

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY GENERAL PERMIT REGISTRATION
STATEMENT FOR STORMWATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE
STORM SEWER SYSTEMS (VAR04)**

Section I. General Information

A. Owner/Operator Information:

| | | | |
|---|-----------|-----------------|--|
| Name of Owner Applying for Permit Coverage: Fort Monroe Authority (FMA) | | | |
| Mailing Address: 20 Ingalls Road | | | |
| City: Fort Monroe | State: VA | Zip Code: 23651 | |
| Phone Number: (757) 637-7778 | | | |

B. Responsible Official: (Please note that for municipality, state, federal, and other public agencies, the responsible official is defined in 9 VAC25-870-370 A.3 as either a principal executive officer or ranking elected official. A principal executive officer of a federal 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)

| | | | |
|--------------------------------------|-----------|-----------------|--|
| Name: G. Glenn Oder | | | |
| Title: Executive Director | | | |
| Mailing Address: 20 Ingalls Road | | | |
| City: Fort Monroe | State: VA | Zip Code: 23651 | |
| E-mail Address: goder@fortmonroe.org | | | |
| Phone Number: (757) 637-7778 | | | |

C. MS4 Permit Contact:

| | | | |
|------------------|---|-----------|-----------------|
| Name: | Wm. David Stroud | | |
| Title: | Director of Heritage Assets and Environmental Manager | | |
| Mailing Address: | 20 Ingalls Road | | |
| City: | Fort Monroe | State: VA | Zip Code: 23651 |
| E-mail Address: | dstroud@fortmonroe.org | | |
| Phone Number: | (757) 251-2745 | | |

D. MS4 Maintenance Fee Contact:

| | | | |
|------------------|--|-----------|-----------------|
| Name: | Dayna Barnes | | |
| Title: | Accounts Payables/Accounts Receivables Clerk | | |
| Mailing Address: | 20 Ingalls Road | | |
| City: | Fort Monroe | State: VA | Zip Code: 23651 |
| E-mail Address: | acctspayable@fortmonroe.org | | |
| Phone Number: | (757) 251-2749 | | |

E. Small MS4 Information:

| | | | |
|---|---|-----------|-----------------|
| Name: | Fort Monroe Authority | | |
| MS4 Ownership Type: | <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Incorporated Town <input type="checkbox"/> Unincorporated Town | | |
| | <input type="checkbox"/> College or University <input type="checkbox"/> Local School Board <input type="checkbox"/> Military Installation | | |
| | <input type="checkbox"/> Transportation System <input type="checkbox"/> Federal Facility <input checked="" type="checkbox"/> State Facility | | |
| | <input type="checkbox"/> Other () | | |
| Facility Address (applicable to state and federal entities only): | | | |
| Street: | 20 Ingalls Road | | |
| City: | Fort Monroe | State: VA | Zip Code: 23651 |
| Is the owner/operator taking responsibility for any Public School MS4s? (applicable to entities under the authority of a city council or a county board of supervisors only) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |

F. List the Names of any Physically Interconnected MS4s to Which the Small MS4 Discharges:

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|-----|
| N/A |
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Section II. Stormwater Discharge Information (attach additional sheets as necessary. Permittees may attach alternative tables or spreadsheets in lieu of completing the tables below, as long as all information required below is included)

A. Receiving Water Information: Provide a list of all surface waters receiving discharges from the MS4

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|-------------------------------------|
| Mill Creek |
| James River at Hampton Roads Harbor |
| Chesapeake Bay |
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B. Impaired Waters Information: List all surface waters receiving direct discharges from the MS4, that are listed in the 2022 Virginia 303(d)/305(b) Water Quality Assessment Integrated Report

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|-------------------------------------|
| Mill Creek |
| James River at Hampton Roads Harbor |
| Chesapeake Bay |
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Section III. Stormwater Management Program Agreements (please attach additional sheets as necessary)

