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Fast-Track Regulation Agency Background Document

Agency name	State Water Control Board
Virginia Administrative Code (VAC) Chapter citation(s)	9 VAC 25-875
VAC Chapter title(s)	Virginia Erosion and Stormwater Management Regulation
Action title	Amend and update the Virginia Erosion and Stormwater Management Regulation to remove out of date requirements
Date this document prepared	June 5, 2024

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The intent of this fast-track regulatory action is to align the Virginia Erosion and Stormwater Management (VESM) Regulation (9VAC25-875, effective July 1, 2024) with the Virginia Stormwater Management Handbook (Handbook) by amending the VESM to update sections and requirements that are out of date and burdensome to the regulated community because they do not reflect current practices, technology, or data about land use and nutrient loading.

Out of date requirements that will be updated include:

- Removing March 1, 2011, specifications for 15 best management practices;
- Expanding and updating options for best management practices for water quality compliance that are included the Department's recently issued guidance document, the Virginia Stormwater Management Handbook;

- Updating the effective version of the Virginia Runoff Reduction Method so that it is based on current water quality models and nutrient loading data; and
- Updating the total phosphorus load of new development projects so that it accounts for decreased phosphorus use following the 2011 ban on phosphorus in lawn fertilizer. (Chapter 341 of the 2011 Acts of Assembly.)

The fast-track regulatory action will have a delayed effective date of July 1, 2025.

Until July 1, 2025, the Department will accept plans and specifications developed using either 1) version 3.0 of VRRM and the methods and best management practices that have been in place, allowing owners, planners, and developers time to transition to the updated requirements for water quality and quantity protection or 2) version 4.1 of VRRM and the methods and best management practices in the new Handbook.

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.

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- BMP: Best management practice
 - DEQ (or Department): Department of Environmental Quality
 - TMDL: Total Maximum Daily Load
 - U.S. EPA: United States Environmental Protection Agency
 - VAC: Virginia Administrative Code
 - VESMP: Virginia Erosion and Stormwater Management Program
 - VESM Regulation: Virginia Erosion and Stormwater Management Regulation, 9VAC25-875
 - VRRM: Virginia Runoff Reduction Method
 - VSMP: Virginia Stormwater Management Program
 - WIP: Watershed Implementation Plan

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On June 25, 2024, the State Water Control Board:

1. Authorized DEQ to promulgate the proposal for public comment using the fast-track process established in § 2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial. The Board's authorization constituted its adoption of the regulation at the end of the public comment period provided that (i) no objection to use of the fast-track process is received from 10 or more persons, or any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, and (ii) DEQ does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal.
2. Authorized DEQ to set a delayed effective date of July 1, 2025 after the close of the 30-day public comment period provided (i) the proposal completes the fast-track rulemaking process as provided in § 2.2-4012.1 of the Administrative Process Act and (ii) DEQ does not find it necessary to make any changes to the proposal.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, “mandate” has the same meaning as defined in the ORM procedures, “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”

Consistent with Virginia Code § 2.2-4012.1, also explain why this rulemaking is expected to be noncontroversial and therefore appropriate for the fast-track rulemaking process.

Section 62.1-44.15:28 of the Code of Virginia (effective July 1, 2024) authorizes the Board to adopt regulations that establish requirements for the effective control of soil erosion, sediment deposition, and stormwater, including nonagricultural runoff, that shall be met in any Virginia Erosion and Stormwater Management Program (VESMP) to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources; subsection 3 requires the Board’s regulations to be based upon relevant physical and developmental information concerning the watersheds and drainage basins of the Commonwealth, including data relating to land use, soils, hydrology, geology, size of land area being disturbed, proximate water bodies and their characteristics, transportation, and public facilities and services; and subsection 6 requires the regulations to establish water quality and water quantity technical criteria that shall be periodically modified as required in order to reflect current engineering methods.

The last substantive amendments to the water quality and water quantity technical requirements were in 2011. The proposed regulatory action is consistent with the requirements in the State Water Control Law for the Board to base its regulations on land use, soils, size of land area being disturbed, proximate water bodies and their characteristics, and to periodically modify its requirements in order to reflect current engineering methods – factors that have changed significantly since 2011.

