### Virginia

**Erosion and Sediment Control Regulation (4VAC50-30)**

| A. Applicable Jurisdiction | All Virginia jurisdictions |

#### Key Provisions

1. **ESC programs administered by localities, with DCR oversight. DCR responsible for work on state and federal lands and certain interstate and intrastate activities.**

2. **Applies to land disturbances larger than 10,000 square feet. Various activities, such as utility work, drilling for oil and gas, agricultural practices (tilling, harvesting etc) and mining, exempt.**

3. **For sites where disturbed areas are greater than 2 acres, erosion and sediment controls will be contained in pipe and storm sewer systems. If not adequate, improvements required.**

4. **Stabilization required within seven days after final grade reached; temporary stabilization required for 7 days if area will be disturbed more than 30 days; permanent stabilization required for areas that will remain disturbed more than 1 year.**

5. **Minimum storage capacity of sediment trap or sediment basin shall be 138 cubic yards (164 cubic feet) per acre drainage area. Outfall shall maintain structural integrity for 24-hour storm duration.**

6. ** Adequate outfall provisions require that discharges to: natural channels do not overlap banks or cause erosion for 2-year storm; previously constructed man-made channels do not overlap banks for 10-year storm and do not increase erosion for 2-year storm; 15-year storm will be contained in pipe and storm sewer systems. It not adequate, improvements required.**

### Maryland

**Erosion and Sediment Control Regulation**

| A. Applicable to: All MD municipalities. Clearing and grading activities that disturb more than 5,000 square feet of land area and disturb more than 100 cubic yards of earth (agricultural and certain linear activities exempt). |

#### Key Provisions

1. **The program is implemented by MDE through localities establishing ordinances.**

2. **Requires sediment trap or basin that will provide a storage volume of 3,000 cubic feet per acre of area draining to the structure.**

3. **For sites where disturbed areas are greater than 2 acres, inspection required after installation of perimeter controls and before other grading work begins.**

4. **Establishing a maximum 20-acre grading unit for most construction sites. This will limit larger earth disturbances that are more likely to cause sediment pollution.**

5. **Improving stabilization requirements to assist in reducing erosion and sediment generation, and help establish grass in non-work areas.**

6. **For activities upstream or discharging to Tier 2 and Tier 3 streams, need to provide public notice 90 days prior to start of construction and will go through the Tier 2.5 and Tier 3.5 upgradation process. No degradation will be allowed for Tier 3 waters except for temporary short term activities.**

7. **As soon as slopes, channels, ditches, and other disturbed areas reach final grade they must be stabilized.**

### West Virginia

**Construction General Permit (Erosion and Sediment Control)**

| A. Applicability: Only submittals more than 1 acre. |

1. **A sediment basin must be used when the contributing drainage area is greater than five acres. Sediment basins must control the discharge in order to provide the settling volume between 48 and 72 hrs.**

2. **For activities upstream or discharging to Tier 2 and Tier 3 streams, need to provide public notice 90 days prior to start of construction and will go through the Tier 2.5 and Tier 3.5 upgradation process. No degradation will be allowed for Tier 3 waters except for temporary short term activities.**

### Pennsylvania

**Erosion and Sediment Control**

| A. Applicability: Entire State |

| | | | |
A. Applicable to:

1. Every locality that administers a local stormwater management program;
2. The department in its oversight of locally administered programs or in its administration of the Virginia Stormwater Management Program;
3. Every MS4 program;
4. Every state agency project regulated under the Act and this chapter; and
5. Every land-disturbing activity regulated under § 10.1-603.8 of the Code of Virginia unless otherwise exempted in § 10.1-603.8 B.

