
  - Narrative  Calculations  Plan  Checklists
2. Construction Gen. Permit Registration Statement  
(If applicable)
3. The following fees based on the Land Disturbance Area (LDA):
  - a. E&S Amendment Fee (\$200)
  - b. SWM Amendment Fee (\$200 where 6,000 SF ≥ LDA < 1 AC)
  - c. State Permit Modification Fee (If applicable, refer to schedule) **This is for SWM Amendments for sites that are one acre or more. When submitting this fee, please use the permit fee form that can be found on the City website.**

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<sup>(1)</sup> **Owner** means the owner(s) of the freehold of land, or a lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person in control of a property. As used herein, "owner" also refers to, in the appropriate context, any person authorized to act as the agent for the owner.

<sup>(2)</sup> **Operator** means the owner or operator of any facility or activity subject to the regulation under Chapter 10 – Water Protection in the City of Charlottesville Code of Ordinances.

**For Office Use Only**

Adept Plan No: \_\_\_\_\_ Date Received: \_\_\_\_\_

E&S Fee Submitted: \_\_\_\_\_ SWM Fee Submitted: \_\_\_\_\_



# City of Charlottesville, Virginia Erosion and Sediment Control Plan Review Checklist

610 East Market Street, Charlottesville, VA 22902

Telephone 434-970-3182; Fax 434-970-3359

**Project:** \_\_\_\_\_

**Developer/Designer:** \_\_\_\_\_

**Reviewer:** \_\_\_\_\_

**Note: Effective November 3, 2010:**

**BMP 4.2-General Permit for Discharges from Construction Activities**

In an effort to comply with the regulations set forth by the DCR; projects that disturb more than one acre will be required to provide a copy of the DCR transmittal letter issuing permit coverage and containing the Construction General Permit number for the project.

A land disturbance permit will not be issued until the proper documents and permit number are provided to staff.

**I. Narrative:**

<b>1. Project Description: Describes the nature and purpose of the land disturbing activity.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Time of year the project will start and conclude			
Estimated time for completion of this project			
Total impervious area created by development			
Ultimate developed conditions for this site are discussed			
<b>2. Existing Site Conditions: Describes existing topography, vegetation, and drainage.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Indicates the percentages of slope(s) on the site.			
Vegetation that can be used for erosion control, or areas to be left undisturbed.			
Discusses the marking of all areas to be preserved.			
Describes the drainage areas in pre and post development giving acreage.			
Discusses existing drainage and erosion problems and how they will be addressed.			
Describes the orientation of all slopes			

existing and proposed (i.e. north or south facing).			
Discusses how existing conditions can be utilized to reduce erosion and how E&S controls will be designed to facilitate this site.			
Includes photographs of site.			
<b>3. Adjacent Areas: Describes all neighboring areas such as streams, lakes, residential areas, roads, etc., that may be effected by this development.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Potential for off-site damage is discussed.			
All environmentally sensitive areas are discussed.			
Private and public lands adjacent to site are discussed addressing all possible problems to consider for traffic, dust, increased run-off, etc.			
Discusses all perimeter controls.			
<b>4. Off-site Areas: Describes all off-site areas such as borrow sites, waste or surplus sites.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
All off-site areas have an approved plan to supplement the overall plan.			
Proof of permitting provided for all off-site areas under a separate permit.			
Specifies location of all off-site areas.			
<b>5. Soils: Briefly describes the soils on the site providing soil name, mapping unit, erodibility factor, permeability, depth, texture and soil structure.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Indicates references for soils information.			
Copy of Soils Map provided.			
Indicates the site plan page where soils are delineated.			
<b>6. Critical Areas: Describes all areas on site that have serious erosion problems (i.e. steep slopes, channels, wet weather/ underground springs etc.).</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Discusses all areas of the project, which may become critical during the project. For example, some areas of the site may have long or steep slopes during a certain phase of the grading.			
Indicates areas to be left alone until they can be graded and stabilized in favorable			

conditions.			
Discusses precautions to communicate limits of these areas to contractors and equipment operators.			
<b>7. Erosion and Sediment Control Measures: Describes the methods that will be used to control erosion and sedimentation on the site.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Provides specification numbers for all control measures and indicates their locations.			
Discusses why these particular practices were selected.			
Discusses the sequence of installation; including maintenance and removal of each control.			
Indicates the type of seed for temporary seeding.			
<b>8. Permanent Stabilization: Describes how the site will be stabilized after construction.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Provides adequate measures for final stabilization.			
Provides correct seeding times, consistent with the construction sequence.			
Includes any soil testing requirements.			
Includes seeding, fertilizer and liming specifications.			
Proposes an appropriate permanent vegetative cover.			
Discusses all areas that require stabilization by other means (non - vegetative stabilization, gravel, paving, etc.)			
<b>9. Stormwater Runoff Considerations: Discusses whether the development will cause an increase in peak runoff rates. Describes any possible increase in runoff which may cause flooding or channel degradation downstream. Includes strategies to control stormwater runoff.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Discusses protection of downstream properties and waterways.			
Discusses how increased runoff will be managed during construction.			
Discusses permanent structures and provides site plan page references for these items.			
<b>10. Calculations: Provides detailed calculations for the design of temporary sediment basins, permanent detention basins, diversions, channels, ,etc. Includes</b>			

<b>calculations for pre and post development runoff.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Provides calculation worksheets showing pre-development and post-development runoff.			
Clearly presents and organizes calculation methods.			
Calculations support the design in regard to adequate protection of downstream properties and waterways.			
<b>11. Maintenance: Provides a schedule for maintenance of permanent control measures.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Indicates responsible party for maintenance during construction and after construction			
Provides a schedule for inspections.			
Lists maintenance items to check and perform as well as precautions for large storms			

## **II. Erosion Control Site Plan:**

<b>1. Vicinity Map: Locates the site in relation to the surrounding area, indicating roads and local landmarks which identify the site.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Provides a vicinity location map such as a reproduction From a topo map, road map etc.			
<b>2. Indicates north:</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Provides directional north indicator arrow on each sheet.			
<b>3. Limits of Clearing: Areas that are to be cleared and graded.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Areas to be disturbed (limits of clearing and grading) are clearly marked on site plan.			
Notation made as to how the site will be marked in the field (i.e, staking and flagging).			
All areas <b>not</b> to be disturbed are clearly marked .Notation made how these areas will be identified in the field			
<b>4. Existing Contours: Existing contours of the site before development.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments</b>

			or N/A
Existing contours shown as broken (dashed) lines at intervals not exceeding 5 feet unless otherwise approved			
All pre-development drainage areas are clearly defined on plan.			
All potentially critical areas such as slopes are indicated.			
All cut and fill areas are clearly indicated			
<b>5. Final Contours: All changes to the existing contours, including final drainage patterns</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
All final grades and drainage areas are clearly indicated			
Any pre-development drainage areas which has increased is clearly indicated on plan			
Shows any final grades which create critical areas for stabilization			
Provides specifications for vegetative cover for all slopes at final grade.			
<b>6. Existing Vegetation: Existing tree lines, grassed areas or unique vegetation.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Shows all tree lines and existing vegetation			
Tree preservation indicated on plans. If yes: Is the letter from certified arborist attached? If no: Refer to planners on planning commission notes			
<b>7. Soils: Boundaries for all different soil groups</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Shows the mapping unit boundaries for all soil types. Provides soil classification information, shows borings if any.			
<b>8. Existing Drainage Patterns: The dividing lines and the direction of flow for all existing drainage areas.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
All existing drainage areas must be indicated by acreage and show the direction of flow.			
Plans shows all basins, traps and/or other structures necessary for erosion control			
Designs for all proposed structures are			

consistent with the requirements in the Virginia Erosion and Sediment Control Handbook, latest edition.			
Site plan indicates diversions for offsite drainage.			
<b>9. Critical Erosion Areas: Highlights areas that have a serious erosion problem or the potential for a serious problem.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
All critical, environmentally sensitive or prohibited areas are indicated on the plan. Notations state the reason for concerns.			
Special consideration given to stream crossings, other permitting requirements, soil stock piles, trash and debris removal, fuel storage etc.			
<b>10. Site Development: Shows all improvements such as buildings, parking lots, access roads, and utility construction.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Site plan shows all improvements intended such as buildings, roads, temporary access roads, right-of-ways and temporary and permanent easements.			
All utility improvements proposed on-site and off-site are shown			
<b>11. Location of Practices: The locations for all erosion and sediment controls and stormwater management practices proposed for site</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
All practices including vegetation are clearly labeled on site plans.			
Site plan contains a legend denoting symbols, line uses and other special characters			
<b>12. Off-site Areas: Identifies all off-site land-disturbing activities such as borrow areas and waste sites. All necessary control devices must be depicted on plan or on a separate plan.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
Provides a separate plan for proposed off-site borrow or disposal areas.			
Provides for adequate measure to stabilize off-site areas.			
The plan identifies the responsible party for off-site activities.			
<b>13. Detailed Drawings: all proposed structural practices shall be referenced from the Virginia Erosion and Sediment Control Handbook, latest edition or additional details provided for all structures that are referenced in the handbook.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments</b>

			<b>or N/A</b>
Details properly designed and clearly dimensioned to reflect the ability to be built in the field			
Proposed structures of alternative design have adequate details for constructing.			
All drawings, elevations and cross section details indicate design scale			
An outlet protection schedule is provided on the plans.			
The sizes for all proposed pipe, flume and slope drains provided on the plans.			
The plan details include VESCH specification numbers.			
Details of all practices being used provided on the plans.			
<b>14. Maintenance, A schedule of regular inspections and repair of erosion and sediment structures should be set forth.</b>			
	<b>Yes</b>	<b>No</b>	<b>Comments or N/A</b>
The plan indicates who is responsible for maintenance and repair of all E & S measures on the project			
The plan indicates who the preliminary contact for notification of problems and/ or emergencies will be.			
The plan provides a maintenance schedule and specifications for the proper clean out and maintenance of all major structures such as basins, traps, silt fence etc.			
The plan requires monitoring reports to be submitted From the RLD.			

### III. Plan Review Minimum Standard Checklist:

<b>Minimum Standard</b>	<b>Description</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
MS-1	Have temporary and permanent stabilization been addressed in the narrative? Are practices shown on the plan? Seed Specifications? Mulching? Gravel?			
MS-2	Has stabilization of soil stockpiles been addressed in the narrative? Are sediment trapping measures provided?			
MS-3	Has maintenance of permanent stabilization been addressed?			
MS-4	Are sediment trapping facilities to be			

	constructed as a first step in land disturbing activity?			
MS-5	Has stabilization of earth structures been addressed?			
MS-6	Are sediment basins required where needed?			
MS-7& MS-9	Has stabilization of cut and fill slopes been adequately addressed? i.e. surface roughening, outlet protection			
MS-8	Are paved flumes, channels, or slope drains required where necessary?			
MS-10	Is adequate inlet protection required on all operational storm sewer inlets?			
MS-11	Are channel lining and/or outlet protection required on stormwater conveyance channels?			
MS-12	Are in-stream construction measures required so that channel damage is minimized?			
MS-13	Are temporary stream crossings of non-erodible material required where applicable?			
MS-14	Note: This regulation requires that all applicable federal, state, and local regulations pertaining to working in or crossing live watercourses be followed.			
MS-15	Has re-stabilization of areas subject to in-stream construction been adequately addressed?			
MS-16	Is stabilization of utility trenches addressed?			
MS-17	Is the transport of soil and mud onto public roadways properly controlled? (i.e. construction entrance, wash racks, daily cleaning of roadways, transport of sediment to a trapping facility)			
MS-18	Has the removal of temporary practices been addressed? Has maintenance of practices been addressed? (i.e. repair of structures and removal of accumulated sediment)			
MS-19	Are properties and waterways downstream from development adequately protected from erosion and sediment deposition due to increases in peak stormwater runoff?			

**Date Received:**

**Approved:** \_\_\_\_\_ **Rejected:** \_\_\_\_\_ **Date Action taken:** \_\_\_\_\_

**Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## Agreement in Lieu of Erosion and Sediment Control Plan For Single-Family Detached Residential Dwellings

Please return to: City of Charlottesville  
Department of Neighborhood Development Services  
P.O. Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3182 Fax (434) 970-3359

**Please include \$150 application fee with this form, payable to the City of Charlottesville.**

### **Construction Activity Operator (1):**

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

### **Project Information:**

Project Name: \_\_\_\_\_

Building Permit No. \_\_\_\_\_ Parcel ID (9 digit #): \_\_\_\_\_ Lot: \_\_\_\_\_

Total Site Area (sq. ft. or acres): \_\_\_\_\_ Total Disturbed Area (sq. ft. or acres): \_\_\_\_\_

Address (if no address, description of location): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### **Identification of Responsible Land Disturber (2):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Certificate Number: \_\_\_\_\_ Certificate Expiration Date: \_\_\_\_\_

In lieu of submission of an erosion and sediment control plan for development on this lot, I agree to comply with the requirements of the Virginia Erosion and Sediment Control Law & Regulations, as amended, and install erosion control measures in accordance with the most recent Virginia Erosion & Sediment Control Handbook Standards and Specifications in order to protect against the transportation of soil off of the property. I further agree to comply with additional requirements determined necessary by the Department of Neighborhood Development Services. Such requirements shall be based on minimum standards necessary to provide adequate control of erosion and sedimentation resulting from this development.

**REQUIREMENTS:**

- At a minimum, all denuded areas on the lot shall be stabilized within seven (7) days of final grading with permanent vegetation or a protective ground cover suitable for the time of year. Temporary soil stabilization shall be applied within seven (7) days to denuded areas that may not be at final grade but will remain dormant (undisturbed) for longer than fourteen (14) days.
  
- I further understand that failure to comply with such requirements within the timeframe required by City Staff could result in appropriate legal action being taken to insure compliance with the Virginia Erosion Control Law & Regulations and the Virginia Erosion Control Handbook. The submission and approval of an erosion control plan and/or posting of a performance bond as provided in Section 10-3 and 10-9 of the Charlottesville Erosion and Sediment Control Ordinance may also be required.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**This agreement must be signed by the operator of the construction activity as defined in Chapter 10, section 10-5 of the City of Charlottesville Water Protection Ordinance <sup>(1)</sup>**

Approved by: \_\_\_\_\_  
E&S/VSMP Administrator Date

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<sup>(1)</sup> **Operator** means the owner or operator of any facility or activity subject to the regulation under Chapter 10 – Water Protection in the City of Charlottesville Code of Ordinances.

<sup>(2)</sup> **Responsible Land Disturber or RLD** means an individual holding a certificate of competence issued by the department, who is responsible for the operations of carrying out land-disturbing Activity in accordance with the approved erosion and sediment control plan. The RLD may be the owner, applicant, permittee, designer, superintendent, project manager, contractor or any other project or development team; however, the identity if the RLD must be designated on the approved erosion and sediment control plan or permit.

# CITY OF CHARLOTTESVILLE

## Neighborhood Development Services

610 E. Market St., P.O. Box 911, Charlottesville, Virginia 22902

Phone (434) 970-3182, Fax (434) 970-3359



### Land-Disturbing Permit Checklist

#### Plans

Yes	No	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved Site Plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved Subdivision Plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved E&S Plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved SWM Plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Agreement In Lieu of Plan (E&S and/or SWM)

#### Bonds

Yes	No	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public Improvement Bond
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E&S Bond
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWM Bond
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other Required Bond (landscaping, etc.)

#### Misc.

Yes	No	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recorded SWM Maintenance Agreement
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Permit Registration and Coverage Letter Received
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All required fees are paid (E&S, SWM, VSMP, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storm Water Pollution Prevention Plan (SWPPP)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As-Built Plan Guidelines have been provided to developer and contractor
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stream Buffer Identified and Requirements Followed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BMP Certification forms have been provided to developer and contractor
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	U.S. Army Corps of Engineers (USACE) Permit
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proof of Nutrient Credit purchase in lieu of or in addition to SWM Plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Demolition permit needed (Coordinate with City reviewing engineer)



## Land Disturbing Permit

Please return to: City of Charlottesville  
Department of Neighborhood Development Services  
P.O. Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3182 Fax (434) 970-3359

### Construction Activity Operator <sup>(1)</sup>:

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

### Project Information:

Plan Prepared By: \_\_\_\_\_

Project Name: \_\_\_\_\_

Building Permit No. \_\_\_\_\_ Parcel ID (9 digit #): \_\_\_\_\_ Lot: \_\_\_\_\_

Total Site Area (sq. ft. or acres): \_\_\_\_\_ Total Disturbed Area (sq. ft. or acres): \_\_\_\_\_

Address (if no address, description of location): \_\_\_\_\_

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### Identification of Responsible Land Disturber <sup>(2)</sup>:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Certificate Number: \_\_\_\_\_ Certificate Expiration Date: \_\_\_\_\_

**\*\*Please submit a copy of the RLD license with this Application\*\***

I, hereby certify that I fully understand that issuance of a land disturbing permit by the City of Charlottesville, shall not forgo the need to acquire other permits from local, state or federal agencies that may be required. Examples: U.S. Army Corps of Engineers (USACE) permit, Department of Environmental Quality (DEQ) Virginia Water Protection (VWP) permit and or General VPDES Permit for Discharges of Stormwater from Construction Activities, City of Charlottesville Street Cut Permits, Street/Sidwalk Closure Permits, etc.

I, hereby certify that I fully understand the provisions of the City of Charlottesville Water Protection Ordinance and that I accept responsibility for carrying out the Erosion & Sediment Control and Stormwater Management Plan for the above-referenced projects as approved by the City of Charlottesville. Additionally, I understand that any alterations from the approved plans must be submitted and approved by the City.

I further grant the right-of-way entry onto this property, as described above, to the designated personnel of the City of Charlottesville for the purpose of inspecting and monitoring for compliance with the aforesaid Ordinance.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**This agreement must be signed by the operator of the construction activity as defined in Chapter 10, section 10-5 of the City of Charlottesville Water Protection Ordinance <sup>(1)</sup>**

Approved by: \_\_\_\_\_  
E&S/VSMP Administrator Date

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# CITY OF CHARLOTTESVILLE

## Neighborhood Development Services

610 E. Market St., P.O. Box 911, Charlottesville, Virginia 22902

Phone (434) 970-3182, Fax (434) 970-3359



### E&S and VSMP Site Inspection Checklist

Project Name: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Inspector: \_\_\_\_\_

#### Stage of Construction

- Clearing & Grubbing       Rough Grade       Building  
 Finish Grading       Final Stabilization

#### Nature of Inspection

- Regular Inspection       Follow-up Inspection  
 Within 48 hrs. of rain event       Response to Complaint

#### General Information

Yes	No	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project has valid Land Disturbing Permit issued by City of Charlottesville?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved plans located on-site?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do the on-site plans match the City's most recent version?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Have changes from approved plans received written approval?

#### Erosion and Sediment Control (E&S)

Yes	No	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Construction Entrance in good condition and being utilized?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tree protection areas established and well marked?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety fences or barriers installed and in good working order?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Silt fence in place and installed properly?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sediment traps in place, installed properly, stabilized and functional?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sediment basins in place, installed properly, stabilized and functional?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are cut & fill slopes protected and stabilized?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Diversion dikes and swales/channels installed and stabilized adequately?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Inlet Protection in place and in good working order?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stockpiles, waste & borrow areas stabilized?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All Open areas stabilized w/ temporary or permanent seeding or mulch?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Outfall areas stabilized w/ fabric and rip rap?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are areas receiving concentrated runoff stabilized to prevent erosion?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Provisions for dewatering of trenches or other excavations being used?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are temporary stream crossings installed correctly?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are stream limits adequately protected?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public streets and sidewalks free of mud and soil?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are provisions available and in use for dust control?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are downstream properties protected from runoff or sediment deposition?