This rulemaking is expected to be noncontroversial and therefore appropriate for the fast-track rulemaking process because the regulated community and other stakeholders who have been involved in the process to adopt the Virginia Erosion and Stormwater Management Regulation, 9VAC25-875, and develop the Virginia Stormwater Management Handbook (Handbook) have requested changes to Chapter 875 to reflect current practices, technology and engineering methods. The revisions to the Virginia Runoff Reduction Method (VRRM) are a result of an evaluation performed by the Department in response to Initiative 48 in the Commonwealth of Virginia Chesapeake Bay Total Maximum Daily Load (TMDL) Phase III Watershed Implementation Plan (WIP) which required the Department to “initiate a review of the post-development water quality design criteria requirements established under [the Virginia Stormwater Management Program Regulation].” Initiative 48 further specifies that “The Commonwealth’s review will determine if the criteria continue to satisfy the offset requirement of the TMDL.” This evaluation resulted in an updated VRRM guidance document and a corresponding total phosphorus load for new development projects.

Because the Board could not adopt substantive changes as part of the rulemaking process under the Consolidation Bill, Chapters 68 and 758 of the 2016 Acts of Assembly, the limited scope of this rulemaking benefits the regulated community, localities, DEQ, and other stakeholders by updating outdated BMP specifications to those in the Handbook, and incorporating the current VRRM.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the

promulgating agency to regulate this specific subject or program, as well as a reference to the agency’s overall regulatory authority.

Promulgating Entity

The promulgating entity for this regulation is the State Water Control Board.

State Requirements

Section 62.1-44.15 (3a) of the Code of Virginia (effective July 1, 2024) requires the Board to establish such standards of quality and policies for any state waters consistent with the general policy set forth in the State Water Control Law; subsection (5) requires the Board to issue, revoke, or amend certificates and land-disturbance approvals under prescribed conditions for (a) the discharge of sewage, stormwater, industrial wastes, and other wastes into or adjacent to state waters; and subsection (10) requires the Board to adopt such regulations as it deems necessary to enforce the general soil erosion control and stormwater management program and water quality management program of the Board in all or part of the Commonwealth.

Additional authority for the Board to adopt and amend regulations for erosion control and stormwater management is in § 62.1-44.15:28 as cited above.

Purpose

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.

The proposed regulatory action protects water quality in the Commonwealth of Virginia which is essential to the health, safety and welfare of Virginia’s citizens and is needed in order to establish appropriate and necessary permitting requirements for discharges of stormwater. The regulation change is essential because current regulatory requirements are based on data and information that is over 15 years old and not reflective of current conditions or based on current understanding of conditions in the State’s watersheds. The goal of this regulatory action is to amend Chapter 875 by updating sections and requirements that are out of date and burdensome to the regulated community because they do not reflect current practices, technology, or data about climate, land use, and nutrient loading.

Substance

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the “Detail of Changes” section below.

Changes to the Virginia Erosion and Stormwater Management Regulation include updating compliance alternatives used to meet and demonstrate water quality and water quantity requirements (VRRM, total phosphorus load for new development, BMPs). The updates account for improvements in BMP methods and technology and better information about land use patterns and water quality in the Chesapeake Bay Watershed. They also reflect application of this data and information in the models that U.S. EPA and other researchers use to study, monitor, and predict conditions in the Chesapeake Bay and other watersheds in Virginia. Better information and updated techniques/BMPs allow the regulated community to use more effective, lower cost alternatives than the outdated requirements and specifications that were carried over from the Virginia Stormwater Management Regulation, 9VAC25-870, though the process of consolidating and adopting regulations under the Consolidation Bill.

The fast-track regulatory action will have a delayed effective date of July 1, 2025.

Issues

Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

1. Public: There are no direct impacts on public health as the amendments update existing regulatory requirements so they reflect current technology, methods, and understanding of the sources and nutrient loads that impact water quality. There is a general advantage to the overall welfare of the public in that using better methods that better reflect current conditions produces more predictable, effective results, which in turn contributes to the efficient and effective functioning of government. There are no disadvantages to the public.