B. Key Provisions:

1. The total phosphorus load of new development projects shall not exceed 0.41 pounds per acre per year, as calculated pursuant to 4VAC50-60-65.
2. Development on prior developed lands.
   a. For land-disturbing activities disturbing greater than or equal to one acre that result in no net increase in impervious cover from the predevelopment condition, the total phosphorus load shall be reduced at least 20% below the predevelopment total phosphorus load.
   b. For regulated land-disturbing activities disturbing less than one acre that result in no net increase in impervious cover from the predevelopment condition, the total phosphorus load shall be reduced at least 10% below the predevelopment total phosphorus load.
   c. For land-disturbing activities that result in a net increase in impervious cover over the predevelopment condition, the design criteria for new development shall be applied to the increased impervious area. Depending on the area of disturbance, the criteria of subdivisions a and b above, shall be applied to the remainder of the site.
   d. In lieu of subdivision c, the total phosphorus load of a linear development project occurring on prior developed lands shall be reduced 20% below the predevelopment total phosphorus load.
   e. The total phosphorus load shall not be required to be reduced to below the applicable standard for new development unless a more stringent standard has been established by a local stormwater management program.
3. 1. If existing percent impervious cover is less than or equal to the average land cover condition and the proposed improvements will create a total percent impervious cover which is less than the average land cover condition, the total phosphorus load shall be reduced at least 20% below the predevelopment total phosphorus load.
   2. If existing percent impervious cover is greater than the average land cover condition, the total phosphorus load shall be reduced at least 10% below the predevelopment total phosphorus load.
4. Redevelopment must reduce pollutants by 20%.
5. New development BMPs must reduce 80% sediment and 40% phosphorus.
6. Free using criteria for water quality, recharge, coastal protection, and extreme flood management are used in design of facilities.
### Virginia

**MS4 Permitting/Phase II**

<table>
<thead>
<tr>
<th>A. Applicability:</th>
<th>Fairfax County</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. Key Provisions:</td>
<td>1. Required communities to prepare a comprehensive Stormwater Management Program (SWMP) of structural and non-structural measures to control the discharge of pollutants from the storm sewer system to the maximum extent practicable, and to effectively prohibit non-stormwater discharges to the separate storm sewer system</td>
</tr>
<tr>
<td></td>
<td>2. Required implementation of the Stormwater Management Program</td>
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<tr>
<td></td>
<td>3. Required storm event monitoring to be conducted by the municipality</td>
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<tr>
<td></td>
<td>4. Required the municipality to regularly assess the effectiveness of the various stormwater controls employed by the municipality</td>
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</tbody>
</table>

### Maryland

**MS4 Permitting/Phase II**

<table>
<thead>
<tr>
<th>A. Applicability:</th>
<th>Baltimore City; Anne Arundel County; Charles County; Frederick County; Howard County; Montgomery County; Prince George's County</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. Key Provisions:</td>
<td>1. Stormwater Phase I Rule established stormwater discharge control requirements for 11 categories of industrial activity and for municipal separate storm sewer systems (MS4s) serving populations of 100,000 or greater. These regulated MS4s must obtain an NPDES permit, and develop a stormwater management program. Permittees are required to prepare watershed restoration plans.</td>
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<tr>
<td></td>
<td>2. Water quality assessments for all watershed should include detailed water quality analysis, identification of water quality improvement opportunities, and the development and implementation of plans to control stormwater discharges. During each permit term, 10% of the community’s impervious area should be restored by implementing the watershed restoration action plans. Within one year of permit issuance, restoration efforts should be implemented to restore an additional 10% of the community’s impervious surface area. All restoration efforts should be monitored to determine effectiveness in improving water quality.</td>
</tr>
<tr>
<td></td>
<td>3. Required storm event monitoring to be conducted by the municipality</td>
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<td>4. Required the municipality to regularly assess the effectiveness of the various stormwater controls employed by the municipality</td>
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### West Virginia

**MS4 Permitting/Phase II**

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<tr>
<th>A. Applicability:</th>
<th>the entire state of W. Virginia</th>
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<tr>
<td>B. Key Provisions:</td>
<td>1. Stormwater management programs that are designed to reduce the discharge of pollutants to the maximum extent practicable (MEP). The MEP standard involves applying best management practices that are effective in reducing the discharge of pollutants in stormwater runoff.</td>
</tr>
<tr>
<td></td>
<td>2. Requires stormwater management programs that are designed to reduce the discharge of pollutants to the maximum extent practicable (MEP)</td>
</tr>
</tbody>
</table>

### Pennsylvania

**MS4 Permitting/Phase II**

<table>
<thead>
<tr>
<th>A. Applicability:</th>
<th>All areas in the state of Pennsylvania</th>
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</thead>
<tbody>
<tr>
<td>B. Key Provisions:</td>
<td>1. Stormwater management programs that are designed to reduce the discharge of pollutants to the maximum extent practicable (MEP)</td>
</tr>
<tr>
<td></td>
<td>2. Requires stormwater management programs that are designed to reduce the discharge of pollutants to the maximum extent practicable (MEP)</td>
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</table>
4. Implementation of urban nutrient management in new development and redevelopment