**Stormwater (VSMP)**

Yes	No	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP located on site or available for viewing?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP available electronically for public review?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP being amended whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to surface waters?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP being amended if self-inspections or regulatory compliance inspections determine that existing control measures are ineffective in minimizing pollutant discharges from construction activity?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP identifies the contractor or subcontractor that will implement and maintain each control measures?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP contains record of dates when major grading activities occurred?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP contains record of dates when construction activities temporarily or permanently cease on a portion of the site?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP contains record of dates when stabilization measures are initiated?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP contains documentation of replaced or modified controls?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP notes areas that have reached final stabilization and where no further inspection requirements apply?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP lists properties that are no longer under the legal control of the operator and dates which the operator no longer had control?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP lists dates of any prohibited discharges and what action was taken to minimize the impact of the release?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP includes measures taken to prevent the reoccurrence of any prohibited discharge?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP included measures taken to address any evidence identified as a result of a self-inspection?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP has signature for all amendments, modifications or updates?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP has name & phone of the "qualified personnel" conducting inspections?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP indicates that the operator inspections conducted at required
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP contains operator inspection reports?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SWPPP operator inspection reports summarize the scope of the inspections including corrective actions?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rain gauge or other method of measuring rain depth located on site?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stabilization control measures installed, maintained and functional?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Volume and velocity of stormwater flowing onto and through project being controlled?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Discharge from stormwater facilities or conveyance systems are to an adequate channel?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Natural buffers around surface waters or other sensitive areas being provided and maintained?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the proper construction sequence being followed?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Limited soil compaction, especially in areas of future infiltration facilities?



## E&S and VSMP Inspection Report

Project Name: \_\_\_\_\_ Project Location: \_\_\_\_\_  
 RLD Name: \_\_\_\_\_ RLD #: \_\_\_\_\_  
 Inspector Name: \_\_\_\_\_ Inspection Time: \_\_\_\_\_ Inspection Date: \_\_\_\_\_

### Stage of Construction

- |  |  |  |                                   |
|--|--|--|-----------------------------------|
| <input type="checkbox"/> Clearing & Grubbing | <input type="checkbox"/> Rough Grade         | <input type="checkbox"/> E&S/SWM Facility Construction | <input type="checkbox"/> Building |
| <input type="checkbox"/> Finish Grading      | <input type="checkbox"/> Final Stabilization | <input type="checkbox"/> E&S/SWM Facility Maintenance  | <input type="checkbox"/> Other    |

Item #	Violation		Description and Location of Problem	Required or Recommended Corrective Actions
	Initial	Repeat		
1	<input type="checkbox"/>	<input type="checkbox"/>		
2	<input type="checkbox"/>	<input type="checkbox"/>		
3	<input type="checkbox"/>	<input type="checkbox"/>		
4	<input type="checkbox"/>	<input type="checkbox"/>		
5	<input type="checkbox"/>	<input type="checkbox"/>		
6	<input type="checkbox"/>	<input type="checkbox"/>		
7	<input type="checkbox"/>	<input type="checkbox"/>		
8	<input type="checkbox"/>	<input type="checkbox"/>		
9	<input type="checkbox"/>	<input type="checkbox"/>		

**REQUIRED CORRECTIVE ACTION DEADLINE DATE:** \_\_\_\_\_ **REINSPECTION DATE:** \_\_\_\_\_

The required corrective action deadline date applies to **all violations** noted on this report. If listed violation(s) currently constitute non-compliance and/or required corrective actions are not completed by the deadline, a NOTICE TO COMPLY, STOP WORK ORDER, and/or other enforcement actions may be issued to the entity responsible for ensuring compliance on the above project:

City Inspector: \_\_\_\_\_  
 Signature \_\_\_\_\_ Date \_\_\_\_\_

- |                          |                          |                          |  |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proper building material staging areas being utilized?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are pollutant generating activities identified in the pollution prevention plan being properly implemented and maintained? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Pollutants not identified in the pollution prevention plan addressed?  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Presence of pollutants prohibited by this permit have been identified and documented?                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Litter, debris and chemicals are controlled from becoming a pollutant source?  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Paint and concrete washout areas being utilized?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | On site fuel tanks properly protected from spills?   |

List Additional Concerns or Issues That Effect Overall Condition of Job Site:

# CITY OF CHARLOTTESVILLE NOTICE TO COMPLY

Issued: \_\_\_\_\_

**SENT BY E-MAIL and CERTIFIED MAIL RETURN RECEIPT REQUESTED**

**TO:** \_\_\_\_\_  
c/o \_\_\_\_\_  
Address \_\_\_\_\_  
State/Zip \_\_\_\_\_  
Email: \_\_\_\_\_

**SUBJECT PROPERTY:** \_\_\_\_\_

**NOTICE:** An inspection of the above-referenced property on \_\_\_\_\_ revealed the following violations of the City's local VESCP and VSMP Program requirements:

**Violation:** Non-compliance with the approved Erosion and Sediment Control Plan in violation of Charlottesville City Code Sec. 10-39

**Violation:** Non-compliance with permit conditions, including the Stormwater Pollution Prevention Plan (SWPPP) in violation of Charlottesville City Code Sec. 10-55.

**MEASURES REQUIRED:** This **NOTICE TO COMPLY** requires you to take the following actions:

1. \_\_\_\_\_

PLEASE CONTACT \_\_\_\_\_ (434-\_\_\_\_\_/ [\\_\\_\\_\\_\\_@charlottesville.org](mailto:_____@charlottesville.org)) or \_\_\_\_\_ (434-\_\_\_\_\_/ [\\_\\_\\_\\_\\_@charlottesville.org](mailto:_____@charlottesville.org)) if you have questions regarding this Notice to Comply.

The violation's above have been outstanding for \_\_\_\_\_ days and were noted during an initial inspection of this site that was conducted on \_\_\_\_\_. A reinspection of this site was conducted on \_\_\_\_\_. At this time the violations still existed. The required deadline for compliance with the City's local VESCP and VSMP Program requirements in violation of Charlottesville City Code Sec. \_\_\_\_\_ and City Code Sec. \_\_\_\_\_ for the said violations is \_\_\_\_\_. Failure to comply with this notice by the deadline specified; may result in a Stop Work Order for this project.

Please note that in accordance with Charlottesville City Code Sec. \_\_\_\_\_, any person who violates any provision of this article, shall, upon finding of the Charlottesville General District Court, be issued a civil penalty. The civil penalty for any one violation shall be not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00). The administrator may issue a summons for collection of any civil penalty. Please note that each day during which the violation is found to have existed shall constitute a separate offence.

Please note that in accordance with Charlottesville City Code Sec. \_\_\_\_\_, any person who violates any permit condition shall be subject to civil penalty imposed by the administrator, not to exceed thirty-two thousand five hundred (\$32,500.00) dollars per day for each violation. Each day a violation continues shall constitute a separate offence. The administrator may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate court.

**Issued on Behalf of the City's VESCP and VSMP Administrator (\_\_\_\_\_, Director of Neighborhood Development Services)**

Signed By: \_\_\_\_\_, (\_\_\_\_\_) City VESCP and VSMP Administrator's Authorized Agent/ Designee

**The following parties will be receiving this notice:**

- \_\_\_\_\_
- \_\_\_\_\_

**CITY OF CHARLOTTESVILLE STOP WORK ORDER**

Issued: \_\_\_\_\_

**SENT BY E-MAIL and CERTIFIED MAIL RETURN RECEIPT REQUESTED**

**TO:** \_\_\_\_\_  
c/o \_\_\_\_\_  
Address \_\_\_\_\_  
State/Zip \_\_\_\_\_  
Email: \_\_\_\_\_

**SUBJECT PROPERTY:** \_\_\_\_\_

**NOTICE:** An inspection of the above-referenced property on \_\_\_\_\_ revealed the following violations of the City’s local VESCP and VSMP Program requirements:

**Violation:** Non-compliance with the approved Erosion and Sediment Control Plan in violation of Charlottesville City Code Sec. 10-39

**Violation:** Non-compliance with permit conditions, including the Stormwater Pollution Prevention Plan (SWPPP) in violation of Charlottesville City Code Sec. 10-55.

**MEASURES REQUIRED: Effective immediately, this STOP WORK ORDER requires you to take the following actions:**

- 1. \_\_\_\_\_

PLEASE CONTACT \_\_\_\_\_ (434-\_\_\_\_\_/ [\\_\\_\\_\\_\\_@charlottesville.org](mailto:_____@charlottesville.org)) or \_\_\_\_\_ (434-\_\_\_\_\_/ [\\_\\_\\_\\_\\_@charlottesville.org](mailto:_____@charlottesville.org)) if you have questions regarding this STOP WORK ORDER. **Failure to comply with this STOP WORK ORDERR; may result in further enforcement action.**

**Please note that in accordance with Charlottesville City Code Sec. \_\_\_\_\_, any person who violates any provision of this article, shall, upon finding of the Charlottesville General District Court, be issued a civil penalty. The civil penalty for any one violation shall be not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00). The administrator may issue a summons for collection of any civil penalty. Please note that each day during which the violation is found to have existed shall constitute a separate offence.**

**Please note that in accordance with Charlottesville City Code Sec. \_\_\_\_\_, any person who violates any permit condition shall be subject to civil penalty imposed by the administrator, not to exceed thirty-two thousand five hundred (\$32,500.00) dollars per day for each violation. Each day a violation continues shall constitute a separate offence. The administrator may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate court.**

**Issued on Behalf of the City’s VESCP and VSMP Administrator (\_\_\_\_\_, Director of Neighborhood Development Services)**

Signed By: \_\_\_\_\_, (\_\_\_\_\_) City VESCP and VSMP Administrator’s Authorized Agent/ Designee

**The following parties will be receiving this notice:**

- \_\_\_\_\_
- \_\_\_\_\_

**Registration Statement**  
**General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10)**

(Please Type or Print All Information)

1. **Construction Activity Operator:** *(General permit coverage will be issued to this operator. The Certification in Item #12 must be signed by the appropriate person associated with this operator.)*

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email address (if available): \_\_\_\_\_

Indicate if DEQ may transmit general permit correspondence electronically: Yes  No

2. **Existing General Permit Registration Number (for renewals only):** \_\_\_\_\_

3. **Name and Location of the Construction Activity:**

Name: \_\_\_\_\_

Address (if available): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County (if not located within a City): \_\_\_\_\_

Latitude (decimal degrees): \_\_\_\_\_ Longitude (decimal degrees): \_\_\_\_\_

**Name and Location of all Off-site Support Activities to be covered under the general permit:**

Name: \_\_\_\_\_

Address (if available): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County (if not located within a City): \_\_\_\_\_

Latitude (decimal degrees): \_\_\_\_\_ Longitude (decimal degrees): \_\_\_\_\_

4. **Status of the Construction Activity (check only one):** Federal  State  Public  Private

5. **Nature of the Construction Activity (e.g., commercial, industrial, residential, agricultural, oil and gas, etc.):**  
\_\_\_\_\_

6. **Name of the Receiving Water(s) and Hydrologic Unit Code (HUC):**

Name: \_\_\_\_\_ Name: \_\_\_\_\_

HUC: \_\_\_\_\_ HUC: \_\_\_\_\_

7. **If the discharge is through a Municipal Separate Storm Sewer System (MS4), the name of the MS4 operator:**  
\_\_\_\_\_

8. **Estimated Project Start and Completion Date:**

Start Date (mm/dd/yyyy): \_\_\_\_\_ Completion Date (mm/dd/yyyy): \_\_\_\_\_

9. **Total Land Area of Development (to the nearest one-hundredth acre):** \_\_\_\_\_

**Estimated Area to be Disturbed (to the nearest one-hundredth acre):** \_\_\_\_\_

10. **Is the area to be disturbed part of a larger common plan of development or sale?** Yes  No

11. **A stormwater pollution prevention plan (SWPPP) must be prepared in accordance with the requirements of the General VPDES Permit for Discharges of Stormwater from Construction Activities prior to submitting this Registration Statement. By signing this Registration Statement the operator is certifying that the SWPPP has been prepared.**

12. **Certification:** "I certify under penalty of law that I have read and understand this Registration Statement and that this document and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**(Please sign in INK. This Certification must be signed by the appropriate person associated with the operator identified in Item #1.)**

# Instructions for Completing the Registration Statement

## General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10)

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### GENERAL

#### A. Coverage under this General Permit.

Any operator applying for coverage under this general permit who is required to submit a Registration Statement (see Section B below) must submit a complete Registration Statement to the Department. The Registration Statement serves as a Notice of Intent for coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10).

#### B. Single-family Residences.

Operators with an existing stormwater discharge or proposing a new stormwater discharge associated with the construction of a single-family residence separately built, disturbing less than one acre and part of a larger common plan of development or sale is not required to submit a Registration Statement, provided that the stormwater management plan for the larger common plan of development provides permanent control measures (i.e., stormwater management facilities) encompassing the single family residence.

Operators of these types of discharges are authorized to discharge under this general permit immediately upon the general permit's effective date of July 1, 2014.

#### C. To Apply for Permit Coverage.

**1. New Construction Activities.** Any operator proposing a new stormwater discharge from construction activities shall submit a complete Registration Statement to the Department prior to the commencement of land disturbance, unless exempted by Section B above. Any operator proposing a new stormwater discharge from construction activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment is immediately authorized to discharge under this general permit and must submit a complete Registration Statement to the Department no later than 30 days after commencing land disturbance; documentation to substantiate the occurrence of the public emergency must accompany the Registration Statement.

**2. Existing Construction Activities.** Any operator that was authorized to discharge under the general permit issued in 2009, and who intends to continue coverage under this general permit, shall submit a complete Registration Statement to the Department on or before June 1, 2014, unless exempted by Section B above.

#### D. Where to Submit Registration Statements.

All Registration Statements should be submitted to:

**City of Charlottesville  
Neighborhood Development Services  
P.O. Box 911  
610 East Market Street  
Charlottesville, VA 22901**

### LINE-BY-LINE INSTRUCTIONS

#### Item 1: Construction Activity Operator Information.

"Operator" means the owner or operator of any facility or activity subject to the Stormwater Management Act and regulations. In the context of stormwater associated with a large or small construction activity, operator means any person associated with a construction project that meets either of the following two criteria: (i) the person has direct operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications or (ii) the person has day-to-day operational control of those activities at a project that are necessary to ensure compliance with a stormwater pollution prevention plan for the site or other state permit or VSMP authority permit conditions (i.e., they are authorized to direct workers at a site to carry out activities required by the

stormwater pollution prevention plan or comply with other permit conditions).

The entities that are considered operators will commonly consist of the owner or developer of a project (the party with control of project plans and specifications) or the general contractor (the party with day to day operational control of the activities at the project site which are necessary to ensure compliance with the general permit).

Provide the legal name (do not use a colloquial name), contact, mailing address, telephone number, and email address (if available) of the construction activity operator; general permit coverage will be issued to this operator. Indicate if the Department may transmit general permit correspondence electronically.

#### Item 2: Existing General Permit Registration Number.

For reapplications only, provide the existing general permit registration number for the construction activity. This item does not need to be completed for new construction activities applying for general permit coverage.

#### Item 3: Name and Location of the Construction Activity Information.

Provide the official name, street address (if available), city or county (if not located within a City) of the construction activity. Also, provide the latitude and longitude in decimal degrees of the approximate center of the construction activity (e.g., N 37.5000, W 77.5000).

#### Name and Location of Off-site Support Activity Information.

This general permit also authorizes stormwater discharges from support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) located on-site or off-site provided that (i) the support activity is directly related to a construction activity that is required to have general permit coverage; (ii) the support activity is not a commercial operation, nor does it serve multiple unrelated construction activities by different operators; (iii) the support activity does not operate beyond the completion of the construction activity it supports; (iv) the support activity is identified in the registration statement at the time of general permit coverage; (v) appropriate control measures are identified in a SWPPP and implemented to address the discharges from the support activity areas; and (vi) all applicable state, federal, and local approvals are obtained for the support activity.

Provide the official name, street address (if available), City and County (if not located within a City) of all off-site support activities to be covered under this general permit. Also, provide the latitude and longitude in decimal degrees of the approximate center of the off-site support activities (e.g., N 37.5000, W 77.5000). Also, if an off-site support activity is going to be covered under this general permit the total land area of the off-site support activity and the estimated area to be disturbed by the off-site support activity need to be included in Item #9.

#### Item 4: Status of the Construction Activity.

Indicate the appropriate status (Federal, State, Public, or Private) of the construction activity.

#### Item 5: Nature of the Construction Activity.

Provide a brief description of the construction activity, such as commercial, residential, agricultural, oil and gas, etc. This list is not all inclusive.

#### Item 6: Receiving Waters(s) and HUC Information.

Provide the name of the receiving water(s) and corresponding HUC for all stormwater discharges including any stormwater discharges from off-site support activities to be covered under this general permit.

Hydrologic Unit Code or HUC is a watershed unit established in the most recent version of Virginia's 6<sup>th</sup> order national watershed boundary dataset.

**Item 7: MS4 Information.**

If stormwater is discharged through a municipal separate storm sewer system (MS4), provide the name of the MS4 operator. The name of the MS4 operator is generally the Town, City, County, Institute or Federal facility where the construction activity is located.

**Item 8: Construction Activity Start and Completion Date Information.**

Provide the estimated start date (month/day/year) of the construction activity. Provide the estimated completion date (month/day/year) of the construction activity.

**Item 9: Construction Activity Area Information.**

Provide the total area (to the nearest one-hundredth acre) of the development (i.e., the total acreage of the larger common plan of development or sale). Include the total acreage of any off-site support activity to be covered under this general permit.

Provide the estimated area (to the nearest one-hundredth acre) to be disturbed by the construction activity. Include the estimated area of land disturbance that will occur at any off-site support activity to be covered under this general permit.

**Item 10: Common Plan of Development or Sale Information.**

Indicate if the area to be disturbed by the construction activity is part of a larger common plan of development or sale. Larger common plan of development or sale is defined as a contiguous area where separate and distinct construction may be taking place at different times on different schedules. Plan is broadly defined as any announcement or documentation, including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, etc., or physical demarcation such as boundary signs, lot stakes, or surveyor markings indicating that construction activities may occur.

**Item 11: Stormwater Pollution Prevention Plan (SWPPP).**

A Stormwater Pollution Prevention Plan (SWPPP) must be prepared in accordance with the requirements of the General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10) prior to submitting this Registration Statement. By signing this Registration Statement the operator is certifying that the SWPPP has been prepared.

**Item 12: Certification.**

A properly authorized individual associated with the operator identified in Item 1 of the Registration Statement is responsible for certifying and signing the Registration Statement. **Please sign the Registration Statement in INK.**

State statutes provide for severe penalties for submitting false information on the Registration Statement. State regulations require that the Registration Statement be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this part, a responsible corporate officer means:

(i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation, or

(ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to

gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this part, a principal executive officer of a public agency includes:

(i) The chief executive officer of the agency, or

(ii) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

**CONSTRUCTION ACTIVITY OPERATOR  
PERMIT FEE FORM**

(Please Type or Print All Information)

**Instructions:** Applicants for a Construction Activity Individual Permit are required to pay permit application fees. Fees are also required for registration for coverage under a Construction Activity General Permit. Fees must be paid when applications for state permit issuance, reissuance, modification or transfer are submitted. Applications will be considered incomplete if the proper fee is not paid and will not be processed until the fee is received. **Please note that for NEW ISSUANCE ONLY, half of the total fee will be due when the stormwater management plan is submitted for review. The second half of the total fee will need to be submitted with this form when applying for construction general permit coverage.**

The fee schedule for state permits is included with this form. Fees for state permit issuance, reissuance, maintenance, modification and transfer are included. Once you have determined the fee for the type of application you are submitting, complete this form. The original copy of the form and your check or money order payable to "City of Charlottesville" should be mailed to:

**City of Charlottesville  
Neighborhood Development Services  
610 E. Market Street, P.O. Box 911  
Charlottesville, VA 22902**

A copy of this form and a copy of your check or money order should accompany the permit application (or registration statement). You should retain a copy for your records.

**Construction Activity Operator:**

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email address: \_\_\_\_\_

**Name and Location of the Construction Activity:**

Name: \_\_\_\_\_

Full Address (if no address, description of location): \_\_\_\_\_

**Type of State Permit:**  Construction Activity Individual Permit  Construction Activity General Permit  
(from Fee Schedule)

**Type of Action:**  New Issuance  Reissuance  Maintenance  
 Modification  Transfer

**Amount of Fee Submitted** (from Fee Schedule): \_\_\_\_\_

**Existing General Permit Registration Number** (if applicable): \_\_\_\_\_

**OFFICE USE ONLY:** Adept Number \_\_\_\_\_ Date Received \_\_\_\_\_

## CONSTRUCTION ACTIVITY PERMIT FEE SCHEDULE

**A. Individual Permits.** The fee for filing a state permit application for a Construction Activity Individual Permit issued by the Board is as follows: (NOTE: Individual permittees pay an annual permit maintenance fee instead of a reapplication fee. The permittee is billed separately by DEQ for the annual permit maintenance fee.)