2. DEQ: The updates will allow DEQ and localities that implement erosion and stormwater management programs to have standards that are consistent with practices and equipment that planners, designers, and engineers are currently using, without having to evaluate proposals on a case-by-case basis since they are not incorporated in the current regulations. This is an advantage. There are no disadvantages to the agency or the Commonwealth.

Requirements More Restrictive than Federal

Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements, or no requirements that exceed applicable federal requirements, include a specific statement to that effect.

There are no applicable federal requirements and therefore no requirements that exceed federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

Consistent with § 2.2-4007.04 of the Code of Virginia, identify any other state agencies, localities, or other entities particularly affected by the regulatory change. Other entities could include local partners such as tribal governments, school boards, community services boards, and similar regional organizations. "Particularly affected" are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.

Other State Agencies Particularly Affected

There is no state agency which will bear any identified disproportionate material water quality impact due to the proposal which would not be experienced by other state agencies.

Localities Particularly Affected

There is no locality which will bear any identified disproportionate material water quality impact due to the proposal which would not be experienced by other localities.

Other Entities Particularly Affected

There is no entity which will bear any identified disproportionate material water quality impact due to the proposal which would not be experienced by other entities.

Economic Impact

Consistent with § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits), anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo.

Impact on State Agencies

<p><i>For your agency:</i> projected costs, savings, fees or revenues resulting from the regulatory change, including: a) fund source / fund detail; b) delineation of one-time versus on-going expenditures; and c) whether any costs or revenue loss can be absorbed within existing resources</p>	<p>The regulatory change will not result in any cost to DEQ.</p>
<p><i>For other state agencies:</i> projected costs, savings, fees or revenues resulting from the regulatory change, including a delineation of one-time versus on-going expenditures.</p>	<p>The regulatory change will not result in any cost to any state agency.</p>
<p><i>For all agencies:</i> Benefits the regulatory change is designed to produce.</p>	<p>The direct benefit to state agencies of updating the VRRM allows stakeholders to benefit from and acknowledge reduced and more accurate levels of phosphorus runoff. The direct benefit of updating the BMP specifications is reduced confusion and up-to date specifications with additional best management practices, which will result in less staff time in reviewing, inspecting, and working through issues before and during construction.</p>

Impact on Localities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a or 2) on which it was reported. Information provided on that form need not be repeated here.

<p>Projected costs, savings, fees or revenues resulting from the regulatory change.</p>	<p>No impacts to any locality are anticipated.</p>
<p>Benefits the regulatory change is designed to produce.</p>	<p>ORM Economic Impact form, Table 2</p>

Impact on Other Entities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a, 3, or 4) on which it was reported. Information provided on that form need not be repeated here.

Description of the individuals, businesses, or other entities likely to be affected by the regulatory change. If no other entities will be affected, include a specific statement to that effect.	ORM Economic Impact form, Tables 1a, 3 and 4
Agency’s best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that: a) is independently owned and operated and; b) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.	ORM Economic Impact form, Tables 1a, 3 and 4
All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to: a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses; b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change; c) fees; d) purchases of equipment or services; and e) time required to comply with the requirements.	ORM Economic Impact form, Tables 1a, 3 and 4
Benefits the regulatory change is designed to produce.	Updating regulations to reflect the methods and equipment that are currently available and in use by the regulated community, which perform better for a lower cost in many cases; promotes the efficient and effective functioning of government.

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.

There are two alternatives to the changes that are proposed in this regulatory action. The first is to leave Chapter 875 unchanged, allowing planners, designers, and other stakeholders to continue to use the methods, best management practices, and precipitation data that they have been using for the last twenty plus years. This alternative is more burdensome to most stakeholders because they have to seek approval on a case-by-case basis (i.e., through a variance process that is set out in the regulation) for newer, more efficient, lower cost, or more effective best management practices that have been developed and put in use in Virginia and across the country, but are not included in the regulation, . With respect to determining compliance with water quality requirements by using the version of the VRRM that is in the regulation, in many cases, the total phosphorus load of new development projects (0.41 lbs/acre/yr) and

higher loading rates, particularly for impervious surfaces, results in requirements to remove more phosphorus than would be needed for compliance with the most current version of VRRM. This translates into larger best management practices and higher costs. The other alternative is to remove all specifications which would result in longer permitting times since there would not be consistent standards or practices, requiring more case-by-case determinations and inconsistent inspection, enforcement, and compliance among the many localities that implement erosion and stormwater management programs across the state.