Agreements: *Attach a list of all existing signed agreements between the operator and any applicable third parties where the operator has entered into an agreement in order to implement minimum control measures or portions of minimum control measures*

| Description of Agreement | Permit Requirement(s) Covered by the Agreement | Third Parties Participating in Agreement |
|---------------------------|--|--|
| Contract for Public Works | Maintenance of Stormwater System, monitoring, and sampling | Veolia North America |
| | | |
| | | |
| | | |

Section IV. Draft Chesapeake Bay Total Maximum Daily Load (TMDL) Action Plan

Chesapeake Bay TMDL

Action Plan

Phase 3

DRAFT

Prepared for Fort Monroe Authority, Virginia

9/1/2023



FORT MONROE

SM

This document is being used to identify the strategies that Fort Monroe is using to reduce nutrient and sediment contributions to the Chesapeake Bay.

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Executive Summary

Fort Monroe's progress towards the Chesapeake Bay TMDL requirements is explained in the following Chesapeake Bay TMDL Action Plan (the Action Plan). Calculations of the reduction of pollutants are also stated to accurately describe the obligations that Fort Monroe will meet to reduce Chesapeake Bay TMDL for current projects. Future projects will be planned to follow this plan according to the future foreseeable outcomes that these projects are projected to have. The numbered sections under the Action Plan Elements correspond with the numbered sections in Part VI of the Department of Environmental Quality (DEQ) Chesapeake Bay TMDL Special Condition Guidance document and are relied upon by Fort Monroe in developing and maintaining this plan.

This document has been updated as of September 2023 to reflect changes made to the ownership at Fort Monroe. Additionally, it has been updated to contain proposed projects to meet the 100% pollutant reductions required during the upcoming permit cycle.

Background

The Chesapeake Bay Total Maximum Daily Load (TMDL) Phase 3 Action Plan will be implemented for Fort Monroe as an approach to reducing pollutants of concern (POC) discharging from Municipal Separate Storm Sewer Systems (MS4). The POC are total Nitrogen (TN) and total Phosphorous (TP). Because the Fort Monroe Authority is an MS4 operator, the General VPDES permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (VAR04) (MS4 Permit) requires a developed Chesapeake Bay TMDL Action Plan to be submitted to DEQ.

This Action Plan demonstrates the proceedings that Fort Monroe have in place as well as the efforts that will need to be applied in order to comply with the MS4 Permit standards. It describes what Fort Monroe has accomplished during the first (2013 – 2018) and second (2018-2023) permit cycles to meet their 5% and 40% reductions, respectively. It also describes methods to meet the required nutrient and sediment loading reductions and amount of reduction required to achieve 100% progress in the current permit cycle. The Action Plan includes calculations of the FMA MS4 area load as of June 30, 2023; the load attributable to new construction that occurred between 2009 and June 30, 2018 and loads estimated to be generated from projects utilizing the Grandfathering provisions of 9VAC25-870-48. It also describes the management practices and retrofit programs (including improvements from redevelopment) that have been implemented between July 1, 2009 and the end of the second permit cycle to achieve the 40.0% reductions required for existing development.

Fort Monroe is a significant piece of property that has both historical and military richness. Residents and visitors have access to numerous beaches, park services, and martial structures. It is located in Hampton, Virginia but only attached to Hampton to the north. The other three sides are bounded by water; the Chesapeake Bay to the east and south and Mill Creek to the west, separating it from Hampton. Fort Monroe is the largest moat-encircled stone fortification in North America. It is a diverse landscape with 565 acres of which 8 miles are waterfront, 3 miles are beaches, and 85 acres are wetlands. Land use includes, but is not limited to, commercial, residential, National Park Service owned Fort Monroe National Monument area, and industrial. In 2000, the population was 1,253 residents according to the 2000 census. Due to the exit of the U.S. Army the population fell to 696 residents in 2010 according to the U.S. Census Bureau. The U.S. 2020 Decennial Census counted 494 residents in Fort

Monroe. Fort Monroe is entirely in the Chesapeake Bay Watershed which encompasses 100% of the drainage area.