TYPE OF STATE PERMIT	ISSUANCE
Individual Permit for Discharges from Construction Activities	\$15,000

**B. Registration Statements.** The fee for filing a state permit application (registration statement) for coverage under a Construction Activity General Permit issued by the Board, including a state or federal agency that does not administer a project in accordance with approved annual standards and specifications, is as follows:

TYPE OF STATE PERMIT	ISSUANCE
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 five acres)	\$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
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 one acre and less than five acres)	\$2,700
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 five acres and less than 10 acres)	\$3,400
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 10 acres and less than 50 acres)	\$4,500
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 50 acres and less than 100 acres)	\$6,100
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

The fee for filing a state permit application (registration statement) for coverage under a Construction Activity General Permit issued by the Board for a state or federal agency that administers a project in accordance with approved annual standards and specifications is as follows:

TYPE OF STATE PERMIT	ISSUANCE
Construction General / Stormwater Management - Phase I Land Clearing ("Large" Construction Activity - Sites or common plans of development or sale equal to or greater than 5 acres)	\$750
Construction General / Stormwater Management - Phase II Land Clearing ("Small" Construction Activity - Sites or common plans of development or sale equal to or greater than 1 acre and less than 5 acres)	\$450

**C. State Permit Modification or Transfer Fees.** The following fees apply to the modification or transfer of a Construction Activity Individual Permit or a Construction Activity General Permit issued by the Board. The fee assessed shall be based on the total disturbed acreage of the construction activity. In addition to the state permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial Construction Activity General Permit fee paid and the Construction Activity General Permit fee that would have applied for the total disturbed acreage in Section B above.

TYPE OF STATE PERMIT	MODIFICATION
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 five acres where DEQ is the VSMP authority)	\$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)	\$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 one and less than five 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 five 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 (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
Individual Permit for Discharges from Construction Activities	\$5,000

**D. State Permit Maintenance Fees.** The following annual state permit maintenance fees apply to each state permit identified below, including expired permits that have been administratively continued. No annual state permit maintenance fee is required for coverage under a Construction Activity General Permit for a state or federal agency that administers a project in accordance with approved annual standards and specifications.

TYPE OF STATE PERMIT	MAINTENANCE
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 five acres where DEQ is the VSMP authority)	\$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)	\$50
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 one and less than five 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 five 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 than 100 acres)	\$1,400
Individual Permit for Discharges from Construction Activities	\$3,000

**Transfer of Ownership Agreement Form**  
**General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10)**

(Please Type or Print All Information)

**Instructions:** This agreement form must be signed in INK by properly authorized individuals as specified in the General VPDES Permit for Stormwater Discharges from Construction Activities (VAR10), Part III K (Signatory Requirements). Please retain a copy of this agreement form for your records.

Mail the original agreement form to:

**City of Charlottesville**  
**Neighborhood Development Services**  
**P.O. Box 911**  
**610 East Market Street**  
**Charlottesville, VA 22901**

General Permit Registration Number: \_\_\_\_\_ Date of Transfer (mm/dd/yyyy): \_\_\_\_\_

Construction Activity Name: \_\_\_\_\_

**CURRENT CONSTRUCTION ACTIVITY OPERATOR:**

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address (if available): \_\_\_\_\_

"I (We) hereby agree to the transfer of ownership modification to the referenced General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10)."

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**NEW CONSTRUCTION ACTIVITY OPERATOR:**

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address (if available): \_\_\_\_\_

Indicate if DEQ may transmit general permit correspondence electronically: Yes  No

I (We) hereby agree to the change of ownership modification to the referenced General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10), and agree to accept all responsibility, coverage, and liability of the general permit."

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Notice of Termination**  
**General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10)**

(Please Type or Print All Information)

**1. Construction Activity Operator:**

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email address (if available): \_\_\_\_\_

**2. Name and Location of the Construction Activity:** (As listed on the Registration Statement.)

Name: \_\_\_\_\_

Address (if available): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County (if not located within a City): \_\_\_\_\_

Latitude (decimal degrees): \_\_\_\_\_ Longitude (decimal degrees): \_\_\_\_\_

**3. General Permit Registration Number:** \_\_\_\_\_

**4. Reason for Terminating Coverage Under the General Permit:** (The operator shall submit a Notice of Termination after one or more of the following conditions have been met.)

A. Necessary permanent control measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved on all portions of the site for which the operator is responsible. When applicable, long-term responsibility and maintenance requirements for permanent control measures shall be recorded in the local land records prior to the submission of a notice of termination;

B. Another operator has assumed control over all areas of the site that have not been finally stabilized and obtained coverage for the ongoing discharge;

C. Coverage under an alternative VPDES or state permit has been obtained; or

D. For residential construction only, temporary soil stabilization has been completed and the residence has been transferred to the homeowner.

*The notice of termination should be submitted no later than 30 days after one of the above conditions being met. Authorization to discharge terminates at midnight on the date that the notice of termination is submitted for the conditions set forth in subsections B through D above, unless otherwise notified by the VSMP authority or the Department. Termination of authorizations to discharge for the conditions set forth in subsection A above shall be effective upon notification from the Department that the provisions of subsection A have been met or 60 days after submittal of the notice of terminations, whichever occurs first.*

**5. Permanent Control Measures Installed:** (When applicable, a list of the on-site and off-site permanent control measures (both structural and nonstructural) that were installed to comply with the stormwater management technical criteria. Attach a separate list if additional space is needed.)

**Permanent Control Measure #1**

Type of Permanent Control Measure: \_\_\_\_\_

Date Functional: \_\_\_\_\_

Address (if available): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County (if not located within a City): \_\_\_\_\_

Latitude (decimal degrees): \_\_\_\_\_ Longitude (decimal degrees): \_\_\_\_\_

Receiving Water: \_\_\_\_\_

Total Acres Treated: \_\_\_\_\_ Impervious Acres Treated: \_\_\_\_\_

**Permanent Control Measure #2**

Type of Permanent Control Measure: \_\_\_\_\_

Date Functional: \_\_\_\_\_

Address (if available): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County (if not located within a City): \_\_\_\_\_

Latitude (decimal degrees): \_\_\_\_\_ Longitude (decimal degrees): \_\_\_\_\_

Receiving Water: \_\_\_\_\_

Total Acres Treated: \_\_\_\_\_ Impervious Acres Treated: \_\_\_\_\_

**Permanent Control Measure #3**

Type of Permanent Control Measure: \_\_\_\_\_

Date Functional: \_\_\_\_\_

Address (if available): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County (if not located within a City): \_\_\_\_\_

Latitude (decimal degrees): \_\_\_\_\_ Longitude (decimal degrees): \_\_\_\_\_

Receiving Water: \_\_\_\_\_

Total Acres Treated: \_\_\_\_\_ Impervious Acres Treated: \_\_\_\_\_

6. **Participation in a Regional Stormwater Management Plan:** (When applicable, information related to the participation in a regional stormwater management plan. Attach a separate list if additional space is needed.)

**Regional Stormwater Management Facility**

Type of Regional Stormwater Management Facility: \_\_\_\_\_

Address (if available): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County (if not located within a City): \_\_\_\_\_

Latitude (decimal degrees): \_\_\_\_\_ Longitude (decimal degrees): \_\_\_\_\_

Total Site Acres Treated: \_\_\_\_\_ Impervious Site Acres Treated: \_\_\_\_\_

7. **Perpetual Nutrient Credits:** (When applicable, information related to perpetual nutrient credits that were acquired in accordance with § 62.1-44.15:35 of the Code of Virginia. Attach a separate list if additional space is needed.)

**Nonpoint Nutrient Credit Generating Entity**

Name: \_\_\_\_\_

Perpetual Nutrient Credits Acquired (lbs/acre/year): \_\_\_\_\_

8. **Certification:** "I certify under penalty of law that I have read and understand this Notice of Termination and that this document and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**(Please sign in INK. This Certification must be signed by the appropriate person associated with the operator identified in Item #1.)**

# Instructions for Completing the Notice of Termination General VDPES Permit for Discharges of Stormwater from Construction Activities (VAR10)

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## GENERAL

A Notice of Termination must be submitted when an operator no longer wishes to be covered under the General VDPES Permit for Discharges of Stormwater from Construction Activities (VAR10).

All Notice of Terminations should be submitted to:

**City of Charlottesville  
Neighborhood Development Services  
P.O. Box 911  
610 East Market Street  
Charlottesville, VA 22901**

## LINE-BY-LINE INSTRUCTIONS

### Item 1: Construction Activity Operator Information.

Provide the legal name (do not use a colloquial name), contact, mailing address, telephone number, and email address (if available) of the construction activity operator that was issued general permit coverage.

### Item 2: Name and Location of the Construction Activity Information.

Provide the official name, street address (if available), city or county (if not located within a City) of the construction activity. Also, provide the latitude and longitude in decimal degrees of the approximate center of the construction activity (e.g., N 37.5000, W 77.5000). NOTE: This information can be obtained from the previously submitted Registration Statement.

### Item 3: General Permit Registration Number.

Provide the existing general permit registration number for the construction activity identified in Item 2.

### Item 4: Reason for Termination.

Indicate the appropriate reason for submitting this Notice of Termination. The Notice of Termination may only be submitted after one or more of the following conditions have been met:

- a. Necessary permanent control measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved on all portions of the site for which the operator is responsible. When applicable, long-term responsibility and maintenance requirements for permanent control measures shall be recorded in the local land records prior to the submission of a notice of termination;
- b. Another operator has assumed control over all areas of the site that have not been finally stabilized and obtained coverage for the ongoing discharge;
- c. Coverage under an alternative VDPES or state permit has been obtained; or
- d. For residential construction only, temporary soil stabilization has been completed and the residence has been transferred to the homeowner.

The Notice of Termination should be submitted no later than 30 days after one of the above conditions being met.

### Item 5: Permanent Control Measures (when applicable).

For each on-site and off-site permanent control measure (both structural and non-structural) that was installed to comply with the stormwater management technical criteria provide the following information:

- a. The type of permanent control measure;
- b. The date that the permanent control measure became functional as a post-development stormwater management control;
- c. The street address (if available), City or County (if not located within a City) of the permanent control measure;
- d. The latitude and longitude in decimal degrees of the approximate center of the permanent control measure;
- e. The receiving water of the permanent control measure; and
- f. The number of total and impervious acres treated by the permanent control measure (to the nearest one-tenth of an acre).

Attach a separate list if additional space is needed.

### Item 6: Participation in a Regional Stormwater Management Plan (when applicable).

For each Regional Stormwater Management Facility provide the following information:

- a. The type of regional facility to which the site contributes;
- b. The street address (if available), City or County (if not located within a City) of the regional facility;
- c. The latitude and longitude in decimal degrees of the approximate center of the regional facility; and
- d. The number of total and impervious site acres treated by the regional facility (to the nearest one-tenth of an acre).

Attach a separate list if additional space is needed.

### Item 7: Perpetual Nutrient Credits (when applicable).

Provide the following information related to perpetual nutrient credits that were acquired in accordance with § 62.1-44.15:35 of the Code of Virginia:

- a. The name of the nonpoint nutrient credit generating entity from which perpetual nutrient credits were acquired; and
- b. The number of perpetual nutrient credits acquired (lbs. per acre per year).

Attach a separate list if additional space is needed.

### Item 8: Certification.

A properly authorized individual associated with the operator identified in Item 1 of the Registration Statement is responsible for certifying and signing the Registration Statement. **Please sign the Registration Statement in INK.**

State statutes provide for severe penalties for submitting false information on the Registration Statement. State regulations require that the Registration Statement be signed as follows:

- a. For a corporation: by a responsible corporate officer. For the purpose of this part, a responsible corporate officer means:
  - (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation, or
  - (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make

management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this part, a principal executive officer of a public agency includes:

(i) The chief executive officer of the agency, or

(ii) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

## **City of Charlottesville – MS4 Program Plan**

### **Appendix D**

#### **Post-Construction Stormwater Management Procedures**

The City's Department of Public Works-Engineering Division (DPW-Engineering) administers the post construction stormwater management program. As of July 1, 2014, DPW-Engineering also administers the City's local Virginia Stormwater Management Program (VSMP). In order to effectively administer these programs, the City has developed various local regulations, policies, procedures, and associated documents that govern the management of land disturbing activities in the city.

Included in this appendix are the following documents:

D.1 – City of Charlottesville Water Protection Ordinance, Article I, In General (included in Appendix C)

D.2 – City of Charlottesville Water Protection Ordinance, Article III, Stormwater Management

D.3 – Erosion and Sediment Control and Stormwater Management Standard Operating Procedure (included in Appendix C)

D.4 - City of Charlottesville E&S and SWM Application (included in Appendix C)

D.5 - City of Charlottesville E&S and SWM Plan Submittal Checklist (included in Appendix C)

D.6 - City of Charlottesville E&S and SWM Plan Amendment Application (included in Appendix C)

D.7 - City of Charlottesville Engineering Completeness Review Checklist

D.8 - City of Charlottesville Land Disturbance MS4 Reporting Chart

D.9 - City of Charlottesville Outfall Tabulation Chart

D.10 - City of Charlottesville Agreement in Lieu of Stormwater Management Plan

D.11 – Procedures for Inspection and Maintenance of Stormwater Management Facilities

D.12 – Stormwater Management Facility Certification Form

D.13 - City of Charlottesville SWM Maintenance Agreement

D.14 – VSMP Approval Letter from DEQ

ARTICLE III. STORMWATER MANAGEMENT

**ARTICLE III. STORMWATER MANAGEMENT <sup>141</sup>**

[Sec. 10-50. Intent, purpose and authority.](#)

[Sec. 10-51. Land-disturbing permit required; exemptions.](#)

[Sec. 10-52. Stormwater management program established.](#)

[Sec. 10-53. Stormwater management plan required; contents.](#)

[Sec. 10-54. Technical criteria for regulated land-disturbing activities.](#)

[Sec. 10-55. Permit conditions.](#)

[Sec. 10-56. Long-term maintenance of permanent stormwater facilities.](#)

[Sec. 10-57. Monitoring and inspections; information.](#)

[Sec. 10-58. Modification of approved stormwater management plans.](#)

[Sec. 10-59. Enforcement.](#)

[Secs. 10-60—10-70. Reserved.](#)

**Sec. 10-50. Intent, purpose and authority.**

- (a) Pursuant to Virginia Code § 62.1-44.15:27 and 9VAC25-870-20, this article is adopted to establish a Virginia Stormwater Management Program that will integrate stormwater management requirements with the city's erosion and sediment control program, the city's MS4 permit, flood insurance, floodplain management, and related federal and state permits and requirements, into a unified program. This unified program is intended to facilitate the submission and approval of plans, issuance of permits, payment of fees, and coordination of inspection and enforcement activities into a more convenient and efficient manner for both the city and those responsible for compliance.
- (b) This article is intended to be interpreted, administered and enforced in conjunction with the definitions and provisions of Article I. References to "this article", and references to "provisions of this article" shall be deemed to include (i) the provisions of Article I of this chapter, and (ii) the provisions, criteria, and requirements of each federal or state statute, regulation, standard and specification adopted or referred to within Articles I and III of this chapter.

(5-5-14, § 3, eff. 7-1-4)

**Sec. 10-51. Land-disturbing permit required; exemptions.**

- (a) No person shall engage in any land-disturbing activity until a stormwater management plan has been approved and a land-disturbing permit has been issued by the administrator in accordance with section 10-9 of the City Code.
- (b) Except as may otherwise be required by federal law, the following activities are exempt from the provisions of paragraph (a), above:
  - (1) Where such uses are permitted by the city's zoning regulations: permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia;

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ARTICLE III. STORMWATER MANAGEMENT

- (2) Where such uses are permitted by the city's zoning regulations: the clearing of lands specifically for agricultural purposes and the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the board in regulations, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in Subsection B of § 10.1-1163 of Article 9 of Chapter 11 of Title 10.1 of the Code of Virginia;
- (3) Where such use is permitted by the city's zoning regulations: single-family residences separately built and disturbing less than one (1) acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures;
- (4) Land-disturbing activities that disturb less than six thousand (6,000) square feet of land area, but only if the land area to be disturbed is not part of a common plan of development or sale;
- (5) Discharges to a sanitary sewer or a combined sewer system;
- (6) Activities under a state or federal reclamation program to return an abandoned property to an open land use, or to an agricultural use where permitted by the city's zoning ordinance;
- (7) Routine maintenance performed to maintain the original line and grade, hydraulic capacity, or original construction of a project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this subparagraph; and
- (8) Land-disturbing activities conducted in response to a public emergency, where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the administrator shall be advised of the disturbance within seven (7) days of the commencement of the land-disturbing activity and compliance with the administrative requirements of this chapter is required within thirty (30) days of commencing the land-disturbing activity.

(5-5-14, § 3, eff. 7-1-4)

**Sec. 10-52. Stormwater management program established.**

Pursuant to Virginia Code §§ 62.1-44.15:27 and 62.1-44.15:49, the city hereby establishes a Virginia Stormwater Management Program (VSMP) for land-disturbing activities and adopts the regulations promulgated by the board, specifying standards and specifications for such programs. No grading, building, or other city permit, shall be issued for a property unless a permit has been issued by the administrator pursuant to section 10-9 of this chapter.

(5-5-14, § 3, eff. 7-1-4)

**Sec. 10-53. Stormwater management plan required; contents.**

- (a) A person shall not commence, conduct, or engage in any land-disturbing activity until such person has submitted a stormwater management plan to the administrator as part of the application required by section 10-9 and has obtained approval of the plan and a permit from the administrator authorizing the commencement of land-disturbing activity.

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ARTICLE III. STORMWATER MANAGEMENT

- (b) Every stormwater management plan shall apply the stormwater management technical criteria set forth in section 10-54 to the entire land-disturbing activity. Individual lots within new residential, commercial or industrial subdivisions and developments shall not be considered separate land-disturbing activities, and the stormwater management plan for the entire subdivision or development shall govern the development of the individual parcels, including parcels developed under any subsequent owner(s).
- (c) Every stormwater management plan shall consider all sources of surface runoff and all sources of subsurface and groundwater flows converted to subsurface runoff; and shall include the following:
  - (1) A general description of the proposed stormwater management facilities and the mechanism through which the permanent facilities will be operated and maintained after construction is complete;
  - (2) Contact information, including the name, address, and telephone number of the owner and the city tax map reference(s) and parcel number(s) of the property on which the land-disturbing activity is to be conducted;
  - (3) A narrative that includes (i) a description of current site conditions and (ii) a description of final site conditions upon completion of development;
  - (4) Information on the type and location of stormwater discharges; information on the features to which stormwater is being discharged including surface waters or karst features, if present, and the pre-development and post-development drainage areas;
  - (5) Information on the proposed stormwater management facilities, including:
    - a. The type of facilities;
    - b. Location, including the address, latitude and longitude, and the sixth order hydrologic unit code in which the facilities are located;
    - c. Total area (expressed as acreage) treated;
    - d. Impervious area (expressed as acreage) treated;
    - e. Amount of pollutants removed (expressed as a number of pounds of phosphorous per year); and
    - f. The surface waters or karst features, if present, into which the facility will discharge.
  - (6) Hydrologic and hydraulic computations, including runoff characteristics;
  - (7) Documentation and calculations verifying compliance with applicable water quality and quantity requirements. All stormwater runoff controls shall be designed and installed in accordance with the water quality and water quantity design criteria specified in section 10-54, and any additional standards or criteria set forth within the City's Standards and Design Manual;
  - (8) A map or maps of the site that depicts the topography and other characteristics of the entire area of the land-disturbing activity and proposed development, including:
    - a. All contributing drainage areas;
    - b. Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;
    - c. Soil types, geologic formations if karst features are present in the area, forest cover, and other vegetative areas;
    - d. Current land use, including existing structures, roads, and locations of known utilities and easements;

Chapter 10 - WATER PROTECTION

ARTICLE III. STORMWATER MANAGEMENT

- e. Sufficient information on adjoining parcels to assess the impacts of stormwater from the development site on such adjacent parcels;
- f. The limits of clearing and grading, and the proposed drainage patterns on the site;
- g. Proposed buildings, roads, parking areas, paved surfaces, utilities, and stormwater management facilities;
- h. Proposed land use(s), with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, streets, paved areas, and public and private easements; and
- i. A description of the proposed timing and/or phasing of land-disturbing activities and development.