Regulatory Flexibility Analysis

Consistent with § 2.2-4007.1 B of the Code of Virginia, describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.

There are no alternatives to this regulatory action other than (1) continuing to operate with the existing VRRM and design specifications with no updates or (2) delaying an update to the VRRM and the design specifications. However, the Stormwater Management Act (and Virginia Erosion and Stormwater Management Act, effective July 1, 2024) requires the Department to periodically modify minimum design criteria for measures to control nonpoint source pollution so they reflect current engineering methods (§ 62.1-44.15:28 A 2 of the Code of Virginia, recodified at § 62.1-44.15:28 6, effective July 1, 2024) and to review the water quality design criteria standards upon completion of the 2017 Chesapeake Bay Phase III Watershed Implementation Plan (Phase III WIP) (9VAC25-870-63 C). The approval of the lower total phosphorus load of new development projects of 0.26 lbs/ac/yr would satisfy these requirements and is significantly overdue per the requirements in the law and regulations.

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.

Consistent with § 2.2-4011 of the Code of Virginia, if an objection to the use of the fast-track process is received within the 30-day public comment period from 10 or more persons, any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, the agency shall: 1) file notice of the objections with the Registrar of Regulations for publication in the Virginia Register and 2) proceed with the normal promulgation process with the initial publication of the fast-track regulation serving as the Notice of Intended Regulatory Action.

If you are objecting to the use of the fast-track process as the means of promulgating this regulation, please clearly indicate your objection in your comment. Please also indicate the nature of, and reason for, your objection to using this process.

DEQ is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal and any alternative approaches, (ii) the potential impacts of the regulation, and (iii) the agency's regulatory flexibility analysis stated in this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: <https://townhall.virginia.gov>. Comments may also be submitted by mail or email to Rebecca Rochet, Deputy Director, Water Permitting Division, Virginia Department of Environmental Quality, P.O. Box 1105, Richmond, Virginia 23218, or Rebecca.Rochet@deq.virginia.gov. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

Detail of Changes

List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Use all tables that apply, but delete inapplicable tables.

If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between existing VAC Chapter(s) and the proposed regulation. If existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.

Table 1: Changes to Existing VAC Chapter(s)

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of new requirements
9VAC25-875-580 A 1		1. New Development. The total phosphorus load of new development projects shall not exceed 0.41 pounds per acre per year, as calculated pursuant to 9VAC25-875-590.	<p>1. New Development. <u>For plans submitted on or after July 1, 2025, the</u> The total phosphorus load of new development projects shall not exceed 0.410.26 pounds per acre per year, as calculated pursuant to 9VAC25-875-590.</p> <p>Updates maximum total phosphorus load of new development projects to 0.26 pounds per acre per year, as calculated pursuant to 9VAC25-875-590.</p> <p>This revision resulted from an evaluation performed in response to Initiative 48 in the Commonwealth of Virginia Chesapeake Bay TMDL Phase III Watershed Implementation Plan (WIP), which requires DEQ to “initiate a review of the post-development water quality design criteria requirements established under [the Virginia Stormwater Management Program (VSMP) Regulation,] 9VAC25-870-63.” Initiative 48 further specifies that “The Commonwealth’s</p>