Current Program and Existing Legal Authority

The Fort Monroe Authority (FMA) holds legal authority over the lands covered by MS4 Permit No. VAR040130. The Fort Monroe Authority Act gives the FMA several legal rights in the Code of Virginia:

§2.2-2336.B.4. It is the policy of the Commonwealth to protect the historic resources at Fort Monroe, provide public access to the Fort's historic resources and recreational opportunities, exercise exemplary stewardship of the Fort's natural resources, and maintain Fort Monroe in perpetuity as a place that is a desirable one in which to reside, do business, and visit, all in a way that is economically sustainable;

Through this legislation the Authority is able to manage and govern the land within the laws of the Commonwealth of Virginia and feels this is sufficient legal authority to comply with the Chesapeake Bay TMDL Special Condition.

New or Modified Legal Authority

No new legal authorities are required to implement the Chesapeake Bay Action Plan Special Conditions.

Means and Methods to Address Discharges from New Sources

The FMA is governed by a Board of Trustees with staff management of Commonwealth of Virginia lands at Fort Monroe without police power ordinances. An Erosion and Sediment Control policy/construction permit requirement is implemented that requires erosion and sediment controls on construction activities that result in land disturbance of greater than or equal to 2,500 square feet. This program is administered consistent with the Virginia Erosion and Sediment Control Regulations found at 9 VAC 25-850-10 et seq. and the approved Erosion and Sediment Control Annual Standards and Specifications filed with the Department each year.

As described in the recent MS4 program plan, FMA plans to undertake the following actions.

- FMA staff will begin reviewing the Erosion and Sediment Control Plans submitted by construction contractors, or others, for adherence to the state Erosion and Sediment Control Law and the approved Fort Monroe Erosion and Sediment Control Annual Standards and Specifications.
- A construction permit policy has been implemented that mandates VSMP Construction General Permits be obtained for construction activities that result in a land disturbance of greater than or equal to 43,560 square feet (one acre) or for smaller land disturbance amounts that are part of a common plan of development that disturbs greater than or equal to 43,560 square feet (one acre).
- Fort Monroe has developed and filed with the Department Annual Stormwater Management Standards and Specifications that address post-construction site runoff on construction activities that result in a land disturbance of greater than or equal to 2,500 square feet consistent with the Virginia Stormwater Management Regulations (9 VAC 25-870 et seq.).

Estimated Existing Source Loads and Calculated Total Pollutant of Concern (POC) Required Reductions

The existing loads being discharged by the MS4 based on the 2009 progress run have been calculated per the Chesapeake Bay TMDL Special Condition Guidance document dated May 18, 2015.

MS4 Area Determination

The Fort Monroe peninsula is located wholly within the City of Hampton in the Commonwealth of Virginia. The total surveyed land area of Fort Monroe is 561.35 acres as calculated in the U.S. State Plane Virginia South (U.S. Survey Feet) coordinate system, but much of the total acreage is owned and operated by agencies other than the FMA and ownership is continually evolving as the FMA fulfills its programmatic goals. Substantial changes in ownership occurred in the period between 2015 and 2018; however, no changes to ownership levels on the peninsula have occurred between 2018 and this current Phase 3 TMDL Action Plan. (Table 1, Figure 2, Figure 3).

Additional land transfers are still possible and this document will be updated as applicable.

| Land Ownership | Acres (2015) | Acres (2023) | Delta (Acres) |
|--|---------------|---------------|----------------|
| Fort Monroe Total Area | 561.35 | 561.43 | 0.08 |
| <i>National Park Service (Federal)</i> | <i>121.63</i> | <i>121.11</i> | <i>-0.52</i> |
| <i>U.S. Army (Federal)</i> | <i>249.29</i> | <i>122.29</i> | <i>-127.00</i> |
| <i>Department of Homeland Security (Federal)</i> | <i>0.06</i> | <i>0.06</i> | <i>0.00</i> |
| <i>Fort Monroe Authority (State)</i> | <i>190.37</i> | <i>317.98</i> | <i>127.61</i> |

Table 1: Land ownership changes at Fort Monroe.

Excluded Lands

Due to land transfers that have occurred between 2015 and 2023, FMA has recalculated their exclusion areas as specified below.