The land area depicted in the map shall include all land within the limits of a valid, approved preliminary or final site plan, or a valid, approved preliminary or final subdivision plat, for the proposed development, and the proposed land use(s) and improvements shown on such site plan or subdivision plat shall be the same as those depicted within the map.

- (9) Any other information, materials, requirements or provisions required by state regulations, including, without limitation, 9VAC25-870-55 and the City's Standards and Design Manual.
  - (10) If an operator intends to meet water quality and/or quantity requirements through the use of off-site compliance options, where applicable, then a letter of availability from the off-site provider must be included and the requirements of Virginia Code § 62.1-44.15:35 must be satisfied. Approved off-site options must achieve the necessary nutrient reductions prior to the commencement of the applicant's land-disturbing activity, except as otherwise allowed by Virginia Code § 62.1-44.15:35.
  - (11) Signature and seal by a professional, if any elements of the stormwater management plan includes activities within the scope of the practice of architecture, land surveying, landscape architecture, or engineering, or other activities regulated under Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Virginia Code.
- (d) If land-disturbing activity is for the purpose of establishing or modifying an individual single-family detached dwelling, then, in accordance with applicable state regulations, the administrator may enter into an agreement in lieu of a plan with a property owner. Any such agreement in lieu of a stormwater management plan shall refer to specific measures that shall be implemented by the property owner to comply with the requirements of this article for the construction of the dwelling.

(5-5-14, § 3, eff. 7-1-4)

**Sec. 10-54. Technical criteria for regulated land-disturbing activities.**

- (a) To protect the quality and quantity of state water from the potential harm of unmanaged stormwater runoff resulting from land-disturbing activities, the city hereby adopts the following technical criteria:
  - (1) The technical criteria set forth in Part II B of the Regulations, as amended, §§ 9VAC25-870-62 et seq. ("Part II B Technical Criteria"); and
  - (2) The technical criteria set forth in Part II C of the Regulations, as amended, §§ 9VAC25-870-93 et seq. ("Part II C Technical Criteria").
- (b) The Part II B Technical Criteria shall apply to all regulated land-disturbing activities, except as expressly set forth in subparagraphs (c) through (h), following below.

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ARTICLE III. STORMWATER MANAGEMENT

- (c) Land-disturbing activity shall be subject to the Part II C Technical Criteria, if coverage under the state general permit was obtained, or land disturbance was otherwise lawfully commenced, prior to July 1, 2014.
- (d) Land-disturbing activity shall be considered grandfathered, and therefore subject to the Part II C Technical Criteria, as set forth within the provisions of 9VAC25-870-48.
- (e) The administrator may grant exceptions to the Part II B Technical Criteria or Part II C Technical Criteria, provided that (i) the exception is the minimum necessary to afford relief; (ii) reasonable and appropriate conditions are imposed so that the intent of the Act, the regulations, and this article are preserved; (iii) granting the exception will not confer any special privileges, and (iv) exception requests are not based upon conditions or circumstances that are self-imposed or self-created. Economic hardship alone is not sufficient reason or justification for granting an exception. Notwithstanding the foregoing, the administrator shall not have authority to approve the following:
  - (1) Waiver of the requirement of a permit for any land-disturbing activity;
  - (2) Permission to use any BMP not found on the Virginia Stormwater BMP Clearinghouse Website; or a waiver or exception to the requirement for any control measure specifically approved by the director of DEQ or the board, except in accordance with Virginia Code § 62.1-44.15:33(C). Notwithstanding the foregoing, the administrator may approve the use of BMPs not found on the Virginia Stormwater BMP Clearinghouse Website for projects less than one (1) acre in size; or
  - (3) Exceptions to, or waiver of, post-development nonpoint nutrient runoff compliance requirements, unless the administrator determines that offsite options permitted pursuant to 9VAC25-870-69 have been considered and found not available.
- (f) Nothing in this section shall preclude construction of a stormwater management facility or BMP, or implementation of any technique or practice, to a more stringent standard at the developer's option.

(5-5-14, § 3, eff. 7-1-4)

**Sec. 10-55. Permit conditions.**

- (a) Every land-disturbing permit approved by the administrator for activities regulated by this article shall be subject to the following conditions, which shall be deemed incorporated into such permit, as if set forth therein verbatim:
  - (1) The permittee shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment;
  - (2) The permittee shall at all times conduct land-disturbing activities in accordance with the approved stormwater management plan and, when required, the SWPPP and all of its component parts and requirements;
  - (3) The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control, and all related appurtenances, that are constructed, installed or used to achieve compliance with the requirements of this article and the approved stormwater management plan. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures;
  - (4) The permittee shall promptly furnish to the administrator any information that the administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit, or to determine the effect of a discharge on the quality of state waters, or such other information as the administrator deems necessary to accomplish the purposes of this article;
  - (5) The permittee shall allow the administrator, or an authorized representative, to:

Chapter 10 - WATER PROTECTION

ARTICLE III. STORMWATER MANAGEMENT

- a. Enter upon the site where regulated land-disturbing activity or stormwater management facility is located, or where records are required to be kept;
  - b. Have access to and copy, at reasonable times, any records kept by the permittee in relation to the conduct and operations of any land-disturbing activity and the design, specifications, installation, construction, and operation of stormwater management facility;
  - c. Sample or monitor, at reasonable times, for the purposes of determining compliance with requirements of this article, any substances or parameters at any location within the site;
- (6) Samples and measurements taken by the permittee for the purpose of monitoring shall be representative of the monitored activity. Monitoring results must be conducted according to test procedures and methods accepted by the state; analysis or analyses required to be performed by a laboratory shall be performed by an environmental laboratory certified under regulations adopted by the state's department of general services. Monitoring results shall be reported to the administrator on a discharge monitoring report (DMR) form provided by the administrator. If the permittee monitors any pollutant more frequently than required, using test procedures accepted by the state, the results of such monitoring shall be included in the calculation and reporting of data submitted within a required discharge monitoring report;
- (7) The permittee shall retain records of all monitoring, including all monitoring information, calibration and maintenance records, and original strip chart recordings for continuous monitoring instrumentation, copies of monitoring reports, and records of all data used to complete any submission required by this article. In addition to the foregoing, records of monitoring shall include:
- a. Date, exact place, and time of sampling or measurements;
  - b. Identity of the individual(s) who performed the sampling or measurements;
  - c. The date(s) on which analyses were performed;
  - d. The analytical technique(s) or method(s) used;
  - e. Results of analysis/ analyses; and
  - f. Copies of discharge monitoring reports.
- (8) The permittee shall give advance notice to the administrator:
- a. Of any planned physical alteration(s) or addition(s) to the site or to the stormwater management facilities described within the permit, when such alteration(s) or addition(s) may meet state criteria for determining whether a facility is a new source, or when such alteration(s) or addition(s) could significantly change the nature of, or increase the quantity of, pollutants discharged.
  - b. Of any planned changes to the stormwater management facilities described within the permit, and
  - c. Of any activity that may result in noncompliance with the requirements of this article or with any of the conditions set forth within this section;
- (9) The permit issued by the administrator is not transferable to any other person, unless the permittee provides evidence to the administrator that the requirements of 9VAC25-870-620 have been satisfied in relation to a transfer of any required state general permit;
- (10) Reports of compliance or noncompliance with, or any progress reports in regard to, any compliance schedule established by the administrator shall be submitted no later than fourteen (14) days following each schedule date;

ARTICLE III. STORMWATER MANAGEMENT

- (11) The permittee shall immediately report any noncompliance which may endanger health or the environment. Information regarding any such noncompliance shall be provided orally within twenty-four (24) hours after the permittee becomes aware of the circumstances. The oral report shall be followed by a written report, which must be received by the administrator no later than five (5) days after the permittee became aware of the circumstances. The written report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. Examples of noncompliance that require reports pursuant to this condition include, without limitation: any unanticipated bypass that exceeds an applicable effluent limitation; any upset that exceeds an applicable effluent limitation; and violation of a maximum daily discharge limitation for any pollutants required by the state to be reported within twenty-four (24) hours.
  - (12) Any noncompliance not reported under conditions (9) or (10), above, shall be reported by the permittee to the administrator in writing at the time the next monitoring report is submitted to the administrator. The report of noncompliance shall contain the same information required for reports made pursuant to condition (10), above;
  - (13) Where the land-disturbing activity is also subject to coverage under the state general permit, or other state permit, the permittee shall comply with all conditions and requirements of such state permit(s), including, without limitation, those conditions set forth within 9VAC25-870-430. The permittee shall provide to the administrator copies of submissions, reports, and information required to be given to the state, simultaneously with transmittal to the state. In addition to any remedies under state law and the regulations, state permit noncompliance shall be grounds for enforcement action under this article, and for termination, revocation, reissuance or modification of the permit issued by the administrator pursuant to section 10-9 of Article I;
  - (14) All applications, reports and information submitted to the administrator shall be signed and certified in the manner, and by such person(s) prescribed within 9VAC25-870-370;
  - (15) In the event the permittee becomes aware that it failed to submit any relevant facts in any application to the administrator for a permit, or that it submitted incorrect information to the administrator in any application, or any other submission, report, or document required by this article, the permittee shall promptly submit the relevant facts or correct information to the administrator;
  - (16) All stormwater management control devices and facilities, and other techniques for management of the quality and/or quantity of stormwater runoff, shall be designed, installed, implemented, constructed and maintained in accordance with the approved stormwater management plan approved for the development and all other applicable requirements of this article; and
  - (17) The permit issued by the administrator may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a modification, revocation and reissuance or termination, or a notification of planned changes or anticipated noncompliance, shall not operate as a stay of the permittee's obligation to perform the requirements of any condition referenced in this section.
- (b) Within sixty (60) days of the completion of the requirements of all of the permit conditions, the performance guarantee required by section 10-9(3), or the unexpended or unobligated portion thereof, will be refunded or terminated.

(5-5-14, § 3, eff. 7-1-4)

ARTICLE III. STORMWATER MANAGEMENT

**Sec. 10-56. Long-term maintenance of permanent stormwater facilities.**

- (a) The administrator shall require the provision of long-term responsibility for and maintenance of stormwater management facilities and other techniques specified to manage the quality and quantity of stormwater. Such requirements shall be set forth in an instrument recorded in the local land records prior to permit issuance. Every such instrument shall:
- (1) Be submitted to the administrator for review and approval prior to the approval of the stormwater management plan;
  - (2) Include an express statement that the maintenance responsibility shall run with the land;
  - (3) Provide a right of ingress and egress to and from stormwater management facilities and other techniques, sufficient to provide all necessary access to the property for purposes of maintenance and regulatory inspections;
  - (4) Provide for inspections and maintenance and the submission of inspection and maintenance reports to the administrator; and
  - (5) Clearly recognize a right of enforcement by all appropriate public bodies, including state and local authorities.
- (b) Except as provided below, the city shall have no responsibility for maintenance or repair of stormwater management facility, BMP or other technique (individually and collectively, a "facility") designed and implemented to manage the quality and quantity of stormwater. Acceptance or approval of an easement, subdivision plat, site plan or other plan of development shall not constitute acceptance by the city or the administrator of responsibility for the maintenance, repair or replacement of any such facility. As used in this paragraph, "maintenance, repair or replacement" shall include, without limitation, cleaning of the facility, maintenance of property adjacent to the facility, installation, repair or replacement of fencing surrounding a facility, and posting of signs indicating the name of the entity responsible for maintenance of the facility.
- (1) In the event that any common interest community, as defined in Virginia Code § 55-528, desires to cede or transfer responsibility for maintenance, repair and replacement of a stormwater management facility, or other technique for management of the quality and quantity of stormwater, to the city, (i) the common interest community and city council must enter into a written contract, or other instrument, executed by both parties, and (ii) prior to execution of any contract or instrument, the city council shall have accepted the responsibility ceded or transferred by the common interest community by resolution.
  - (2) In the event that any person, including any entity other than a common interest community, desires to cede or transfer responsibility for maintenance, repair and replacement of a facility to the city, the process for the city's approval and acceptance of such responsibility shall be the same as specified in subparagraph (b)(1), preceding above.
- (c) No facility shall be identified on any subdivision plat, site plan or other plan of development, as being dedicated for public use, unless such facility is to be constructed as part of the city-owned and -operated public storm sewer system, and is subject to a performance guarantee requiring the facility to be designed and constructed in accordance with city standards.
- (d) If the administrator (i) has developed a strategy for addressing maintenance of stormwater management facilities designed to treat stormwater runoff primarily from an individual residential lot on which such facilities are located, and (ii) is satisfied that there an enforceable mechanism exists by which future maintenance of such facilities will be addressed, then the recorded instrument referenced in paragraph (a), above, need not be required for stormwater management facilities designed for and implemented to treat stormwater runoff from such individual residential lot.

(5-5-14, § 3, eff. 7-1-4)

ARTICLE III. STORMWATER MANAGEMENT

**Sec. 10-57. Monitoring and inspections; information.**

- (a) The administrator, or any authorized agent of the administrator, shall inspect land-disturbing activity during construction for:
  - (1) Compliance with the approved erosion and sediment control plan;
  - (2) Compliance with the approved stormwater management plan and applicable permit conditions;
  - (3) Development, modification, updating, and implementation of a SWPPP, including, without limitation, any component pollution prevention plan, when required; and
  - (4) Development, modification, updating, and implementation of any additional control measures necessary to address a TMDL.
- (b) Following completion of the installation or construction of stormwater management facilities, the administrator shall conduct periodic inspections, to determine whether measures are being maintained as provided in the approved plan, or to investigate a complaint pertaining to the plan. Such post-construction inspections shall be conducted by the administrator at least once every five (5) years.
- (c) A construction record drawing shall be submitted to the administrator upon completion of the installation or construction of any permanent stormwater management facility or facilities, including, without limitation, permanent BMPs. The construction record drawing shall be signed and sealed by a licensed professional, as defined in section 10-5, and shall contain a certification of such professional that the stormwater management facility or facilities have been constructed in accordance with the approved stormwater management plan.
- (d) Consistent with the authority conferred within Virginia Code § 62.1-44.15:39, the administrator, or an authorized agent of the administrator, may, at reasonable times and under reasonable circumstances, enter any site or property, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this article.
- (e) The administrator may also enter any establishment or upon any property, public or private, at reasonable times and under reasonable circumstances, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity, when a permittee, after proper notice, has failed to take acceptable action within the time specified.
- (f) Pursuant to Virginia Code § 62.1-44.15:40, the administrator may require every permit applicant or permittee, any operator, or any other person subject to permit requirements, to furnish when requested such application materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this article.

(5-5-14, § 3, eff. 7-1-4)

**Sec. 10-58. Modification of approved stormwater management plans.**

- (a) The administrator may require that an approved stormwater management plan be amended, within a time prescribed by the administrator, to address any deficiencies noted during any inspection.
- (b) Any modification(s) of an approved stormwater management plan shall be allowed only after review and written approval of the administrator. Following receipt of a complete request, supported by such information deemed necessary by the administrator to determine compliance with the requirements of this article and Article I, the administrator shall have sixty (60) days to act on the request, either by approval or by disapproval set forth in writing. The administrator's review and decision shall be

ARTICLE III. STORMWATER MANAGEMENT

based on the requirements set forth within the regulations, and those set forth within this article and within Article I.

(5-5-14, § 3, eff. 7-1-4)

**Sec. 10-59. Enforcement.**

- (a) If the administrator determines that there is a failure to comply with a permit or any permit conditions, or if the administrator determines there is an unauthorized discharge, the administrator shall serve notice upon the permittee or other person responsible for carrying out the permit conditions, by any of the following: verbal warnings, written inspection reports, notices of corrective action, consent special orders, and notices to comply. Written notices shall be served by mailing with confirmation of delivery to the address specified in the permit application, or by delivery at the site of the land-disturbing activities, to the agent or employee supervising such activities.
- (1) The notice shall specify the measures needed to comply with the permit conditions and shall specify the time within which such measures shall be completed. Upon failure to comply within the time specified, a stop work order may be issued, or the permit may be revoked by either the administrator or the board.
  - (2) If a permittee fails to comply with a notice issued in accordance with this section within the time specified, the administrator may issue an order ("stop work order") requiring the owner, permittee, person responsible for carrying out an approved plan, or the person conducting the land-disturbing activities without an approved plan or required permit, to cease all land-disturbing activities until the violation of the permit has ceased, or an approved plan and required permits are obtained, and specified corrective measures have been completed. A stop work order shall be in writing, and shall become effective upon service on the person (i) by mailing, with confirmation of delivery, sent to the person's address specified in the land records of the city, or (ii) by personal delivery by an agent of the administrator. However, if the administrator finds that any violation is grossly affecting or presents an imminent and substantial danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth, or is otherwise substantially impacting water quality, it may issue, without advance notice or hearing, an emergency stop work order directing such person to cease immediately all land-disturbing activities on the site and shall provide an opportunity for a hearing, after reasonable notice as to the time and place thereof, to such person, to affirm, modify, amend, or cancel such emergency order. If a person who has been issued a stop work order is not complying with the terms thereof, the administrator may institute a proceeding for an injunction, mandamus, or other appropriate remedy in accordance with this section.
- (b) Any person violating or failing, neglecting, or refusing to obey any provision of this article, any order issued hereunder, or any permit condition, may be compelled in a proceeding instituted in the circuit court for the City of Charlottesville to obey same and to comply therewith by injunction, mandamus or other appropriate remedy, as set forth within Virginia Code §§ 62.1-44.15:42 and 62.1-44.15:48(D). If the administrator applies to a court to enjoin a violation or a threatened violation of the provisions of this article, the administrator shall not be required to show that an adequate remedy at law exists.
- (c) A person who violates this article may be subject to criminal prosecution and criminal penalties, as follows:
- (1) Any person who willfully or negligently violates any provision of this article, any regulation or order of the board, any order of the administrator, any order of DEQ, any permit condition, or any order of a court, shall be guilty of a misdemeanor punishable by confinement in jail for not more than twelve (12) months and a fine of not less than two thousand five hundred dollars (\$2,500.00) nor more than thirty-two thousand five hundred (\$32,500.00), either or both. A

Chapter 10 - WATER PROTECTION

ARTICLE III. STORMWATER MANAGEMENT

defendant that is not an individual shall, upon conviction of a violation under this subsection be sentenced to pay a fine of not less than ten thousand dollars (\$10,000.00).

- (2) Any person who knowingly violates any provision of this article, any regulation or order of the board, any order of the administrator or of DEQ, or any permit condition, or any order of a court issued as herein provided, or who knowingly makes any false statement in any application, form or submission required by this article, or who knowingly renders inaccurate any monitoring device or method required to be maintained, shall be guilty of a felony punishable by a term of imprisonment of not less than one (1) year nor more than three (3) years, or in the discretion of the jury, or the court trying the case without a jury, confinement in jail for not more than twelve (12) months and a fine of not less than five thousand dollars (\$5,000.00) or more than fifty thousand dollars (\$50,000.00) for each violation. A defendant that is not an individual shall, upon conviction of a violation under this subsection be sentenced to pay a fine of not less than ten thousand dollars (\$10,000.00)
  - (3) Any person who knowingly violates any provision of this article, and who knows at that time that he or she thereby places another person in imminent danger of death or serious bodily harm, shall, upon conviction, be guilty of a felony punishable by a term of imprisonment of not less than two (2) years or more than fifteen (15) years and a fine of not more than two hundred fifty dollars (\$250,000), either or both. A defendant that is not an individual shall, upon conviction of a violation under this provision, be sentenced to pay a fine not exceeding the greater of one million dollars (\$1,000,000.00) or an amount that is three (3) times the economic benefit realized by the defendant as a result of the offense. The maximum penalty shall be doubled with respect to both fine and imprisonment, for any subsequent conviction of the same person under this provision.
- (d) Any person who violates any provision of this article, any order issued hereunder, or any permit condition, shall be subject to a civil penalty imposed by the administrator, not to exceed thirty-two thousand five hundred dollars (\$32,500.00) per day for each violation. Each day a violation continues shall constitute a separate offense. The administrator may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate court.
- (1) Violations for which a penalty may be imposed under this paragraph (e) shall be as follows:
    - a. No state permit registration;
    - b. No approved stormwater management plan;
    - c. No SWPPP; an incomplete SWPPP; SWPPP not available for review at the site;
    - d. No approved erosion and sediment control plan;
    - e. Failure to install stormwater BMPs or erosion and sediment controls;
    - f. Stormwater BMPs or erosion and sediment controls improperly installed or maintained;
    - g. Failure to conduct land-disturbing activity in accordance with operational requirements established by regulations or by this chapter;
    - h. Failure to conduct required inspections;
    - i. Incomplete, improper, or missed inspections; and
    - j. Discharges not in compliance with the requirements of Section 9VAC50-60-1170 of the state general permit.
  - (2) Any civil penalties assessed by a court as a result of a civil summons issued by the administrator shall be paid into the treasury of the city, to be used as specified within Virginia Code § 62.1-44.15:48(A).