			<p>review will determine if the criteria continue to satisfy the offset requirement of the TMDL. Subsequent amendments to the [Regulation] may be necessary if the criteria are no longer consistent with the TMDL.” Pursuant to Initiative 48, DEQ has reviewed the latest outputs from the Chesapeake Bay Model and compared them with the Chesapeake Bay Phase III WIP to determine if use of the 0.41 lbs/ac/yr post-construction target should continue. This review included evaluating the latest loading rates from the Chesapeake Bay Model and making necessary modifications to the Virginia Runoff Reduction Model (VRRM) Version 3.0 spreadsheets. The evaluation utilized scenario data from the most recent model runs of the Chesapeake Bay Model, accessed using the Chesapeake Assessment and Scenario Tool (CAST) Version 2019, using both 2021 and 2025 (the Phase III WIP) data. The reevaluation resulted in a final phosphorus nutrient target of 0.26 lbs/ac/yr.</p>
<p>9VAC25-875-590 B</p>		<p>The BMPs listed in this subsection are approved for use as necessary to effectively reduce the phosphorus load and runoff volume in accordance with the Virginia Runoff Reduction Method. Other approved BMPs found through the Virginia Stormwater BMP Clearinghouse may also be utilized. Design specifications and the pollutant removal efficiencies for all approved BMPs are found through the Virginia Stormwater BMP Clearinghouse.</p> <ol style="list-style-type: none"> 1. Vegetated Roof (Version 2.3, March 1, 2011); 2. Rooftop Disconnection (Version 1.9, March 1, 2011); 3. Rainwater Harvesting (Version 1.9.5, March 1, 2011); 	<p>The BMPs listed in this subsection <u>the Virginia Stormwater Management Handbook</u> are approved for use as necessary to effectively reduce the phosphorus load and runoff volume in accordance with the Virginia Runoff Reduction Method. Other approved BMPs found through the Virginia Stormwater BMP Clearinghouse may also be utilized. Design specifications and the pollutant removal efficiencies for all approved BMPs are found through the <u>Virginia Stormwater Management Handbook and the Virginia Stormwater BMP Clearinghouse</u>.</p> <ol style="list-style-type: none"> 1. Vegetated Roof (Version 2.3, March 1, 2011); 2. Rooftop Disconnection (Version 1.9, March 1, 2011); 3. Rainwater Harvesting (Version 1.9.5, March 1, 2011); 4. Soil Amendments (Version 1.8, March 1, 2011); 5. Permeable Pavement (Version 1.8, March 1, 2011); 6. Grass Channel (Version 1.9, March 1, 2011);

		<p>4. Soil Amendments (Version 1.8, March 1, 2011);</p> <p>5. Permeable Pavement (Version 1.8, March 1, 2011);</p> <p>6. Grass Channel (Version 1.9, March 1, 2011);</p> <p>7. Bioretention (Version 1.9, March 1, 2011);</p> <p>8. Infiltration (Version 1.9, March 1, 2011);</p> <p>9. Dry Swale (Version 1.9, March 1, 2011);</p> <p>10. Wet Swale (Version 1.9, March 1, 2011);</p> <p>11. Sheet Flow to Filter/Open Space (Version 1.9, March 1, 2011);</p> <p>12. Extended Detention Pond (Version 1.9, March 1, 2011);</p> <p>13. Filtering Practice (Version 1.8, March 1, 2011);</p> <p>14. Constructed Wetland (Version 1.9, March 1, 2011); and</p> <p>15. Wet Pond (Version 1.9, March 1, 2011).</p>	<p>7. Bioretention (Version 1.9, March 1, 2011);</p> <p>8. Infiltration (Version 1.9, March 1, 2011);</p> <p>9. Dry Swale (Version 1.9, March 1, 2011);</p> <p>10. Wet Swale (Version 1.9, March 1, 2011);</p> <p>11. Sheet Flow to Filter/Open Space (Version 1.9, March 1, 2011);</p> <p>12. Extended Detention Pond (Version 1.9, March 1, 2011);</p> <p>13. Filtering Practice (Version 1.8, March 1, 2011);</p> <p>14. Constructed Wetland (Version 1.9, March 1, 2011); and</p> <p>15. Wet Pond (Version 1.9, March 1, 2011).</p> <p>This is a technical correction to update the location of the BMPs approved for the use as necessary to effectively reduce the phosphorus loading in conjunction with the updated Virginia Runoff Reduction Method and new development phosphorus nutrient target load.</p>
<p>Documents Incorporated by Reference (9VAC25-875)</p>		<p>Virginia Runoff Reduction Method: Instructions and Documentation, March 28, 2011</p>	<p>Virginia Runoff Reduction Method: Instructions and Documentation, March 28, 2011 effective April 27, 2024.</p> <p>This updates the Documents Incorporated by Reference to include the most recent version of the Instructions and Documentation for the VRRM. The Instructions and Documentation have been updated to reflect the change to 0.26 lb/acre/yr in 9VAC25-875-580 and other technical revisions to the model.</p>