The FMA currently has no jurisdiction over lands owned and operated by other agencies within its boundaries. For this reason, it is excluding the 243.4 acres of land owned or managed by other entities as depicted in **Figure 2**. Of the remaining 317.98 acres operated by FMA 18.46 acres is accounted for by the moat surrounding the inner fort and which is considered open water and 31.2 acres extend into Mill Creek leaving a total of 268.32 acres of regulated land.



Figure 1: Property Ownership in 2015



The final MS4 Service area as of September 2023 is the remaining land area consisting of 268.32 regulated acres. This document assumes the service area depicted in Figure 4. This has been updated to reflect the current ownership explained above.



Land Cover Analysis

Existing loads for POCs have been calculated using supervised image classification on aerial photography dated March 2009 from the Virginia Geographic Information Network (VGIN). Data were classified at a 1-foot pixel size into the following classes:

- Impervious
- Managed Turf
- Forest
- Wetlands
- Open Water
- Other/Sand/Beach Dune.

For this exercise, all classes except impervious and open water were combined to encompass the MS4 Urban Pervious Category. The Impervious class was used to find the MS4 Urban Impervious acreage. These 2 classes, pervious and impervious, were intersected with the mapped MS4 Permit Area and the corresponding total 2009 loads for Pollutant of Concerns are shown in Table 2 and the required 5% reduction based on 2009 areas are shown in Table 3.

***Note:** Areas have been updated as of September 2023 to reflect land transfers as explained above.

| Table 2a: Calculation Sheet for Estimating Existing Source Loads for the James River Basin (2009) *Based on Chesapeake Bay Program Watershed Model Phase 5.3.2 | | | | | |
|---|------------------------|---|--|--|--|
| <u>Subsource</u> | <u>Pollutant</u> | <u>Total Existing Acres Served by MS4 (6/30/09)</u> | <u>2009 EOS Loading Rate (lbs/ac/yr)</u> | <u>Estimated Total POC Load Based on 2009 Progress Run (lbs/ac/yr)</u> | <u>Totals 2009 Loading (lbs/ac/yr)</u> |
| Regulated Urban Impervious | Total Nitrogen | 136.54 | 9.39 | 1,282.11 | 2,203.28 |
| Regulated Urban Pervious | | 131.78 | 6.99 | 921.17 | |
| Regulated Urban Impervious | Total Phosphorus | 136.54 | 1.76 | 240.31 | 306.20 |
| Regulated Urban Pervious | | 131.78 | 0.5 | 65.89 | |
| Regulated Urban Impervious | Total Suspended Solids | 136.54 | 676.94 | 92,429.39 | 105,750.06 |
| Regulated Urban Pervious | | 131.78 | 101.08 | 13,320.67 | |

Table 2: 2009 estimated loads based on Land Cover in 2009

| Table 3a: Calculation Sheet for Estimating Source Reductions for the James River Basin | | | | | |
|---|-------------------------|--|---|---|-----------------------------------|
| <u>Subsource</u> | <u>Pollutant</u> | <u>Total Existing Acres Served by MS4 (6/30/09)</u> | <u>2009 EOS Loading Rate (lbs/ac/yr)</u> | <u>Estimated Total POC Load Based on 2009 Progress Run (lbs/ac/yr)</u> | <u>Totals 5% Reduction</u> |
| Regulated Urban Impervious | Total Nitrogen | 136.54 | 0.042255 | 5.77 | 8.53 |
| Regulated Urban Pervious | | 131.78 | 0.02097 | 2.76 | |
| Regulated Urban Impervious | Total Phosphorus | 136.54 | 0.01408 | 1.92 | 2.16 |
| Regulated Urban Pervious | | 131.78 | 0.0018125 | 0.24 | |
| Regulated Urban Impervious | Total Suspended Solids | 136.54 | 6.7694 | 924.29 | 982.57 |
| Regulated Urban Pervious | | 131.78 | 0.442225 | 58.28 | |