ARTICLE III. STORMWATER MANAGEMENT

(e) With the consent of any person who has violated or failed, neglected or refused to obey any provision or requirement of this article or any regulation, statute, ordinance, standard or specification referenced herein, or any permit, or any permit condition, the administrator may provide, in an order issued against such person, for the payment of civil charges for violations in specific sums, not to exceed the limit specified in paragraph (d), above. Any such civil charges shall be instead of any civil penalty that could be imposed under this section. Any civil charges collected shall be paid into the treasury of the city, to be used as specified within Virginia Code § 62.1-44.15:48(A).

(5-5-14, § 3, eff. 7-1-4)

**Secs. 10-60—10-70. Reserved.**

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FOOTNOTE(S):

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**Editor's note**— Section 3 of an ordinance of May 5, 2014, effective July 1, 2014 repealed Ch. 10, Art. III, §§ 10-50—10-57, to read as herein set out in §§ 10-50—10-59. Prior to inclusion of said ordinance, Art. III pertained to similar subject matter. See also the Code Comparative Table. ([Back](#))



## City of Charlottesville

Department of Public Works -Engineering Division  
**Engineering Completeness Review Checklist**  
 610 E Market Street, Charlottesville, VA 22902  
 Telephone 434-970-3182; Fax 434-970-3359

Created On: 1/30/2020  
 Created By: J. Dawson  
 Last Modified On: 10/21/2020  
 Last Modified By: J. Dawson

This checklist is a required submittal item for the applicant. It is used by City PWE staff to evaluate the completeness of a submitted Site Plan for adequacy of review. It is applicable to all projects proposing to disturb 6,000 SF or more, or otherwise subject to VSMP compliance, submitted as a Final Plan. If a submitted plan does not meet all applicable standards contained herein, this completed checklist will be returned to the applicant to serve as both a written justification of the reasons the plans were not accepted for review, as well as guidance on how to improve the submittal to a standard in which it will be deemed acceptable. If you have received this checklist as a result of having plans deemed incomplete and have questions, please contact PWE staff for clarification. Applicant shall complete column #1 with the location (plan sheet/detail etc) or "N/A". City staff will complete column #2.

		Code/Manual Reference	#1-Location or N/A	#2-Y/N/NA
<b>GENERAL</b>				
<b>1</b>	<b>Required Applications</b>			
1a	E&S and SWM Plan Application (or Amendment Application)	SADM 2.3		
1b	Site Plan Application	SADM 2.3/Sec. 34-828		
1c	State Permit Registration Application (Sites > 1 Acre Only)	SADM 2.3		
<b>2</b>	<b>Required Checklists</b>			
2a	E&S and SWM Plan Submittal Requirements Checklist	SADM 2.3		
2b	E&S Checklist	SADM 2.3		
2c	Engineering Checklist	SADM 2.3		
<b>3</b>	<b>Required Fees</b>			
3a	E&S Fee	SADM 2.3		
3b	SWM Fee	SADM 2.3		
<b>VSMP Package Generally</b>				
1	Tax reference number and parcel number for all parcels within LOD or otherwise affected by project (encumbered by access easements etc.).	9VAC25-870-55 B-1		
2	Name, address, telephone #, and email address for each owner of all properties required by the above.	9VAC25-870-55 B-2		
3	A SWM narrative that addresses, minimally; number of and specific flow regimes for all S.O.'s in both existing and proposed conditions, descriptions of all drainage areas in existing and proposed conditions, general description of all proposed SWM facilities and in which DA they will be operated, how many receiving waters (or Limits of Analysis, storm drain networks etc.) will be affected and if DA will be shifted from one receiving channel/SD network/LOA to another in proposed. Narrative must include whether or not the applicant intends to meet compliance through off-site options (nutrient credit purchases or others).	9VAC25-870-55 B-3,4,5,9		
4	Information on the proposed stormwater management facilities, including (i) the type of facilities; (ii) location, including geographic coordinates; (iii) acres treated; and (iv) the surface waters or karst features into which the facility will discharge	9VAC25-870-55 B-5		
5	A SWM Computation Booklet and report including all relevant hydrologic and hydraulic computations, VRRM spreadsheets, etc, necessary to demonstrate compliance with all VSMP regulations	9VAC25-870-55 B-6,7		
6	Letter of Availability from off-site provider if offsite nutrient credits are to be purchased.	9VAC25-870-55 B-9		
7	All SWM plans, specifications, and calculations included in the stormwater management plans and computation booklet shall be signed and sealed by a PE licensed in the Commonwealth of Virginia	9VAC25-870-55 C		
<b>SWM Plans or Drainage Area Maps shall include:</b>				
8	Existing and proposed contours (minimum 2' intervals)	9VAC25-870-55 B-8		
9	Identification of all Site Outfalls (1)	9VAC25-870-55 B-1		
10	Delineation of drainage areas to each S.O. in both pre and post developed conditions	9VAC25-870-55 B-1		
11	Delineation of the drainage areas to each SWM BMP	9VAC25-870-55 B-8(a)		
12	Delineation of the Limits of Disturbance	9VAC25-870-55 B-8(f)		
13	Depictions of all streams, ponds, culverts, ditches, wetlands, floodplains, wetlands or other waterbodies	9VAC25-870-55 B-8 (c)		
14	Locations of all existing structures, roads, utilities, SWM facilities and easements	9VAC25-870-55 B-8(d)		
15	Locations of all proposed buildings, roads, parking areas, utilities, and SWM facilities	9VAC25-870-55 B-8(g)		
16	Sufficient information on adjoining properties to assess impacts of stormwater on or from those properties. Minimally this means showing all topography and drainage or conveyance structures within 100' of subject parcel boundaries or within 100' of any delineated DA divides when these occur offsite.	9VAC25-870-55 B-8(e)		
17	Maintenance schedules, notes, and requirements for all BMP's included on plans, and Forest/Open Space designated areas.	9VAC25-870-55 B-4		

Date Application was received:

**ACCEPTED**

OR

**REJECTED**

By:

Date :

**CITY OF CHARLOTTESVILLE-LAND DISTURBANCE MS4 REPORTING CHART**

BMP TYPE	PRACTICE (1-15)	LEVEL (1 or 2)	LATITUDE	LONGITUDE	TOTAL DA (AC)	IMP. DA (AC)	PERV. DA (AC)	P REMOVED (LBS)	12 DIG. HUC.	*SWM MAINT. AGR. INST. #

TOTAL LOD (AC)	
TOTAL P REMOVED BY BMP'S (LBS)	
TOTAL P CREDITS PURCHASED (LBS)	
TOTAL P CREDITED TO PROJECT (LBS)	
TOTAL P REQUIRED (LBS)	
TOTAL AREA OF LAND COVER CONSIDERED FOREST/OPEN SPACE ON VRRM (ACRES)	*SWM MAINT. AGR. INST. # (FOREST/OPEN SPACE)

*LAND DISTURBING #	
* SWM BOND RELEASE DATE	

\* TO BE ENTERED BY CITY OF CHARLOTTESVILLE STAFF

CITY OF CHARLOTTESVILLE-OUTFALL TABULATION CHART																									
9VAC25-870-66:				EXISTING										PROPOSED											
Outfall Designation	LOA Designation	Receiving Channel Type	Compliance Method	DA (Acres)	Offsite Contribution (Acres)	CN	Tc (min)	Q1 (CFS)	Q2 (CFS)	Q10 (CFS)	Q100 (CFS)	Runoff Volume (Vr/RV)	Runoff Volume Units	DA (Acres)	Offsite Contribution (Acres)	CN	Tc (min)	Q1 (CFS)	Q2 (CFS)	Q10 (CFS)	Q100 (CFS)	Runoff Volume (Vr/RV)	Runoff Volume Units		
<b>TOTAL</b>																									

City of Charlottesville Department of Public Works-Engineering Division Version 1.0 -10-21-2020

NOTE: Options for column "Receiving Channel Type" include: "Manmade", "Natural", "Restored", "Sheet", or "Other"  
 The column for "Compliance Method" requires specific code references, options include: "B.1.a", "B.2.a", "B.3.a (EB)", "D"



## Agreement in Lieu of Stormwater Management Plan For Single-Family Detached Residential Dwellings

Please return to: City of Charlottesville  
Department of Neighborhood Development Services  
P.O. Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3182 Fax (434) 970-3359

**Please include \$150 application fee with this form, payable to the City of Charlottesville.**

### Construction Activity Operator <sup>(1)</sup>:

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

### Project Information:

Project Name: \_\_\_\_\_

Building Permit No. \_\_\_\_\_ Parcel ID (9 digit #): \_\_\_\_\_ Lot: \_\_\_\_\_

Total Site Area (sq. ft. or acres): \_\_\_\_\_ Total Disturbed Area (sq. ft. or acres): \_\_\_\_\_

Address (if no address, description of location): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### Identification of Responsible Land Disturber <sup>(2)</sup>:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Certificate Number: \_\_\_\_\_ Certificate Expiration Date: \_\_\_\_\_

In place of a Stormwater Management Plan for the construction of this single-family detached residential structure, I agree to comply with the requirements of this "Agreement in Lieu of a Stormwater Management Plan" (or other requirements as established by the Department of Neighborhood Development Services when necessary) to ensure compliance with the applicable post-construction stormwater management provisions of the Virginia Stormwater Management Program (VSMP) Regulations.

### REQUIREMENTS:

- As required by the Construction General Permit (VAR10), a copy of this signed and dated "Agreement in Lieu of a Stormwater Management Plan" shall be maintained in my Stormwater Pollution Prevention Plan (SWPPP) for the construction activity.





## Stormwater Management Facility Certification Form

Please return to: City of Charlottesville  
Department of Neighborhood Development Services  
P.O. Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3182 Fax (434) 970-3359

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

State Permit #: \_\_\_\_\_

Plans Prepared By: \_\_\_\_\_

### Type and location of Stormwater Management Facilities

Type	Location

This form and the following certification statement must be completed and submitted by a Virginia licensed professional to the City of Charlottesville with the as-built survey.

### Stormwater Management Facilities Certification

Pursuant to 9VAC25-870-55 Section D, I hereby certify that to the best of my knowledge and belief the stormwater management facilities shown on these record drawings have been constructed in accordance with the approved plans and specifications.

"Certify means to state or declare a professional opinion based on sufficient and appropriate onsite inspections, material tests, as-built survey data, and information provided by other professionals and the contractor, conducted during or after construction"

Please note that execution of this form does not replace the need to obtain City approval. Failure to call for City inspections and receive approval from the City may delay issuance of the Certificate of Occupancy and release of bonds.

### Procedures for Inspection and Maintenance of City-owned Stormwater Management Facilities

The City provides for adequate long-term operation and maintenance of City-owned stormwater management facilities (SMF). The City's Departments of Utilities, Parks and Recreation, and Public Works are responsible for all ongoing operation and maintenance tasks associated with the City's SMFs. The City utilizes an on-call contract with a third party to conduct routine and non-routine maintenance of City-owned SMFs on an as-needed basis. Additionally, Utilities and Parks and Recreation in-house crews conduct some routine maintenance tasks as time and experience allow.

The City's Utilities Department is responsible for conducting inspections of the City's SMFs. An alternative inspection schedule as authorized by the MS4 General Permit has been developed and is documented here in the MS4 Program Plan. The alternative inspection plan is for underground detention facilities to be inspected once every three years. Utilities staff utilize inspection checklists specific to the type of SMF being inspected and document their findings. Subsequently, Utilities notifies the proper City departments of a satisfactory or unsatisfactory inspection and, if necessary, identifies a list of problems identified with the SMF and recommended remedial actions. If remedial actions are necessary, Utilities staff coordinates with other City staff to implement the appropriate actions. Utilities then conducts a follow-up inspection to verify that the appropriate remedial actions have been taken and that the facility is in proper working order.

### Procedures for Inspection and Maintenance of Privately-owned Stormwater Management Facilities

The City requires adequate long-term operation and maintenance of privately-owned SMFs. The City requires the owner of the facility to develop a maintenance agreement in accordance with the City's Water Protection Ordinance and Virginia Stormwater Management Regulations. Staff from Public Works-Engineering inspect SMFs at the completion of their construction or installation and prior to their final acceptance and release of any associated stormwater management bonds. A construction record drawing is required to be submitted to the City upon completion of the construction or installation of any permanent SMFs, which must be signed and sealed by a licensed professional and must contain a certification by such professional that the SMF has been constructed in accordance with the approved stormwater management plan. Utilities then conducts periodic inspections of these SMFs to determine whether they are being maintained as provided in the approved plan and/or maintenance agreement. Such inspections are conducted by the City at least once every five years. Utilities staff utilize inspection checklists specific to the type of SMF being inspected and document their findings. Upon completion of the City inspections, SMF owners are notified of a satisfactory or unsatisfactory inspection, and if necessary, are provided a list of problems identified with the SMF and recommended remedial actions. The owners are given one month to respond with a corrective action plan. Utilities staff will assist property owners with re-inspections of problem areas, if needed, and provide referrals to consultants and contractors to complete the necessary remedial actions. Owners are given two months to bring SMFs into compliance, or can request an extension if the scope of work is too large for that time frame or if there are extenuating circumstances. Warning letters are sent to non-responsive SMF owners. If no response is received by the end of the two months, Utilities staff can proceed with contracting out the necessary remedial actions and collect payment from the SMF owner. Compliance letters are issued to those SMF owners that successfully complete remedial actions.

## **Annual Stormwater BMP Inspection Program**

Engineering continues to maintain the annual Best Management Practices (BMP) Inspection program as part of City's Virginia Stormwater Municipal Permit requirements.

What is a BMP?

BMPs are structural or non-structural methods used to control both quantity and quality of runoff generated by a development. Most land development projects (residential and commercial) provide a BMP onsite prior to receiving approval. Examples include: detention ponds, biofilters, rain gardens, and underground storage tanks.

Where are the BMPs?

Currently there are numerous BMPs installed around the City in various site developments. Some of these sites have active BMP maintenance agreements deeded with their properties. These agreements, established in 2005 or later, require the property owners in these subdivisions to properly maintain and inspect their BMPs. They also give the City the right to enter the property and inspect such facilities as we deem necessary. Older subdivisions/sites that do not have BMP maintenance agreements are bound by approved Site Plans referencing BMPs on their property. All BMPs must be kept in accordance with their recommended maintenance and inspection schedule as required at all times. In the event that a BMP fails to operate correctly, a subdivision/site would be in violation of their approved plan and would be required to pursue remedial efforts.

What does the City Inspection Program entail?

Inspections/Reporting Process (time frames are approximate):

May – July:

- Send out reminder letters of the program and notice that inspections will begin.
- A team of city staff will be divided into groups and inspect the current year's list of BMPs in the city.

July-August:

- Homeowners will be notified of a satisfactory/unsatisfactory inspection with a list of problems identified with the BMP with recommended remedial actions during June. They will be given 60 days to resolve deficiencies outlined in the letter or provide an alternative action plan.

August –October:

- Staff will assist homeowners with re-inspections of problem areas, if needed, and referrals to consultants and contractors to fix the work.
- Homeowners will have 60 days to bring BMPs into compliance or request an extension if the scope of work is too large for the timeframe or under extenuating circumstances.
- Begin re-inspections of facilities that did not pass inspection the first round.

October-November:

- Staff will issue compliance letters to those owners that cooperated.
- Staff will issue a final notice to those owners that did not adequately resolve deficient items noted in previous letter with a final 30 day notice prior to pursuing regulatory enforcement.

November-January:

- Perform final inspections of facilities that failed the re-inspection.

January-May

- Pursue regulatory enforcement for facilities that failed final inspection.

The BMP program starts at the beginning of each calendar year

What are EPA's requirements regarding inspections and maintenance of BMPs?

[www.epa.gov/npdes/stormwater-maintenance](http://www.epa.gov/npdes/stormwater-maintenance)

Ref.: City Real Estate Parcel Id. No(s): \_\_\_\_\_  
Prepared by: \_\_\_\_\_  
Return to: Charlottesville Dept. Neighborhood Development Services  
P.O. Box 911, Charlottesville, VA 22902

**DEED OF RESTRICTIVE COVENANTS,  
EASEMENTS AND MAINTENANCE AGREEMENT FOR  
STORMWATER MANAGEMENT/BMP FACILITIES**

THIS DEED, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by and between \_\_\_\_\_,  
GRANTOR, for the benefit of the Property and Development herein described and for the  
benefit of the Virginia Stormwater Management Program administered by the CITY OF  
CHARLOTTESVILLE, VIRGINIA, (hereinafter, "City"), whose address is P.O. Box  
911, Charlottesville, Virginia, 22902.

WITNESSETH:

WHEREAS, GRANTOR is the fee simple owner of approximately \_\_\_\_\_  
acres of land identified within City of Charlottesville Real Estate Tax Records by Real  
Estate Parcel Identification Number(s) \_\_\_\_\_, the GRANTOR having  
acquired such land by a deed recorded in the land records of the City of  
Charlottesville, Virginia, as Instrument Number \_\_\_\_\_,  
(hereinafter called the "Property"); and

WHEREAS, the GRANTOR seeks to obtain approval of and to pursue  
development of the Property in accordance with a common plan of development or sale  
("Development") and stormwater management must be provided within the Property for  
the Development in accordance with the Commonwealth of Virginia's Stormwater  
Management Act and related regulations, administered by the City through its local  
Virginia Stormwater Management Program; and

WHEREAS, the Stormwater Management (SWM) Plan for the Development,  
dated \_\_\_\_\_, 20\_\_\_\_, as such may be amended from time to time  
hereafter, and all of the contents and requirements of such SWM Plan, as amended, are  
incorporated by reference and expressly made a part hereof, as if set forth herein  
verbatim (such plan, and all subsequent amendments, are hereinafter referred to,  
collectively, as the "**SWM Plan**") and a copy of the SWM Plan is a public record  
maintained by the City of Charlottesville and its Virginia Stormwater Management  
Program Administrator; and

WHEREAS, the GRANTOR is required by state law and local ordinances to  
install or provide certain stormwater management facilities/ best management practices  
facilities (collectively, hereinafter, the "SWM/BMP") which must be constructed and

maintained on the Property by the GRANTOR, its heirs, successors and assigns, being of such type(s), and in such location(s), shown within the SWM Plan; and

WHEREAS, the parties hereto agree that the health, safety, and welfare of the residents of the City, and the laws of the Commonwealth of Virginia, require that the SWM/BMP must be constructed and maintained on the Property by the GRANTOR, its administrators, executors, heirs, successors in interest and assigns; and

NOW, THEREFORE, in consideration of the foregoing premises and the mutual covenants contained herein, the GRANTORS and the GRANTOR hereby covenant as follows:

1. GRANTOR covenants that all SWM/BMP specified within the SWM Plan shall be constructed and maintained in accordance with the plans, specifications and requirements identified in the SWM Plan, including, without limitation the SWM/BMP identified on a plat dated \_\_\_\_\_, 20\_\_\_\_\_, prepared by \_\_\_\_\_ [attached and incorporated herein by reference as Exhibit A] or [previously recorded in the City's land records as Instrument No. \_\_\_\_\_] (herein referred to as the "Plat"), identifying the locations of certain SWM/BMP on the Property, labeled as "SWM/BMP Private Maintenance Easement". Additional SWM/BMP are or may be required within the Property, as set forth more particularly within the SWM Plan.