5. Post-construction stormwater management in new development and redevelopment

6. Pollution prevention/good housekeeping for municipal operations

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**Chesapeake Bay Regulations**

**A. Applicable to:** Fairfax County

**Chesapeake Bay Regulations**

**B. Key Provisions:**

1. Establishes Chesapeake Bay Preservation areas as including Resource Protection Areas and Resource Management Areas
2. EPA defines as 180-foot buffer; buffer shall be retained if present and established if it doesn’t exist.
3. Water quality criteria (phosphorus) removal requirements established in SWM regulations must be applied to Chesapeake Bay Preservation Areas.
4. Requires that development greater than 2,500 sq ft be subject to plan review in Chesapeake Bay Preservation Areas.
5. Land disturbance greater than 2,500 sq ft in Chesapeake Bay Preservation Areas subject to local erosion and sediment control ordinance.
6. Limits the types of activities that may occur in the RPA to water dependent, redevelopment, development in an area identified as an Intensely Developed Area, roads or driveways, flood & stormwater control structures, and limited development on parcels recorded before October 1, 1989.

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**Tributary Strategy**

**A. Applicability**

**B. Key Provisions:**

1. Nonpoint source efforts to focus on following areas (p. vii):
   b. Expansion of Nutrient Management Planning and Implementation Efforts
   c. The Consolidation and Strengthening of the Virginia Stormwater Management Program
   d. Enhancing Implementation of the Virginia Erosion and Sediment Control Programs
   e. Strengthen Implementation of the Chesapeake Bay Preservation Act
   f. Enhancement of the NPS Implementation Database Tracking Systems
   g. Enhancing outreach, media and education efforts to reduce pollution producing behaviors

2. **B. Key Provisions (Urban Portion)**
   a. Voluntary Implementation of BMPs
   b. Education

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**Tributary Strategy**

**A. Applicability**

**B. Key Provisions:**

1. Voluntary Implementation of BMPs
2. Education

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**Tributary Strategy**

**A. Applicability**

**B. Key Provisions:**

1. Air Deposition (Clean Air Act)
2. Implementation of urban nutrient management is suggested for 33% of urban and mixed open lands by 2010.
3. The implementation plan has the strategies listed below:
   a. Nonpoint source through existing grant programs like Biological Nutrient Removal (BNR) program, Enhanced Nutrient removal Program (ENR), etc.
   b. Urban sources: Stormwater (MDE’s Stormwater management Program, MS4 permit program, MDE’s small creek and estuaries restoration program, erosion and sediment control program)
   c. Septic (Bay restoration fund, WQRLF)
   d. Growth management (the economic GrowthResource protection Act of 1992, smart growth, etc)
   e. Agricultural Cost Share Program, EQIP, etc.
   f. Agricultural Culture Cost Share Program, Cover crop Program, Soil Conservation and Water quality Program, MDE’s Stormwater management Program, Stormwater management Program (CREP)
   g. The Consolidation and Strengthening of the Virginia Stormwater Management Program
   h. Enhancing Stormwater Management

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**Tributary Strategy**

**A. Applicability**

**B. Key Provisions:**

1. Post-construction stormwater management in new development and redevelopment
2. Post-construction stormwater management in new development and redevelopment
3. Pollution prevention good housekeeping for municipal operations

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**Pennsylvania**

**A. Applicability**

**B. Key Provisions:**

1. Implementation of urban nutrient management in new development and redevelopment
2. Pollution prevention/good housekeeping for municipal operations.
<table>
<thead>
<tr>
<th>Virginia</th>
<th>Maryland</th>
<th>West Virginia</th>
<th>Pennsylvania</th>
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<tbody>
<tr>
<td><strong>Regulation</strong></td>
<td><strong>Details</strong></td>
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<tr>
<td>- For Urban:</td>
<td></td>
<td>- Information will be provided to local governments and the development community on cost-effective ways to reduce the water-quality impacts of new development.</td>
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<tr>
<td>a) Strategy assumes acres under Urban Nutrient Management expanded. Accomplished through cooperation with localities.</td>
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<td>b) Seeks to accelerate use of LID</td>
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<tr>
<td>c) Strategy assumes all acres under development are developed with appropriate E&amp;S</td>
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