Table 3: Estimated 5% required reduction during first permit cycle

In order to plan for future required pollutant load reductions, FMA used the required 5% reduction values in Table 3 (above) to extrapolate the 40% and 100% values required in permit cycles two and three (Table 4).

| Pollutant of Concern | 5% Required in 1st Permit Cycle | 40% Required in 2nd Permit Cycle | 100% Required by 3rd Permit Cycle |
|-----------------------------|---|--|---|
| Total Nitrogen | 8.53 | 68.24 | 170.60 |
| Total Phosphorus | 2.16 | 17.28 | 43.20 |
| Total Suspended Solids | 982.57 | 7,860.56 | 19,651.40 |

Table 4: Extrapolated reduction requirements.

Means and Methods to Meet the Required Reductions and Schedule 5% Compliance (First permit term compliance 2014-2018)

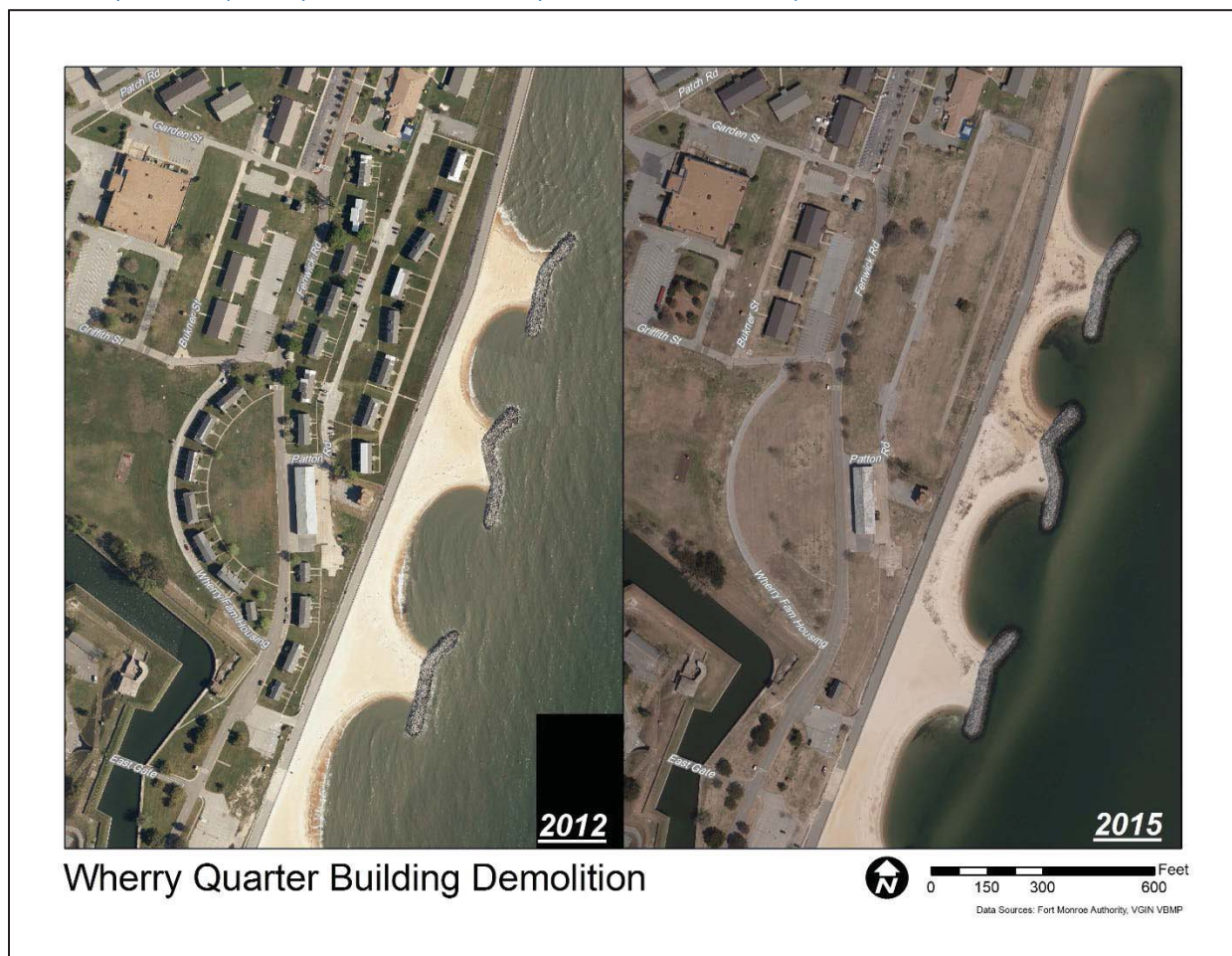


Figure 4: Land use change resulting in a 3-acre impervious area reduction.

The Fort Monroe Authority has undergone several major land use changes, including the demolition of large areas of impervious area in the Wherry Quarter of Fort Monroe (Figure 5). The conversion of the Wherry Quarter to Green Space has satisfied the reduction requirements for the first 5% for this permit cycle. As of October 1, 2015 Fort Monroe has met the required POC reductions by decreasing impervious area within the MS4 area by approximately 3.70 acres. This is a substantial decrease for an MS4 of this small size.

Calculations using the land conversion BMP (Impervious to Pervious) in the TMDL Guidance documents are shown in Table 5 and progress towards the total goals of the program are shown in Table 6 and Table 7. Fort Monroe completed 15 to 16% of total reductions for TP and TSS and is also above the 5% goal for TN. ***Note: Tables below show calculations based on MS4 area at time of 2015 permit cycle.**

