Subject: New Water Quality Control Requirements for **Date:** June 9, 2025

Stormwater Runoff Effective July 1, 2025

Summary:

Changes to the water quality control requirements of the <u>Virginia Erosion and Stormwater Management Regulation (VESMR)</u>, adopted by the State Water Control Board (SWCB), become effective July 1, 2025. The changes impact the design of proposed land disturbing activities by reducing the allowable phosphorus load from new development from the current 0.41 pounds/acre/year to 0.26 pounds/acre/year; require use of the <u>Virginia Runoff Reduction Method (VRRM v. 4.1)</u> spreadsheet, effective April 27, 2024, to compute phosphorus loads; and require use of updated nonproprietary Best Management Practices (BMP) design standards and phosphorus removal efficiencies in the <u>Virginia Stormwater Management Handbook (v. 1.1)</u>, effective, July 1, 2024. This Technical Bulletin is intended to provide guidance on the implementation of these changes and how plans submitted prior to the effective date will be handled.

Effective Date:

July 1, 2025

Background:

The <u>Virginia Erosion and Stormwater Management Act</u> and the <u>VESMR</u>, are the governing state law and regulation for the county's <u>Erosion and Stormwater Management Ordinance (Ch. 124.1)</u>. The changes to the VESMR were published in the Virginia Register of Regulations (Volume 41 Issue 10) on December 30, 2024. These changes will not be incorporated into the <u>VESMR</u> before the effective date. To view the changes before July 1, 2025, <u>click here</u>. There are other pending amendments to the <u>VESMR</u>, editorial in nature, that prevent the county from updating our ordinance until later this year. <u>However</u>, <u>all plans submitted on or after July 1, 2025</u>, <u>must comply with the amended regulation</u>.

Policies:

These policies apply to Site Plans, Minor Site Plans, Subdivision Plans, Infill Lot Grading Plans, Public Improvement Plans, and Rough Grading Plans.

Plans Submitted on or after July 1, 2025:

All plans submitted on or after July 1, 2025, are subject to the following requirements:

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- The water quality control requirement for new development is reduced to a maximum phosphorus load of 0.26 pounds per acre per year.
- The water quality control requirement for development on prior developed lands is unchanged. It remains at a 10% reduction in phosphorus load for disturbed areas less than one acre in size and a 20% reduction in phosphorus load for disturbed areas equal to or greater than one acre in size.
- Water quality control compliance for both new development and development on prior developed lands must be computed using the <u>Virginia Runoff Reduction Method (VRRM v. 4.1)</u>, effective April 27, 2024, or other equivalent methodology that is approved by the Virginia Department of Environmental Quality (DEQ). [Note: there are currently no other approved equivalent methodologies.]
- The design of water quality control facilities and erosion and sediment control facilities must comply with specifications in the <u>Virginia Stormwater Management Handbook (v. 1.1)</u>, effective August 21, 2024, for non-proprietary BMPs, and the <u>Virginia Stormwater BMP Clearinghouse</u>, for Manufactured Treatment Devices (MTDs). MTDs approved for local use are listed on the <u>county website</u>, with further guidance found in the Public Facilities Manual (PFM).
- Erosion and sediment control plans must use the nomenclature and symbols in the
 <u>Virginia Stormwater Management Handbook (v. 1.1)</u>, effective, August 21, 2024. See the
 <u>Construction BMP Crossover Reference Table</u> on the DEQ website for assistance in
 updating plans.

Plans Submitted before July 1, 2025:

All plans submitted before July 1, 2025, and deemed complete with an Application Submittal workflow status of "Accepted" in PLUS, may continue to use the pre-July 1, 2025, requirements as follows:

- Plans may continue to use the pre-July 1, 2025, water quality control requirements through the final approval stage.
- Plans must use the <u>VRRM v. 3.0</u> effective May 2, 2016, or other equivalent methodology that is approved by DEQ. [Note: the associated spreadsheet was last updated in 2017. Prior versions are no longer available on the DEQ web site.]
- The design of a water quality control facility must use the designs on the <u>Virginia Stormwater BMP Clearinghouse</u>, for both non-propriety BMPs and MTDs. MTDs approved for local use are listed on the <u>county website</u>, with further guidance found in the PFM.
- The design of erosion and sediment control facilities must use the <u>1992 DEQ Virginia Erosion and Sediment Control Handbook</u>.
- Revisions to approved plans that increase the phosphorus load from the development site must meet the post-July 1, 2025, requirements for the areas which result in the increased phosphorus load.
- Designers have the option of using the post-July 1, 2025, requirements as detailed above.

Additional Resources:

- <u>DEQ Guidance Memo No. GM24-2001 Virginia Stormwater Management Handbook</u> (v. 1.1)
- Guidance Memo No. GM24-2002 Virginia Runoff Reduction Method Compliance Spreadsheet User's Guide & Documentation (v. 4.1)

For additional assistance, please contact John Friedman with the Site Code Research and Development Branch, at <u>John.Friedman@fairfaxcounty.gov</u> or 703-324-5175, TTY 711.

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