2. The primary means of ingress and egress to and from said SWM/BMP shall be within certain access easements depicted on the Plat. GRANTOR does hereby establish, grant and convey for the benefit of the Property and the Development, the areas shown on the Plat and identified as "SWM/BMP Access Easement", said access easement(s) to be held and used by GRANTOR, its administrators, executors, assigns, heirs, successors in interest and assigns, for accessing the SWM/BMP to perform inspections and maintenance required or contemplated by these covenants.

3. GRANTOR covenants that the Property shall be subject to a private drainage easement allowing the passage of stormwater across the Property to and from all SWM/BMP, and within each SWM/BMP, including, without limitation, each area labeled on the Plat as a "Private Drainage Easement". This drainage easement is for the benefit of the entire Development, to facilitate compliance of the Development with the Commonwealth's and City's stormwater management program requirements.

4. GRANTOR covenants that the SWM/BMP shall be maintained in good working order at all times by the person(s) or entity(ies) who own the Property, or any portion thereof, all of whom shall be jointly liable for the costs of such maintenance, either directly or through adequate funding of a property owners' or homeowners' association. This maintenance obligation includes all pipes and channels built to convey stormwater to the SWM/BMP, as well as all structures, improvements, and vegetation provided on or within the Property to control the quantity and quality of stormwater. For the purposes of this agreement, "good working order" refers to a condition in which each SWM/BMP is performing its design functions. If a maintenance schedule for any

SWM/BMP is referenced within the SWM Plan, the maintenance shall be performed in accordance with that schedule; otherwise, maintenance shall be provided in accordance with any specifications or schedules set forth within laws or regulations of the Commonwealth of Virginia.

5. GRANTOR covenants that all of the SWM/BMP located within the areas identified on the Plat as “\_\_\_\_\_ SWM/BMP Maintenance Easement” shall be inspected annually, and a written report of the results of the annual inspection(s) shall be submitted to the City, using a form provided by the City. The annual inspection requirement is to assure that the SWM/BMP within these areas is/are in good working order. The inspection shall cover the SWM/BMP in its/their entirety, including, without limitation: berms, outlet structures, pipes or other conveyances, pond areas, access roads, etc. Deficiencies discovered during an annual inspection shall be noted in the inspection report. The person(s) or entity(ies) who own the Property shall be responsible for scheduling, and conducting the annual inspections, and for all cost(s) of completing the annual inspections, either directly or through adequate funding of a property owners’ or homeowners’ association.

6. GRANTOR hereby grants and conveys to the City of Charlottesville, its authorized agents and employees **(a)** a right of entry over and within the “SWM/BMP Access Easement” identified on the Plat, and **(b)** a right of entry over and upon other portions of the Property as necessary for the purpose of inspecting any SWM/BMP or performing corrective action (see paragraph 7, below) whenever the City deems inspection to be necessary in order to review suspected or reported deficiencies or malfunctions and to respond to citizen complaints. The City shall provide any person or entity across whose property the City will exercise this right of entry with advance notice of any such entry, except in the event of an emergency; provided, however, that notice of entry shall not be required to be given to any person or entity if the City’s entry is within the area(s) of the “SWM/BMP Access Easement” identified on the Plat. Upon request, the City shall provide any person or entity that owns land within the Property copies of public records reflecting its inspection findings.

7. GRANTOR hereby covenants that, in the event the SWM/BMP are not maintained in good working order, then after providing written notice to the owners of the lots within the Property (“landowners”) or a property owners’ association (POA)/homeowners’ association (HOA) established within the Property, the City may enter the Property, or any portion thereof, and take whatever steps it deems necessary to restore the SWM/BMP to good working order and may recover all of the costs of such corrective action and its expenditures therefor from the persons or entities that own the land within the Property. Notwithstanding the foregoing, the City shall not have any obligation to maintain or repair any SWM/BMP, routinely or otherwise, and in no event shall any provision(s) of this deed be construed to impose any such obligation on the City. In the event the City performs maintenance, repair or other work, of any nature, or expends any public funds or public resources in performance of said work (for labor, equipment, supplies, materials, etc.) the persons or entities that own the land within the Property, either directly or through adequate funding of a property owners’ or homeowners’

association, shall be liable to, and upon demand shall reimburse the City for all costs of and expenditures for such work. Payment shall be due to the City within thirty (30) days of receipt of presentation of a demand therefor. Upon request, the City shall provide any GRANTOR or POA/HOA copies of public records reflecting its costs or expenditures.

8. GRANTOR, on behalf of itself and its administrators, executors, heirs, successors in interest and assigns, including any property owners' or homeowners' association, covenants that the City shall be held harmless by them from and against all liability, of any nature whatsoever, arising out of or in connection with **(a)** the construction and maintenance of the SWM/BMP, or **(b)** the failure of such SWM/BMP to perform their design functions or other failure to operate properly.

9. This Deed shall be recorded among the land records of the City of Charlottesville, Virginia, and the obligations set forth herein shall constitute restrictive covenants running with the land, and shall be binding on the undersigned GRANTOR and its administrators, executors, heirs, successors in interest, and assigns, including, without limitation, any property owners' or homeowners' association.

WITNESS the following signatures and seals:

*[the remaining portion of this page is intentionally left blank; signature pages follow]*

GRANTOR:

\_\_\_\_\_

By: \_\_\_\_\_

Signature: \_\_\_\_\_

Its (Title): \_\_\_\_\_

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF \_\_\_\_\_, to wit:

The foregoing Agreement was acknowledged before me, a notary public in and for the aforesaid jurisdiction, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_, in his or her capacity as \_\_\_\_\_ for \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

Registration #: \_\_\_\_\_

ACKNOWLEDGED:

\_\_\_\_\_  
City of Charlottesville Virginia Stormwater  
Management Program Administrator'  
Authorized Agent/ Designee

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF \_\_\_\_\_, to wit:

The foregoing Agreement was acknowledged before me, a notary public in and  
for the aforesaid jurisdiction, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by  
\_\_\_\_\_, the City of Charlottesville's Virginia Stormwater  
Management Program Administrator's Authorized Agent/ Designee

\_\_\_\_\_  
NOTARY PUBLIC

Registration #: \_\_\_\_\_



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Street address: 629 East Main Street, Richmond, Virginia 23219  
Mailing address: P.O. Box 1105, Richmond, Virginia 23218  
Fax: 804-698-4019 - TDD (804) 698-4021  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

(804) 698-4020  
1-800-592-5482

May 23, 2014

Maurice Jones, City Manager  
City of Charlottesville  
P.O. Box 911  
Charlottesville, VA 22902

Dear Mr. Jones:

In accordance with §62.1-44.15:27 G of the Virginia Stormwater Management Act (Act), Department of Environmental Quality (DEQ) has completed the review of the City of Charlottesville's final Virginia Stormwater Management Program (VSMP) application package submitted on January 15, 2014. Based on this review, DEQ has determined that the City of Charlottesville VSMP is consistent with the Act, the VSMP regulation and the General VPDES Permit for Discharges of Stormwater from Construction Activities.

In light of this determination, DEQ approves City of Charlottesville's VSMP, and the City is authorized to operate a VSMP beginning on July 1, 2014. Please note that this approval is based on the content of the application package. Any changes made to the documents in the package after the approval date, including changes to the adopted ordinance, may necessitate DEQ evaluation as part of its compliance review of your approved VSMP.

Thank you for your cooperation in developing a VSMP. We look forward to continuing to assist the Locality with the implementation of its VSMP.

Sincerely,

A handwritten signature in black ink, appearing to read "David K. Paylor".

David K. Paylor

cc: Melanie Davenport, Director, Water Division  
Frederick Cunningham, Director, Office of Water Permits  
Joan Salvati, Manager, Local Government Stormwater Programs

## City of Charlottesville – MS4 Program Plan

### Appendix E Training Schedule and Program

The City conducts training for applicable employees in accordance with the MS4 General Permit. The goal of the training program is to reduce the impact of municipal operations on stormwater runoff. Training materials include stormwater pollution prevention plans, standard operating procedures, illicit discharge detection and elimination procedures, training videos, and other presentations. Documentation of each training event (including date, number of employees attending, and the objective of the training event) will be maintained for a period of three years after each training event. The following table provides an overview of the training plan and its basic elements:

Training Category (and Frequency)	Department of Utilities	Department of Public Works	Department of Parks and Recreation	Neighborhood Development Services	Fire Department
Recognition & Reporting of Illicit Discharges for Field Personnel (once per 24 months)	X	X (Public Service, Engineering, and Facilities Maintenance)	X	X (Property Maintenance and Building Inspectors)	X
Good Housekeeping & P2 Practices for Road, Street, and Parking Lot Maintenance (once per 24 months)		X (Public Service)	X		
Good Housekeeping & P2 Practices for Maintenance and Public Works Facilities (once per 24 months)	X	X (Public Service and Facilities Maintenance)	X (Parks and Golf)		X
Good Housekeeping and P2 Practices for Recreational Facilities (once per 24 months)			X (Parks, Aquatics and Rec Center staff, maintenance staff)		
Pesticide and Herbicide Applicators certification per VA Pesticide Control Act (as required)			X (Horticulture Crew)		
VA E&S Control Law and Regulations - DEQ certifications (as required)		X Plan Reviewers, Inspectors, VSMP Administrator			
Stormwater Management Law and Regulations - DEQ/VSMP certifications (as required)		X Plan Reviewers, Inspectors, VSMP Administrator			
Basic Spill Response (once every 24 months)	X	X	X		X
Hazardous Materials Operations and Technicians (annually)					X
Procedures for Operations and Maintenance Activities (once every 24 months)	X	X	X		

## **Emergency Response Employees Training and Certification Program Summary**

The appropriate emergency response employees in the Charlottesville Fire Department (CFD) receive training and certification as described below:

There are two levels of training and certification that CFD employees engaged in suppression receive, Hazmat Operations and Hazmat Technician. All of the training (Operations and Technicians) is aligned with the National Fire Protection Association's 472 Hazmat Curriculum Standard/OSHA CFR 1910.120 (HAZWOPER – Emergency Responder).

Hazmat Operations includes thirty-two hours of initial training taught through the Commonwealth of Virginia or International Association of Fire Fighters, and at minimum eight hours of refresher training annually. The Hazmat Operations level personnel operate under the defensive tactical control principle with some mission specific skills training. All of what is typically coined as “spill control” - damming and diking, setting booms, applying absorbents, denying entry, basic detection and monitoring, etc. - fall under the Hazmat Operations level training objectives. CFD typically has approximately thirty employees certified at this level.

Hazmat Technicians receive (in addition to the Hazmat Operations training) a minimum of forty additional hours of training (many CFD employees have significantly more additional hours), which moves them into an offensive/leak control type of capability. After the initial Hazmat Technician certification employees have to maintain a minimum of twenty-four hours of continuing education annually to stay active as a Hazmat Technician. The Hazmat Technician curriculum covers more advanced detection and monitoring, wearing/using chemical protective clothing, addressing/controlling atmospheric and pressurized leaks, plugging and patching, material categorization, etc. CFD also has employees that attend specialty trainings specific to highway and rail cargo containers, radiation sources, and environmental crimes (members that collect and package samples for lab/forensic analysis). CFD typically has approximately sixty employees certified at this level.

## City of Charlottesville – MS4 Program Plan

### Appendix F Municipal High-Priority Facilities

The City has identified its municipal high priority facilities as defined by 9VAC25-890-1. All City high-priority facilities require the development of a site specific stormwater pollution prevention plan (SWPPP). SWPPPs are accessible and available to employees on site via the City's internal server at J: \CITYWIDE\Environmental\VSMP Stormwater Permit Files\SWPPPs (Stormwater Pollution Prevention Plans for 4 municipal sites). Hard copies of SWPPPs are kept in the City's Utilities Department. The list of high priority facilities follows:

1. 4<sup>th</sup> Street Public Works Yard  
305 4<sup>th</sup> Street NW  
Charlottesville, VA 22903
2. Avon Street Public Works Center  
1505 Avon Street Extended  
Charlottesville, VA 22902
3. Central Fire Station  
203 Ridge Street  
Charlottesville, VA 22903
4. Pen Park and Meadowcreek Golf Course Maintenance Facilities  
1300 and 1400 Pen Park Road  
Charlottesville, VA 22903

Note: the Charlottesville Area Transit Administrative, Maintenance and Operations Base holds VPDES Industrial Stormwater General Permit VAR051960, and as such is excluded from this MS4 General Permit requirement.

## City of Charlottesville – MS4 Program Plan

### Appendix G Municipal Lands Requiring Nutrient Management Plans

The City has identified all applicable lands where nutrients are applied to a contiguous area of more than one acre, in accordance with Section II B.6.c(1) of the MS4 General Permit. Nutrient management plans (NMP) are accessible and available to employees on site via the City's internal server at <J:\CITYWIDE\Parks and Recreation\Parks Division\LANDSCAPE\Nutrient Management Plans>. Hard copies of NMPs are kept in the City's Parks and Recreation Department. A listing of these lands follows:

1. Charlottesville High School  
Girls Softball Field  
Latitude/Longitude: 78° 28' 12.06 / 38° 3' 7.61  
Acreage covered: 43,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27
  
2. Charlottesville High School  
Soccer Field  
Latitude/Longitude: 78° 28' 15.31 / 38° 3' 9.55  
Acreage covered: 70,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27
  
3. Charlottesville High School  
Baseball Field  
Latitude/Longitude: 78° 28' 26.42 / 38° 3' 7.22  
Acreage covered: 97,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27
  
4. McIntire Park  
Softball Field #2 Crawford  
Latitude/Longitude: 78° 28' 41.18 / 38° 2' 50.78  
Acreage covered: 80,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27

5. McIntire Park  
Softball Field #1 Shifflett  
Latitude/Longitude: 78° 28' 38.51 / 38° 2' 53.34  
Acreage covered: 50,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27
  
6. Walker Upper Elementary School  
Soccer Field  
Latitude/Longitude: 78° 29' 2.21 / 38° 3' 9.27  
Acreage covered: 55,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27
  
7. Washington Park  
Open Mixed Play/Soccer Field and Softball Field  
Latitude/Longitude: 78° 29' 28.46 / 38° 2' 28.77  
Acreage covered: 95,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27
  
8. Greenbrier Elementary School  
Baseball/Soccer Field  
Latitude/Longitude: 78° 28' 12.96 / 38° 3' 50.92  
Acreage covered: 52,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27
  
9. Charlottesville High School  
Practice Football/Soccer Field  
Latitude/Longitude: 78° 28' 41.65 / 38° 3' 9.13  
Acreage covered: 60,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27
  
10. Buford Middle School  
Soccer Field  
Latitude/Longitude: 78° 29' 55.07 / 38° 1' 36.02

Area covered: 60,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27

11. Johnson Elementary School

Baseball/Soccer Field  
Latitude/Longitude: 78° 30' 21.00 / 38° 1' 16.30  
Acreage covered: 87,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27

12. Northeast Park

Unity Field  
Latitude/Longitude: 78° 28' 9.25 / 38° 2' 33.22  
Acreage covered: 65,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27

13. Tonsler Park

Multi-Purpose/Little League Field  
Latitude/Longitude: 38.026539, -78.490447  
Acreage covered: 60,000 square feet  
Plan location: City internal server and Parks Office  
DCR approval date: 3/1/24  
Plan expiration date: 1/1/27

14. Pen Park

Meadowcreek Golf Course  
Latitude/Longitude: 78° 27' 8.68 / 38° 3' 2.28  
Acreage covered: 131.6 acres  
Plan location: City internal server and Golf Office  
DCR approval date: 10/2/22  
Plan expiration date: 8/31/25

## **City of Charlottesville – MS4 Program Plan**

### **Appendix H Procedures for Operations and Maintenance Activities**

The City has developed written standard operating procedures for minimizing pollutant discharge from municipal operations and maintenance activities such as road, street, and parking lot maintenance; equipment maintenance; and the application, storage, transport, and disposal of pesticides, herbicides, and fertilizers.

Included in this appendix are the following documents:

H.1 – Street Sweeping, Debris Disposal and Washing Work Instruction

H.2 – Stormwater System Cleaning Program Work Instruction

H.3 – Stormwater Grate Cleaning Program Work Instruction

H.4 – Snow Anti-Icing and De-Icing Program Work Instruction

H.5 – Sidewalk Installation and Maintenance Work Instruction

H.6 – Sediment Basin Maintenance Work Instruction

H.7 – Concrete Truck Washing Work Instruction

H.8 – Traffic Street Markings Work Instruction

H.9 – City Yard Vehicle and Equipment Washing Policy

H.10 – Fuel Spill Procedures

H.11 – Hydrant Flushing and Dewatering Procedures

H.12 – Water Line Flushing and Dewatering Procedures

H.13 - Disinfection of Potable Water Piping Regulations and Procedures

H.14 – Sanitary Sewer Manhole Overflow Response

H.15 – Integrated Pest Management Policy

H.16 – Apparatus Washing



Document No.: P05-W2-PS	Issue Date: 6/12/15	Expiration Date: N/A	Revisions No.: 1	Page: 1 of 1	Prepared By: SCL	Approved By: SM
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**Work Instruction**  
**Street Sweeping**  
**Debris Disposal and Washing**

**Background / Purpose:** The purpose of this work instruction is to provide general guidelines for disposal of street sweeping debris and cleaning vacuum street sweeper.

**Related Significant Aspect(s):** water quality, runoff

**Responsible Personnel:** All personnel who drive and operate the three street sweepers.

**Potential Impacts:** If proper cleaning guidelines are not followed, then there is the potential for sweeper debris and dirty wash water to impact water quality in storm water infrastructure and streams.

**Reporting Requirement:** Internal \_\_\_\_\_ External \_\_\_\_\_ None X

**General Guidelines and Restrictions:**

1. Water mist system used only to keep down dust. Water is not used to the point where it runs in the street, potentially to drainage structures.
2. Street sweeping spoils are hauled by the sweeper daily directly to Van der Linde MURF at Zions Crossroads. Loads are documented by number and weight.
3. However, if should there be instances where debris can't be hauled by the sweeper directly to Zions, the debris shall be dumped at the PWC sediment basin and immediately (same day) loaded onto a dump truck for hauling to Zions.
4. The sweeper shall be washed daily after use only in the Wash Facility in the City Yard.(Facility drains to Sanitary System)
5. Check sweeper(s) sediment holding tank for leaks.



**Documentation:** Training Log

**Records Location:** Division Administrative Office

**Related Documents:**

Street Sweeping Schedule, Tip tickets



Document No.: P05-W8-PS	Issue Date: 6/12/15	Expiration Date: N/A	Revisions No.: 1	Page: 1 of 1	Prepared By: SCL	Approved By: SM
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**Work Instruction**  
**Stormwater System Cleaning Program**

**Background / Purpose:** The purpose of this work instruction is to provide general guidelines related to the flushing and vacuuming of city owned stormwater pipes and structures. The City MS4 permit requires cleaning of 10% of pipes and structures annually.

**Related Significant Aspect(s):** water quality, runoff

**Responsible Personnel:** Stormwater Crew Personnel.

**Potential Impacts:** If proper guidelines are not followed, there is the potential for impacts to water quality in storm water infrastructure and streams.

**Reporting Requirement:** Internal \_\_\_\_\_ External X None \_\_\_\_\_

**General Guidelines and Restrictions:**

1. The in-house pipe and structure cleaning program is accomplished by using the sewer jet/vacuum truck, where sediment and debris in the system is dislodged and vacuumed back into the truck holding tank.
2. Water used for this purpose is taken from the water hydrant in the City Yard.
3. Dirty water and sediment truck loads are dumped in the sediment basin at the PWC. After water has drained and sediment dried, solids are placed in the street spoils storage pile, or if there is trash in the load, the solids are trucked and disposed of in an authorized landfill. All sediment will be disposed of at a landfill.
4. The sewer jet vacuum truck is cleaned inside and out as needed in the Wash Facility in the City Yard. (Facility is tied to Sanitary System).