| Pollutant | Edge of Stream Reductions (lbs/ac/yr) | Acres Converted from Impervious to Pervious | Reduction (lbs/ac/yr) |
|------------------------|---------------------------------------|---|-----------------------|
| Nitrogen | 2.29 | 3.70 | 8.47 |
| Phosphorus | 1.60 | 3.70 | 5.92 |
| Total Suspended Solids | 817.29 | 3.70 | 3,023.97 |

Table 5: Reduction using Land Cover Conversion BMP

| Pollutant of Concern | 2009 (lbs/ac/yr) | Decrease (lbs/ac/yr) | Required 5% Reduction | Excess (lbs/ac/yr) | % Above Goal |
|----------------------|------------------|----------------------|-----------------------|--------------------|--------------|
| TN | 2,134.27 | 8.47 | 8.22 | 0.25 | 3% |
| TP | 293.27 | 5.92 | 2.06 | 3.86 | 188% |
| TSS | 100,775.16 | 3,023.97 | 932.82 | 2,091.15 | 224% |

Table 6: Land use change POC summary.

| Pollutant of Concern | Phase 1 Reductions (lbs/ac/yr) | 100% Reductions (lbs/ac/yr) | Percent of Total Required |
|----------------------|--------------------------------|-----------------------------|---------------------------|
| TN | 8.47 | 164.45 | 5.15% |
| TP | 5.92 | 41.16 | 14.38% |
| TSS | 3,023.97 | N/A | N/A |

Table 7: Progress towards overall goals.

40% Compliance (Second permit term 2019-2023)

The Fort Monroe Authority applied for, and received, acceptance into the Hampton Roads Sanitation District's Sustainable Water Initiative for Tomorrow (SWIFT) program to meet the required 40% total reduction prior to the end of the second permit term. The SWIFT program aims to transform treated wastewater into additional drinking water and groundwater through additional advanced treatment. This program is designed to improve and protect a broad range of ecological functions in the Hampton Roads area.

