

consolidation of Virginia regulations that warranted a renumbering of the Virginia Code.

RECOMMENDATION: That City Council consider the proposed ordinance on first reading and set it second reading, public hearing and final passage on Saturday, April 13, 2024.

BACKGROUND: Pursuant to Chapters 68 and 758 of the 2016 Acts of the General Assembly, the Virginia Department of Environmental Quality has consolidated 9VAC25-840 (Erosion and Sediment Control Regulations), 9VAC25-850 (Erosion and Sediment Control and Stormwater Certification Regulations), and 9VAC25-870 (Virginia Stormwater Management Program Regulations) into a single regulatory chapter, the Virginia Erosion and Stormwater Management Regulation (9VAC25-875). Through consolidating these three chapters, the new regulation (i) clarifies program requirements, (ii) eliminates redundancies, and (iii) corrects inconsistencies between erosion and sediment control regulations and stormwater management program regulations. This state action becomes effective July 1, 2024, per the 2023 General Assembly and requires locality adoption by that effective date.

DISCUSSION: Consolidation of the Virginia Stormwater Management Program Regulations and the Erosion and Sediment Control Regulations created a combined Act and naming of the local program authority requiring non-substantive changes to reflect the name, numbering, and definitions of the program as well as updated state authority references from the Soil and Water Conservation Board to Department of Environmental Quality.

FISCAL IMPACT: There is no anticipated fiscal impact associated with adopting the administrative changes into the existing ordinance.

ATTACHMENTS:

Attachment 1: Ordinance Cover

Attachment 2: Revised Chapter 4 of Erosion and Sediment Control Ordinance

Attachment 3: Presentation

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