**Documentation:** Training Log

**Records Location:** Division Administrative Office

**Related Documents:** MS4 permit

 <b>City of Charlottesville, VA Department of Public Works</b>		<b>Subject: Stormwater Grate Cleaning Program</b>				
Document No.: P05-W9-PS	Issue Date: 6/12/15	Expiration Date: N/A	Revisions No.: 1	Page: 1 of 1	Prepared By: SCL	Approved By: SM

**Work Instruction**  
**Stormwater Grate Cleaning Program**

**Background / Purpose:** The purpose of this work instruction is to provide general guidelines related to the cleaning of stormwater structure grate cleaning prior and during rain events to lessen the chance of street flooding and to keep sediment out of the system.

**Related Significant Aspect(s):** water quality, runoff

**Responsible Personnel:** All Public Service field personnel.

**Potential Impacts:** If proper guidelines are not followed, there is the potential for impacts to water quality in storm water infrastructure and streams.

**Reporting Requirement:** Internal \_\_\_\_\_ External \_\_\_\_\_ None  X

**General Guidelines and Restrictions:**

1. The City has over 4,000 drainage structures, most in the street right of way.
2. During rain events debris (leaves, sticks, trash, etc) has the potential to either enter the system or block structure grates or inlets.
3. Prior to and during rain events, teams of field personnel work assigned routes cleaning debris from grates and inlets. This work is done mostly with hand tools and the debris is loaded onto pickup and dump trucks.
4. The collected debris is either hauled directly to an approved landfill, or if extremely wet, dumped in the sediment basin at the PWC for drying.
5. The material is removed from the sediment basin and hauled to an approved landfill asap, often in the same day.

NOTE: No vehicle or equipment washing will be conducted at Avon. All washing is to be conducted at the 4<sup>th</sup> Street PW Yard Wash Facility which is tied to the sanitary system.

	<b>Documentation:</b> Training Log
	<b>Records Location:</b> Division Administrative Office

**Related Documents:** Catch basin route sheets



Document No.: P05-W6-PS	Issue Date: 6/12/15	Expiration Date: N/A	Revisions No.: 1	Page: 1 of 1	Prepared By: SCL	Approved By: SM
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**Work Instruction**  
**Snow Anti-Icing and De-Icing Program**

**Background / Purpose:** The purpose of this work instruction is to provide general guidelines related to the City Snow and Ice anti and deicing program.

**Related Significant Aspect(s):** water quality, runoff

**Responsible Personnel:** All Public Service personnel.

**Potential Impacts:** If proper guidelines are not followed, there is the potential for impacts to water quality in storm water infrastructure and streams.

**Reporting Requirement:** Internal \_\_\_\_\_ External \_\_\_\_\_ None X

**General Guidelines and Restrictions:**

1. Salt Brine, Dry Salt, and Magic Salt are tools used for Anti and De-icing City Streets
2. Dry Salt is purchased through contract and stored in covered Salt Storage Facility (1200 tons capacity).
3. Liquid Salt Brine is made on site and stored in four large storage tanks (20,000 gallon storage).
4. Liquid Magic Salt (environmentally friendly) is purchased through contract and stored in storage tanks (5,000 gallons storage)
5. Salt brine is the major player in the program. Dry salt is used only when absolutely necessary. Magic Salt is added to brine and dry salt during unusually cold winter events.
6. Following event, cleanup operations involve returning leftover salt to the salt storage facility

NOTE: No vehicle or equipment washing will be conducted at Avon. All washing is to be conducted at the 4<sup>th</sup> Street PW Yard Wash Facility which is tied to the sanitary system.



**Documentation:** Training Log

**Records Location:** Division Administrative Office

**Related Documents:** Snow Manual, MSDS sheets

 <b>City of Charlottesville, VA Department of Public Works</b>			<b>Subject: Sidewalk Installation and Maintenance</b>			
Document No.: P05-W7-PS	Issue Date: 6/12/15	Expiration Date: N/A	Revisions No.: 1	Page: 1 of 1	Prepared By: SCL	Approved By: SM

**Work Instruction**  
**Sidewalk Installation and Maintenance**

**Background / Purpose:** The purpose of this work instruction is to provide general guidelines related to the installation and maintenance of concrete sidewalks in the right of way.

**Related Significant Aspect(s):** water quality, runoff

**Responsible Personnel:** All personnel assigned to concrete related work.

**Potential Impacts:** If proper guidelines are not followed, there is the potential for impacts to water quality in storm water infrastructure and streams.

**Reporting Requirement:** Internal \_\_\_\_\_ External \_\_\_\_\_ None X

**General Guidelines and Restrictions:**

1. Work is performed on 40 degree and warmer, dry weather days.
2. Prior and during each project, adjacent stormwater structures and inlets are protected by use of sand bags, straw bales, filter fabric, gravel dams, or other acceptable methods.
3. Excavated material is loaded on dump truck(s) and hauled to spoils storage site, and not stored overnight on work site.
4. The crew supervisor is responsible for accurately estimating amount of concrete needed for each project.
5. Concrete is picked up at concrete plant by city owned concrete mixer truck or plant truck.
6. Care is used during pouring and forming operations to keep concrete within forms.
7. Unused or leftover concrete is taken to the PWC and poured into large forms to make large retaining wall blocks or taken back to the plant.
8. Dirty water from hand tool cleaning is captured and disposed of at sediment basin at the PWC or at the concrete plant, not in the street.
9. Concrete truck is washed at the private concrete plant per PO5-W1-PS

	<b>Documentation:</b> Training Log
	<b>Records Location:</b> Division Administrative Office

**Related Documents:**



**City of Charlottesville, VA  
Department of Public Works**

**Subject: Sediment basin maintenance**

Document No.: P05-W10-PS	Issue Date: 6/12/15	Expiration Date: N/A	Revisions No.: 1	Page: 1 of 1	Prepared By: SCL	Approved By: Sm
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**Work Instruction**  
**Sediment Basin Maintenance**

**Background / Purpose:** The purpose of this work instruction is to provide general guidelines related to maintenance of the Sediment Basin BMP located at the PWC on Avon Ext.

**Related Significant Aspect(s):** water quality, runoff

**Responsible Personnel:** All Public Service field personnel.

**Potential Impacts:** If proper guidelines are not followed, there is the potential for impacts to water quality in storm water infrastructure and streams.

**Reporting Requirement:** Internal \_\_\_\_\_ External \_\_\_\_\_ None X

**General Guidelines and Restrictions:**

1. The sediment basin at the PWC is used to capture sediment and allow water to pass through to the downstream drainage storage basin prior to entering the stream.
2. Once de-watered, sediment is removed from the basin using a backhoe or loader and loaded onto dump trucks for proper disposal at an authorized landfill.
3. Sediment is not allowed to accumulate in the basin unnecessarily. Sediment removal and disposal is prompt, asap depending on conditions.
4. The basin is re-worked as needed by in-house personnel.



**Documentation:** Training Log

**Records Location:** Division Administrative Office

**Related Documents:**



Document No.: P05-W1-PS	Issue Date: 6/12/15	Expiration Date: N/A	Revisions No.: 0	Page: 1 of 1	Prepared By: KFR/DJF	Approved By: SM
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### Work Instruction Concrete Truck Washing

**Background / Purpose:** The purpose of this work instruction is to provide general guidelines for the cleaning of the concrete mixer truck.

**Related Significant Aspect(s):** water quality, runoff

**Responsible Personnel:** All personnel who drive and operate the concrete mixer truck.

**Potential Impacts:** If proper cleaning guidelines are not followed, then there is the potential for unused concrete to impact water quality in storm water infrastructure and streams.

**Reporting Requirement:** Internal \_\_\_\_\_ External \_\_\_\_\_ None X

#### General Guidelines and Restrictions:

1. City concrete mixer truck will be cleaned **only** at the Allied Concrete Plant on Harris Street.
2. Unload any unused concrete at designated location at the Allied Plant.
3. While sitting in designated wash location, fill drum with water and spin to loosen any sediment inside.
4. Wash down outside of truck while drum is rinsing.
5. Clean chutes and dislodge any concrete that has hardened on chutes and back of drum.
6. Discharge water from drum.
7. Spray inside of drum.
8. Return to City Yard and wash truck with soap and water **in the Wash Facility**.
9. Once every two weeks wash truck with Allied Acid Mix at Allied’s designated cleaning facility.
10. Park truck and check fluids and lights.



**Documentation:** Training Log

**Records Location:** Division Administrative Office

#### Related Documents:

None

 <b>City of Charlottesville, VA Department of Public Works</b>		<b>Subject: Traffic Street Markings</b>				
Document No.: P05-W3-PS	Issue Date: 6/12/15	Expiration Date: N/A	Revisions No.: 0	Page: 1 of 1	Prepared By: SCL	Approved By:

**Work Instruction**  
**Traffic Street Markings**

**Background / Purpose:** The purpose of this work instruction is to provide general guidelines related to application of traffic street markings on city streets.

**Related Significant Aspect(s):** water quality, runoff

**Responsible Personnel:** All personnel working in street marking crew.

**Potential Impacts:** If proper guidelines are not followed, there is the potential for impacts to water quality in storm water infrastructure and streams.

**Reporting Requirement:** Internal \_\_\_\_\_ External \_\_\_\_\_ None X

**General Guidelines and Restrictions:**

1. The only traffic related marking materials authorized for use on city streets are thermoplastic and tape...no paint.
2. Thermo and tape are stored inside prior to use.
3. Schedule work for warm, dry weather.
4. During application, if necessary, protect stormwater structures and inlets from thermoplastic and glass beads by use of sand bags, straw bales, filter fabric, gravel dams, metal plates, or other acceptable methods.
5. Spray cans of water based traffic paint may be used to lightly “dot” in lines for thermoplastic application.
6. Loose/cleanup/leftover thermoplastic and glass beads are captured and disposed of as trash.
7. Debris from removal (scratching) of old thermoplastic markings are collected and disposed of as trash in authorized landfill.

	<b>Documentation:</b> Training Log
	<b>Records Location:</b> Division Administrative Office

**Related Documents:**

Department of Public Works

City of Charlottesville

305 4<sup>th</sup> Street NW

Charlottesville, Virginia 22903

434-970-3800



## PUBLIC WORKS DEPARTMENT

### CITY YARD VEHICLE AND EQUIPMENT WASHING POLICY

The City of Charlottesville recognizes that most water that enters storm drains in the city goes directly into surface waters without any water quality treatment. Pollutants associated with vehicle and equipment washing, including soapy water, chemicals in detergents, and materials washed off the machinery (including sediment, debris, and residual vehicle fluids) can be carried by stormwater or enter storm drains directly, degrading water quality and harming fish and other aquatic life. This pollution also impacts the drinking water supply for communities downstream of Charlottesville. Recognizing that pollutants from washing is one source of stormwater contamination that can be controlled, the following are mandatory procedures to be followed when washing any and all vehicles, equipment, and all other items at the 4<sup>th</sup> Street Public Works Yard (City Yard):

- Vehicles, equipment, and all other items maintained at the City Yard must be washed in the covered Wash Rack located at City Yard. If after-hours washing is necessary, a key and check-out sheet will be located at the Gas Dispatch Office.
- No vehicles, equipment, or other items are to be rinsed or washed in the exterior areas of the 4<sup>th</sup> City Yard Parking Lot, or any other open areas in the city. Reference specific Work Instructions for activities conducted at Avon Street Public Works Center.
- Prior to washing, all vehicles, equipment, and other items shall first be rinsed in the Wash Rack. All coarse debris shall be removed prior to it entering the interior floor drain and disposed of properly (for example, shoveled into a garbage bag and removed to a landfill or as otherwise may be appropriate). If any questions exist regarding proper removal and disposal of debris, immediately contact our Environmental Administrator (currently Kristel Riddervold, 970-3631). If she is not available, seek your supervisor's approval prior to disposal.

It is the intent of the Department of Public Works that the washing, cleaning, and maintenance of City vehicles, equipment and other items shall be conducted in a way that minimizes detergent and other chemical use, and all employees are expected to follow these procedures in order to keep our waterways clean and safe. This Policy is effective immediately, this 3<sup>rd</sup> Day of April 2012.

Judith M. Mueller

Director, Department of Public Works

## Fuel Spill Procedures

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City employees are expected to exercise every care to ensure that fuel spills do not occur while fueling vehicles. However, there may be occasions when fuel does spill.



In an attempt to minimize the impact of fuel spills on stormwater quality from the City fuel facilities, fuel spill procedures have been updated to address the proper collection and disposal of used spill absorbent material.

Spill response material is available at all fuel facilities in the marked yellow bins.

In the event of a *Minor Spill*:



- Cover the spill with a thin layer of absorbent material. Use the minimum amount necessary to effectively absorb the spill.
- When the absorbent has soaked up all evidence of the spilled fuel, collect the used absorbent and place in the labeled collection container located next to the fuel building.

*Minor Spills* are small spills that are easily contained, where there is no potential for the fuel to enter the storm sewer system, and where there is no fire hazard.

In case of a *Major Spill*:

- Call 911
- If there is a fire, use a fire extinguisher if this can be done without undue risk to self.
- Cover the nearby storm drain with material provided in the spill kits to prevent the spill from entering the storm sewer system.
- If possible and safe, spread absorbent material and/or oil booms on and at the leading edge of the spill.

**NOTE: NEVER USE WATER TO WASH DOWN A SPILL!**



## **HYDRANT FLUSHING & DEWATERING PROCEDURES**

Last Update: July 2017

The following procedure applies to all City personnel when flushing a hydrant or dewatering a trench.

1. Hydrants located within the City are to be operated by City staff only unless expressed consent has been provided by the Department of Utilities or Fire Department.
2. Proper erosion and sediment (E&S) control measures must be installed to prevent sediment from entering the stormwater drainage system. Appropriate E&S measures are recommended in the latest version of the Virginia Erosion and Sediment Control Handbook and include, but are not limited to the following:
  - a. Inlet protection by stone, straw bales, or filter fabric
  - b. Filter bags
  - c. "Gutter Buddy" or similar
  - d. Gravel filtration
3. All treated drinking water must be dechlorinated before discharging into the stormwater drainage system. This can be accomplished using a diffuser that utilizes dechlorination tablets or any other method that reduces the chlorine residual to below 0.1 ppm (0.1 mg/l).
4. When flushing a hydrant or dewatering a trench, the water must be directed towards a storm drain, but only after proper E&S measures have been installed. This shall be accomplished in one of the following ways:
  - a. The flow shall be monitored to ensure that it stays within the Right of Way and until it reaches a storm drain or trench. Should the flow spread into private property, redirect the flow if possible using stones, straw bales, etc. Close the hydrant or shut off the pump if the flow cannot be redirected.
  - b. Use hoses on hydrants or pumps to direct the flow towards a storm drain.
  - c. Clear and remove debris and contaminants from flow.
5. Any hydrant that is flowing shall either be manned or have a sign nearby explaining the reason for flushing.
6. During flushing, record the following and provide the information to the Utilities Engineer:
  - a. Time the hydrant was opened
  - b. Approximate flow
  - c. Time hydrant was closed
  - d. Any defects or issues with the hydrantThis information shall be recorded and made accessible for water auditing purposes.
7. After the work is completed and hydrants and pumps are shut down, remove all sediment and debris from the drainage path and uninstall the erosion and sediment control measures employed.



## **WATER LINE FLUSHING & DEWATERING PROCEDURES**

Last Update: July 2017

The following procedure applies to all City personnel when flushing a water line or dewatering a trench.

1. Water line appurtenances located within the City are to be operated by City staff only unless expressed consent has been provided by the Department of Utilities.
2. Proper erosion and sediment (E&S) control measures must be installed to prevent sediment from entering the stormwater drainage system. Appropriate E&S measures are recommended in the latest version of the Virginia Erosion and Sediment Control Handbook and include, but are not limited to the following:
  - a. Inlet protection by stone, straw bales, or filter fabric
  - b. Filter bags
  - c. "Gutter Buddy" or similar
  - d. Gravel filtration
3. All treated drinking water must be dechlorinated before discharging into the stormwater drainage system. This can be accomplished using a diffuser that utilizes dechlorination tablets or any other method that reduces the chlorine residual to below 0.1 ppm (0.1 mg/l).
4. When flushing a water line or dewatering a trench, the water must be directed towards a storm drain, but only after proper E&S measures have been installed. This shall be accomplished in one of the following ways:
  - a. The flow shall be monitored to ensure that it stays within the Right of Way and until it reaches a storm drain or trench. Should the flow spread into private property, redirect the flow if possible using stones, straw bales, etc. Discontinue the flushing or shut off the pump if the flow cannot be redirected and determine another suitable path for water flow.
  - b. Use hoses on hydrants, blow-offs, or pumps to direct the flow towards a storm drain.
  - c. Clear and remove debris and contaminants from flow.
5. Any hydrant, blow-off, or pump that is flowing shall either be manned or have a sign nearby explaining the reason for flushing.
6. During flushing, record the following and provide the information to the Utilities Engineer:
  - a. Time the hydrant or blow-off was opened
  - b. Approximate flow
  - c. Time hydrant or blow-off was closed
  - d. Any defects or issues with the hydrant or blow-offThis information shall be recorded and made accessible for water auditing purposes.
7. After the work is completed and hydrants, blow-offs, and pumps are shut down, remove all sediment and debris from the drainage path and uninstall the erosion and sediment control measures employed.



## **DISINFECTION OF POTABLE WATER PIPING REGULATIONS AND PROCEDURES**

**Last Update: August 2023**

*Modified from the City of Charlottesville Standards and Design Manual, Section 15052- Water Pipe Testing, subsection 3.03- Disinfection of Potable Water Piping*

- A. Prior to disinfection, hydrostatic pressure and leakage tests shall be completed in accordance with City of Charlottesville Section 15052.
- B. All newly installed water piping shall be disinfected in accordance with the latest editions of the Virginia Department of Health Waterworks Regulations and AWWA C651. Disinfection method shall be the continuous feed method. The tablet method shall only be used upon request by the Contractor, and approval by the Owner. The Contractor shall be responsible for all aspects of disinfection, sampling, and testing at his own expense.
  1. Continuous feed method.
    - a. Pipes shall be flushed “first flush” prior to disinfection with a velocity of at least 3.0 ft/sec. Valves, hydrants, and other appurtenances shall be operated during this flushing.
    - b. All flushing shall be performed with potable water. All treated water flushed from the lines shall be disposed of by discharging to the storm sewer or other means, but shall not be discharged to the sanitary sewer system. All water from the first flush shall be dechlorinated to levels less than 0.1 mg/l and managed in a manner to avoid an in-stream impact.
    - c. Potable water shall be introduced into the pipeline at a constant flow rate protected by an approved backflow prevention device. Chlorine shall be added at a constant rate to this flow so that the chlorine concentration in the water in the pipe is at least 50 mg/l.
    - d. The chlorinated water shall remain in the pipeline at least 24 hours, after which the chlorine concentration in the water shall be at least 10 mg/l.
    - e. Valves and hydrants and other appurtenances shall be operated during the disinfection process to be sure that they are disinfected
    - f. Following the chlorination period, perform “final flush” of the disinfectant from the piping with potable water. All flushing shall be performed with potable water. All treated water flushed from the lines shall be disposed of by discharging to the sanitary sewer system. Water from the final flush may be discharged to the storm sewer only with prior approval of the Owner. If discharged to the storm sewer, all water from the final flush shall be dechlorinated to levels less 0.1 mg/l and managed in a manner to avoid an in-stream impact.
  2. Tablet method.
    - a. Tablets of calcium hypochlorite shall be affixed to the top of each length of pipe and in each appurtenance as installed with a food-grade adhesive-Permatex RTV silicone, silicone adhesive sealant, or approved equal. Tablets shall not be completely covered by the adhesive. Tablets shall be crushed or rubbed into appurtenances in addition to being attached to the pipe walls. Use the appropriate size and number of tablets required to yield a minimum 50 mg/l chlorine concentration upon filling the pipe with potable water.



## **DISINFECTION OF POTABLE WATER PIPING REGULATIONS AND PROCEDURES**

- b. Take two (2) samples for each 1000 feet of pipe and have tested for chlorine concentrate. Minimum chlorine concentration in the filled pipe shall be 50 mg/l.
- c. Maintain disinfection for 24 hours, after which the residual chlorine concentration in the water shall be at least 10 mg/l.
- d. Tablet method cannot be used if non potable water or foreign materials have gotten into the pipes during installation or if the water is less than 5 degrees Celsius (less than 41 degrees Fahrenheit).
- e. Following the chlorination period, perform “final flush” of the disinfectant from the piping with potable water. All flushing shall be performed with potable water. All treated water flushed from the lines shall be disposed of by discharging to the sanitary sewer system. Water from the final flush may be discharged to the storm sewer only with prior approval of the Owner. If discharged to the storm sewer, all water from the final flush shall be dechlorinated to levels less 0.1 mg/l and managed in a manner to avoid an in-stream impact.