100% Compliance (Third permit term 2024-2029)

FMA is currently assessing options for obtaining 100% compliance as required during the third term of the MS4 permit. Table 8 displays the reduction requirement as extrapolated from the requirements detailed in the Chesapeake Bay TMDL Special Condition Guidance (GM15-2005).

| Pollutant of Concern | Phase 1 Reductions (lbs/ac/yr) | 40% Reductions (lbs/ac/yr) | Required 100% Reductions (lb/ac/yr) | Remaining Reduction Required |
|------------------------|--------------------------------|----------------------------|-------------------------------------|------------------------------|
| Nitrogen | 8.47 | 65.78 | 170.60 | 104.82 |
| Phosphorus | 5.92 | 16.46 | 43.20 | 26.74 |
| Total Suspended Solids | 3,023.97 | 7,462.58 | N/A | N/A |

Table 8: 100% Reduction Requirements

The FMA intends to utilize SWIFT for its remaining nitrogen and phosphorous reductions. In the 2023 permit, additional reductions for total suspended solids are no longer required. Special consideration is required when assessing projects for this goal due to the unique historical nature of the Fort Monroe peninsula. The FMA anticipates continued credits through inclusion in the SWIFT program to fulfill required 100% reduction. Other opportunities for structural BMPs may be limited due to many factors, including, but limited to:

- Consideration for archeological findings;
- Unexploded ordinance from military activities;
- Environmental resources; and,
- Existing infrastructure.

Costs to Achieve 100% Reductions

The Sustainable Water Initiative for Tomorrow (SWIFT) program is a free resource provided by Hampton Roads Sanitation District (HRSD). Participation in the program is anticipated to have no quantifiable cost to the FMA.

Means and methods to offset increased loads from new sources initiating construction between July 1, 2009 and June 30, 2014

Special Condition Requirement 7 “New Sources of Construction” (Section I.C.2.a (7)) of the General Permit applies to permittees that have:

- Adopted an average impervious land cover condition greater than 16% for the design of post- development stormwater management facilities under the Chesapeake Bay Preservation Act, or
- Have allowed projects to be built with an impervious land cover condition greater than 16% for the design of post-development stormwater management facilities through a “fee-in-lieu of” or similar program. If a permittee has met either of the criteria listed in (i) or (ii) above, then the permittee has to address the requirements set forth in the corresponding Special Condition. This would ultimately require further POC reductions in addition to those required for existing conditions as of June 30, 2009 (GP Section I.C.2.a (6)).

No regulated land disturbance activities occurred between November 1, 2018 and June 30, 2023. Therefore, additional offsets are not required.

Means and methods to offset increased loads from grandfathered projects that begin construction after July 1, 2014

Special Condition Requirement 7 refers to General Permit Section I.C.2.a.(8) and applies to permittees that will have future grandfathered projects in accordance with 9VAC25-870-48. As there have been no Grandfathered Projects at Fort Monroe and therefore means and methods to offset increased loads are not necessary.

A list of future projects, and associated acreage that qualify as grandfathered

Special Condition Requirement 8 refers to General Permit Section I.C.2.a.(10) and applies to permittees that will have future grandfathered projects in accordance with 9VAC25-870-48. As there have been no grandfathered projects in the Fort Monroe MS4 Permit area and will be no future grandfathered projects this requirement does not apply.

An estimate of the expected cost to implement the necessary reductions

Fort Monroe has met the estimated 5% reduction on all POCs required under the TMDL Special Condition as shown in Table 6. There will be no additional cost to implement the remaining reductions through SWIFT.

Public Comments on Draft Action Plan

Fort Monroe published the draft Phase 1 & 2 action plans on the environmental portion of their website welcoming comments. No comments were received.

The Phase 3 Draft Action Plans for Permit Cycle 3 for fiscal years 2024 – 2029 will also be posted to the environmental portion of the Fort Monroe Authority Website for public comments.

Attach a copy of the draft third phase Chesapeake Bay TMDL Action Plan in accordance with Section I. C. 5 of the General VPDES Permit for discharges of Stormwater from Small Municipal Separate Storm Sewer Systems effective November 1, 2023

Section V. Certification Statement and Signature

Read and sign the following certification statement below that is in accordance with 9 VAC 25-870-370 D:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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."