For chlorine concentrations greater than 4 mg/l, the Contractor shall use chemical means of dechlorination. The Contractor shall secure and use manufactured equipment and the manufacturer’s recommendations for chemical type and quantity based on the chlorine concentration and discharge rate proposed by the Contractor for each situation.

For chlorine concentrations equal to or less than 4 mg/l, the Contractor may use nonchemical means of dechlorination. Examples of non-chemical means of dechlorination are holding tanks or ponds, release through hay bales or other natural obstructions, and discharge into storm sewers.

Regardless of the method used to dechlorinate, the Contractor shall use chlorine detection kits or measurement tools to verify that the chlorine concentration of water discharged into natural water bodies has been reduced to less than 0.1 mg/l and managed in a manner to avoid an in-stream impact.

- C. Following final flushing, water samples shall be collected and tested for bacteriological quality in accordance with Standard Methods for the Examination of Water and Wastewater and shall show the absence of coliform bacteria.
  1. Samples shall be collected at the following locations:
    - a. Every 1200 feet of new water main,
    - b. Each end of the new water main (within 20 feet from each end),
    - c. Each branch greater than 20 feet in length.
  2. Two samples shall be taken at each location, at least 16 hours apart. All tested sampled must indicate the absence of coliform contamination.



## **DISINFECTION OF POTABLE WATER PIPING REGULATIONS AND PROCEDURES**

3. Should any sample result indicate the presence of coliform bacteria, the Contractor will be allowed to flush the entire water main, and perform the entire sampling and testing procedure one additional time. Should the retesting indicate the presence of coliform bacteria contamination, the Contractor shall repeat the entire disinfection procedure and testing procedure until all tested samples indicate the absence of coliform bacteria contamination. All costs for disinfection, sampling, and testing will be at the Contractor's expense.
- D. Disinfection shall also include hydrants, fittings, taps, tubing, and all other fittings used at connections to existing water mains. These shall be thoroughly disinfected immediately prior to installation by spraying or swabbing with a minimum 1 percent chlorine solution.

Please also refer to the next three documents from the American Water Works Association in the O&M Manual for water piping disinfection.



## **SANITARY SEWER MANHOLE OVERFLOW RESPONSE**

Last Update: July 2017

### Upon Arrival at SSO site:

1. Take IMMEDIATE steps to stop overflow – clear the blockage or set up bypass pumping if pipe has collapsed or is beyond capacity.

### Containment: MINIMIZE IMPACT TO PUBLIC HEALTH AND THE ENVIRONMENT

1. If the SSO is discovered to be coming from a manhole belonging to another utility (RWSA, ACSA), notify dispatch and proceed with basic containment procedures.
2. Initiate measures to contain the overflowing sewage and recover where possible.
3. Determine the immediate destination of the overflow, e.g. storm drain, body of water, etc.
4. Obtain any necessary materials to contain or isolate the overflow. Acceptable measures include:
  - a. Block or bag storm drains
  - b. Divert or bypass pump to downstream manhole
  - c. Recover with vactor truck

### Cleanup

1. Secure the overflow area to prevent contact by members of the public until cleanup is complete.
2. Whenever possible digital photos should be taken of the area before and after cleanup.
3. Clean overflow sites thoroughly. No readily identified residue (e.g., sewage solids, papers, rags, plastics, and rubber products) is to remain.
4. Where practical, thoroughly flush the area and clean any sewage or wash-down water. Solids and debris are to be vacuumed, swept, raked, picked-up, and transported for proper disposal.
5. Where appropriate, disinfect and deodorize the overflow site; Simple Green can be used to break up large grease deposits; disinfect with lime or 6:1 water: bleach solution.
6. Where sewage has resulted in ponding, pump the pond dry with vactor truck.
7. If a ponded area contains sewage which cannot be pumped dry it may be treated with bleach. Do not treat waterways with bleach or lime.
8. Manhole interiors should be hosed so debris does not remain stuck above the inverts.

### Reporting

1. Follow steps in 24-HOUR MANDATORY DEQ SEWER OVERFLOW REPORTING PROCEDURES FOR AFTER HOURS/WEEKEND INCIDENTS
2. Complete the 24 HOUR SSO Reporting Form (available in Utility Truck Binder or from Kathryn McNannay). This is a LEGAL REQUIREMENT from Virginia DEQ.

**City of Charlottesville**  
**Parks and Recreation Department**  
**INTEGRATED PEST MANAGEMENT POLICY**  
**Adopted by City Council April 20, 2015**

**INTRODUCTION:** Integrated Pest Management (IPM) is a methodology that establishes an effective and environmentally sensitive response to pests, (insects, weeds, pathogens, rodent and other vertebrates). IPM establishes a sustainable approach to managing pests by combining biological, cultural, physical and, if necessary, chemical tools in a way that minimizes health, environmental and economic risks.

For ten (10) years, the Charlottesville Parks and Recreation Department has utilized Integrated Pest Management landscape maintenance principles on City property that the Parks Division maintains. This plan outlines procedures to be formalized that when followed will protect the health and safety of the public and staff from pest and pesticide hazards. Pests are organisms that damage plants, structures, infrastructure, or that impact human or animal health. Pesticides are any substance or mixture of substances intended for preventing, repelling, destroying, or mitigating any pest. This plan is in compliance with all policies and regulations mandated by US Environmental Protection Agency (EPA), US Department of Agriculture (USDA), and Virginia Department of Agriculture and Consumer Services Pesticide Services Division (VDACS).

Objectives of this IPM plan include:

- Elimination of significant threats caused by pests to the health and safety of staff and the public.
- Prevention of loss or damage to City owned assets or property by pests.
- Protection of environmental quality.
- A progressive move over time to reduce chemical pest controls.

This IPM plan will be stored in the office of the IPM Coordinator.

**IPM COORDINATOR:** The City of Charlottesville Landscape Manager or their designee shall be the Parks and Recreation Department IPM Coordinator and be responsible to implement the IPM plan and to coordinate pest management-related communications between Parks and Recreation Department, its service providers, staff and visitors. The Landscape Manager and Parks Manager shall designate an employee of the Horticulture staff of Parks and Recreation Department to serve as the IPM Program Manager for the Parks Division.

**IPM COMMITTEE:** The Parks and Recreation Department will maintain an IPM or other safety-related committee with responsibility for annual review of the IPM program and for assisting the IPM Coordinator in resolving pest-related issues. The committee will meet annually in January for program review, and may meet more frequently if required to determine shifts in approaches.

Minutes will be taken of committee meetings and kept on file by the IPM Coordinator. Membership will include the IPM Coordinator, IPM Program Manager, City Environmental Sustainability Manager, Parks Division Manager, Parks and Recreation Director, and a member from both the Parks and Recreation Advisory Board and the Tree Commission. Both the Advisory Board and Tree Commission shall nominate a member to the IPM committee who has a background in landscape management, horticulture or related field. An IPM Annual Report will be prepared by the committee and presented to the Parks and Recreation Advisory Board each March and subsequently forwarded to City Council each April. The Annual Report will contain a summary of activity and initiatives of the preceding year, and a plan for the following year for the IPM program. Additionally the Annual Report will include specific reporting on the date, site,

common and chemical name of pesticide, and concentration and volume applied per acres, with comparative data over a five year period (beginning 2015); or for previous years where data is available.

**POSTING AND NOTIFICATION OF PESTICIDE APPLICATIONS:** The IPM Coordinator shall be responsible to conduct annual staff training on the proper procedures for posting and notification of planned and emergency applications of pesticides on facility grounds.

When pesticide applications are scheduled on City property maintained by the Parks Division, staff and service providers shall provide notification in accordance with the law, including specifically:

1. Posting a pest control information sign at a prominent place that is in or adjacent to the location of application. All signs will include the date(s), product(s) applied, and staff contact information.
2. Application area shall be marked with small yellow flag markers placed along the pedestrian sidewalk perimeter, spaced eight (8) feet apart on contiguous application areas exceeding twenty five (25) square feet (5X5). Individually treated plants may be marked with a flag. Large application areas may need to be closed to the public during and immediately following application.
3. Application areas shall remain posted for twenty-four (24) hours after application or following regulations for posting required under law by VDACS.
4. Providing pesticide application information to the school administration a minimum of twenty-four (24) hours in advance of any application.

**RECORD KEEPING & PUBLIC ACCESS TO INFORMATION:** The Parks and Recreation Department, Parks Division will maintain records of all pesticide applications, and pesticide applicator licenses, as required by VDACS. All IPM related records will be maintained for at least three (3) years. Information regarding pest management activities will be made available to the public, by appointment, at the Parks Division administrative office at Pen Park.

**TRAINING:** Parks and Recreation, Parks Division staff will be provided with training on the IPM policy at the time of hire and during annual update training. Training will include the rationale for the IPM policy and program elements including use of pest scouting and prohibition on pesticide applications by non-certified individuals.

Additionally, designated staff including the IPM Coordinator and IPM Program Manager will provide advance training and directives to on-site Service Providers using pest control strategies. This training will improve the ability of Parks and Recreation staff to oversee Service Providers in compliance with Parks and Recreation's IPM policy and plan.

**GENERAL IPM STRATEGIES:** IPM decision-making strategies shall use current, professional and comprehensive information regarding pest management. These strategies may include education, exclusion, sanitation, maintenance, biological and mechanical controls, and with pre-approval by the IPM Coordinator, site-appropriate pesticides.

All Integrated Pest Management decisions at Parks and Recreation, Parks Division shall consist of the following steps:

1. Identification of pest species.
2. Estimate pest populations and compare to established action thresholds.
3. Select the appropriate management tactics based on current on-site information and available financial and human resources with the following procedure:
  - Structural and procedural modifications to reduce food, water, harborage and access used by pests. (site modifications, pruning, native plants, use of goats to control vegetation, irrigation, mulch, soil health)
  - Non-pesticide technologies such as trapping and monitoring devices, use of appropriate biological controls. (barriers, natural predators, beneficial microorganisms)

- Appropriate pesticide compounds, formulations and application methods that present the lowest potential hazard to humans and the environment in the most effective manner.
  - Where appropriate non-synthetic pesticide products shall be evaluated and considered for use.
4. Assess effectiveness of pest management.
  5. Keep appropriate records and documentation.

Decisions concerning whether or not pesticides should be applied in a given situation will be based on a review of all available options. Efforts will be made to minimize the use of pesticides by good sanitation practices, selection of pest-resistant plant materials, and appropriate horticultural practices.

All pesticide storage, transportation, and application will be conducted in accordance with the requirement of the Federal Insecticide, Fungicide, and Rodenticide Act; EPA regulations; OSHA regulations; VDACS Pesticide regulations. No person shall apply, store, or dispose of any pesticide on Parks and Recreation managed property without an appropriate Pesticide Applicators License from VDACS. All pesticide applicators will be trained in the principles and practices of IPM and the use of pesticides. All applicators must comply with the IPM policy and follow appropriate regulations and label precautions when using pesticides in or around Parks Division managed properties. Pesticide Service Providers must also comply with these requirements.

**PARKS AND RECREATION STAFF ROLES:** Parks and Recreation administration will provide support to assist the IPM Coordinator in maintaining an IPM program that moves toward pesticide reductions. Such support will include efforts to promptly address any structural, horticultural, or sanitation changes recommended by the Coordinator to reduce or prevent pest problems. Furthermore, Parks and Recreation administration will assist the Coordinator in budget development, staffing, and delivering materials and programs for staff, and the public to educate them about the importance of safe pest control.



*City of Charlottesville, VA Fire Department*

# **STANDARD OPERATING PROCEDURES**

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## **Routine Operations**

**Chapter: II - Apparatus Operations**

**Subject: Apparatus Washing**

**Code: 2-II-1**

**Revised: 03-19-2012**

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### **1.01 PURPOSE**

- A. To establish guidelines for the cleaning of Department apparatus and light vehicles.

### **1.02 POLICY**

- A. Department apparatus and light vehicles will be cleaned on a regular basis as scheduled and also as needed.

### **1.03 RESPONSIBILITY**

- A. Fire Department members are responsible for the routine cleaning of all light vehicles and emergency apparatus as specified in this policy.
- B. Fire Department members with assigned vehicles are responsible for maintaining them in a clean condition, including washing.
- C. Shift battalion chiefs, in conjunction with the Maintenance battalion chief, will annually develop a cleaning schedule to insure that all vehicles are thoroughly cleaned and waxed at least once each year.

### **1.04 CLEANING OF APPARATUS AND EQUIPMENT**

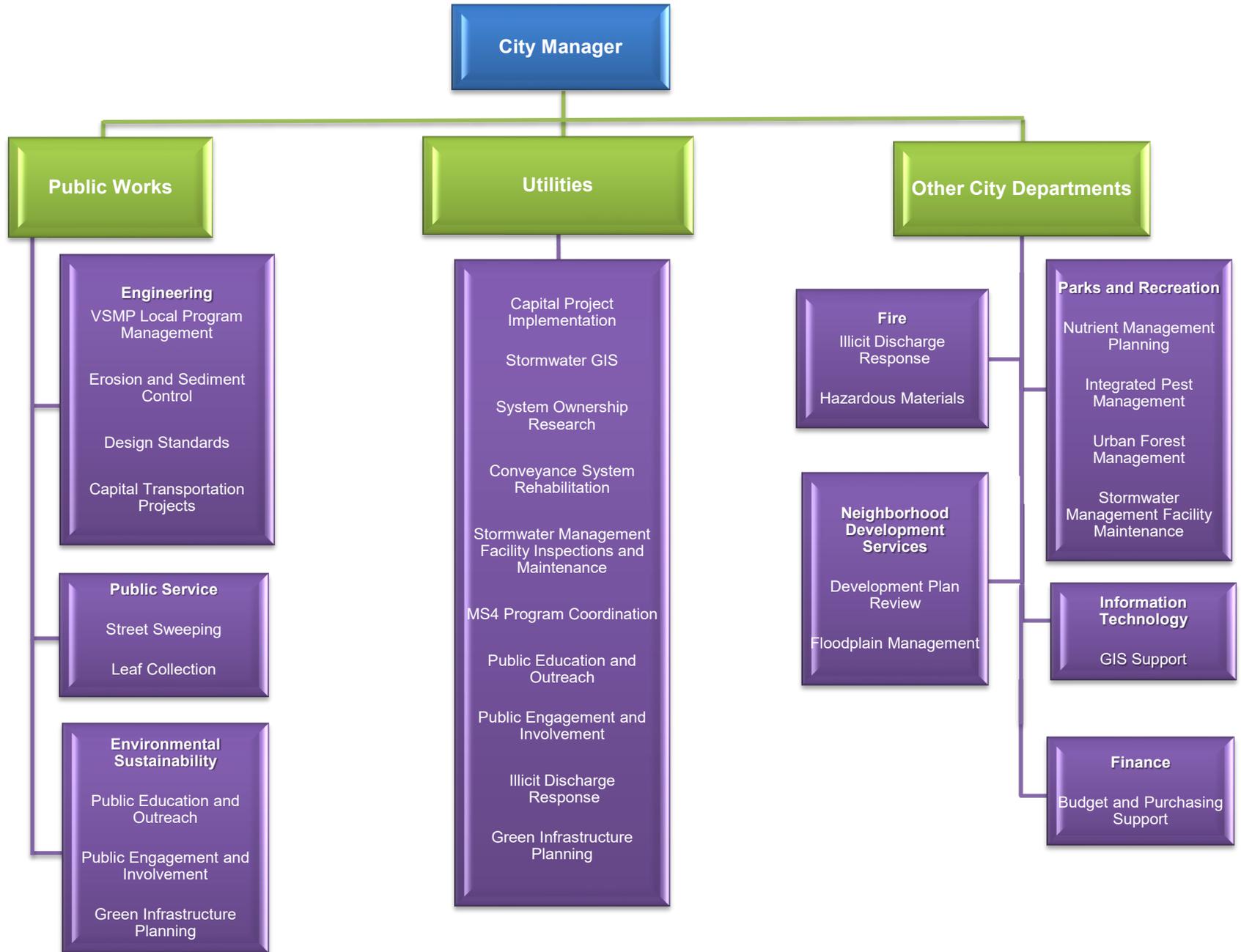
- A. All apparatus shall be dusted or wiped off as directed by the shift battalion chief.
- B. Apparatus exposed to road salt during winter shall be washed at least daily, or as directed by the shift battalion chief.
- C. At all other times, apparatus shall be washed as directed by the shift battalion chief.
- D. All apparatus will be washed and rinsed indoors. Runoff from washing will be directed to interior floor drains unless specified otherwise. Apparatus assigned to stations with interior drains not connected to the sanitary waste water system will be soap washed as directed by the shift battalion chief at stations with appropriate drainage.
- E. Light vehicles which are not assigned to staff personnel will be cleaned as directed. Cleaning will include interior windows and surfaces, and vacuuming of carpets.
- F. Personal vehicles may not be washed inside fire stations.
- G. Cleaning of specialized items (ladders, pumps, undercarriages, etc) will be done as directed by the Maintenance battalion chief after consultation with the City's environmental officer.

**City of Charlottesville - MS4 Program Plan**

**Appendix I**

**Water Resources Protection Program Organizational Chart**

# City of Charlottesville - Water Resources Protection Program



**City of Charlottesville – MS4 Program Plan**

**Appendix J**

**Documents Incorporated by Reference**

<b>Name of Document</b>	<b>Version</b>	<b>Date</b>	<b>Location of Document</b>
MS4 Map and Information Table	1.0	10/1/23	Utilities Office
4 <sup>th</sup> Street Public Works Yard Stormwater Pollution Prevention Plan	2.0	August 2023	Utilities Office <a href="J:\CITYWIDE\Environmental\VSMP Stormwater Permit Files\SWPPPs (Stormwater Pollution Prevention Plans for 4 municipal sites)"><u>J:\CITYWIDE\Environmental\VSMP Stormwater Permit Files\SWPPPs (Stormwater Pollution Prevention Plans for 4 municipal sites)</u></a>
Avon Street Public Works Center Stormwater Pollution Prevention Plan	2.0	February 2017	Utilities Office <a href="J:\CITYWIDE\Environmental\VSMP Stormwater Permit Files\SWPPPs (Stormwater Pollution Prevention Plans for 4 municipal sites)"><u>J:\CITYWIDE\Environmental\VSMP Stormwater Permit Files\SWPPPs (Stormwater Pollution Prevention Plans for 4 municipal sites)</u></a>
Central Fire Station Stormwater Pollution Prevention Plan	1.0	January 2014	Utilities Office <a href="J:\CITYWIDE\Environmental\VSMP Stormwater Permit Files\SWPPPs (Stormwater Pollution Prevention Plans for 4 municipal sites)"><u>J:\CITYWIDE\Environmental\VSMP Stormwater Permit Files\SWPPPs (Stormwater Pollution Prevention Plans for 4 municipal sites)</u></a>
Pen Park and Meadowcreek Golf Course Maintenance Facilities Stormwater Pollution Prevention Plan	1.0	January 2014	Utilities Office <a href="J:\CITYWIDE\Environmental\VSMP Stormwater Permit Files\SWPPPs (Stormwater Pollution Prevention Plans for 4 municipal sites)"><u>J:\CITYWIDE\Environmental\VSMP Stormwater Permit Files\SWPPPs (Stormwater Pollution Prevention Plans for 4 municipal sites)</u></a>
Combined Benthic and Bacteria TMDL Action Plan for the Rivanna River	2.0	April 2020	<a href="http://www.charlottesville.gov/380/Stormwater-Management-Program"><u>www.charlottesville.gov/380/Stormwater-Management-Program</u></a>
Sediment TMDL Action Plan for Moores Creek, Lodge Creek, Meadow Creek, and Schenks Branch	1.0	April 2021	<a href="http://www.charlottesville.gov/380/Stormwater-Management-Program"><u>www.charlottesville.gov/380/Stormwater-Management-Program</u></a>