Print Name:

G. Glenn Oder

Title:

Executive Director

Signature:



Date:

9-28-23

For Department of Environmental Quality Use Only

Accepted ☐

Not Accepted ☐

DEQ Reviewer:

Date:

Comments:

INSTRUCTIONS FOR FORM DEQ 199-148
GENERAL PERMIT REGISTRATION STATEMENT FOR STORMWATER
DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (VAR04)

WHO MUST FILE THE REGISTRATION STATEMENT This registration statement must be completed and submitted by the Operator of any Small MS4 requesting coverage under the above general permit for stormwater discharges.

1. Operators are regulated if they operate a Small MS4, including but not limited to systems owned by federal, state, and local governments:
 - a. The small MS4 is located in an urbanized area as determined by the latest Decennial Census by the U.S. Census Bureau. If the Small MS4 is not located entirely within an urbanized area, only the portion that is within the urbanized area is regulated; or
 - b. The Small MS4 is designated by the Board.
2. An MS4 may be the subject of a petition to the Board to require a permit for their stormwater discharges. If the Board determines that an MS4 needs a permit, the operator may use this registration statement to apply for coverage under the above general permit.

WHERE TO FILE THE REGISTRATION STATEMENT If this is the first time the MS4 has applied for Permit coverage, the completed registration statement (with all attachments) along with a copy of the fee form and a copy of your check should be sent to the appropriate DEQ regional office. The original fee form, application fee (as specified by Form DEQ 199-145), and a copy of the registration statement (without attachments) should be sent to: **Virginia Department of Environmental Quality, Receipts Control, PO Box 1004, Richmond, VA 23218**. For those submitting for re-issuance the completed registration statement (with all attachments) along with the draft Chesapeake Bay TMDL action plan should be sent to the appropriate DEQ regional office.

COMPLETENESS

Complete all items except where indicated in order for your registration statement to be accepted. Attach separate sheets of paper, alternative tables or spreadsheets for any item in Section II of the registration statement as necessary.

Definitions

“Interconnected” means that an MS4 is connected to a second (or several) MS4(s) in such a manner that it allows for direct discharges to the second (or several) systems.

“Small MS4” means all separate storm sewers that are: (1) Owned or operated by the United States, a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district, or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under subsection 208 of the CWA that discharges to surface waters; and (2) Not defined as “large” or “medium” municipal storm sewer systems, or designated under 9VAC25-870-380 A 1. This term includes systems similar to separate sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and

other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

LINE BY LINE INSTRUCTIONS

SECTION I General Information

Item A. Owner/Operator Information

Provide the name, mailing address and phone number of the owner of the Small MS4.

Item B. Responsible Official

Provide the name, title, mailing address, e-mail address, and phone number for the responsible official as defined in 9VAC25-870-370 A 3.

Item C. MS4 Permit Contact

Provide the name, title, mailing address, e-mail address, and phone number for anyone designated as an MS4 Permit contact.

Item D. MS4 Maintenance Fee Contact

Provide the name, title, mailing address, e-mail address and phone number for anyone designated as an MS4 maintenance fee contact.

Item E. Small MS4 Information

Provide the name, facility address (if a state or federal MS4), and check the appropriate ownership box for the MS4. Indicate whether or not the applicant is taking responsibility for any Public School MS4s.

Item F. List the names of all regulated MS4s to which the MS4 is physically interconnected

Provide the names of all interconnected regulated MS4s.

SECTION II Stormwater Discharge Information

Item A. Receiving Water Information

List the names of all surface waters receiving a discharge from the MS4.

Item B. Impaired Waters Information

Provide the name of any surface waters receiving a direct discharge from the MS4 that is listed in the 2022 Virginia 303(d)/305(b) Water Quality Assessment Integrated Report.

Section III Stormwater Management Program Agreements

Provide a description, permit requirements covered and third parties participating for each existing agreement between the operator and any third parties.

Section IV Draft Chesapeake Bay Total Maximum Daily Load (TMDL) Action Plan

Provide a copy of the draft Chesapeake Bay TMDL Action Plan detailing the required 60% reductions (100% cumulative)

Section V Certification Statement and Signature

State law provides for severe penalties for submitting false information on this Registration Statement. State regulations require this Registration Statement to be signed by either a

principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes:

- (a) The chief executive officer of the agency, or
- (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.