



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Gregory A. Whirley
Commissioner

July 22, 2011

Mr. Jeb Wilkinson
Chief Deputy Director
Department of Conservation and Recreation
203 Governor Street
Richmond Virginia, 23219

Subject: 2010 Annual Standards and Specifications for Erosion and Sediment Control and Stormwater Management

Dear Mr. Wilkinson:

Thank you for your letter dated June 3, 2011 providing conditional approval of VDOT's 2010 Annual Standards and Specifications for Erosion and Sediment Control and Stormwater Management. Except for item number 2 in your letter, we are in general agreement with all of the conditions noted. The requested changes to VDOT guidance documents are generally minor will be made at the earliest convenience.

With regards to item number 2, you have requested that our guidance be changed to reflect that the water quality volume of any required BMP be based on the total post development impervious area draining to the BMP (i.e., both onsite and offsite).

Our current guidance states that the water quality volume is to be based on the total impervious area from within the site (i.e., right of way) draining to the BMP. This language was based on discussions held between DCR Director Mr. David Johnson and members of his staff and VDOT Commissioner Mr. Gregory Whirley and members of his staff on August 10, 2010 and was reflected in the meeting notes taken by both myself and Mr. Lee Hill (formerly) of your office. Additionally, I have been unable to find any regulatory language that would require impervious area other than that within the site to be considered in the water quality volume for any required BMP.

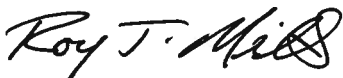
Mr. Jeb Wilkinson
July 22, 2011
Page 2

Certainly eliminating offsite stormwater runoff from entering our BMPs would resolve this issue. However, while we typically try to do this as much as practicable, it is often not feasible or possible given the nature of linear development. To separate the offsite and onsite stormwater runoff would often require dual drainage systems (open ditches or storm drains), one for the onsite runoff and one for the offsite runoff, with each potentially running for long distances.

Mr. Doug Fritz, of your office, and I have discussed the water quality volume issue to some length. Those discussions are continuing in the hope that we can come to some mutual understanding on this issue. Once a final resolution is reached, we will make any necessary adjustments to our guidance documents to reflect the outcome of those discussions.

Again, thank you for the conditional approval of VDOT's 2010 Annual Standards and Specifications for Erosion and Sediment Control and Stormwater Management. We appreciate the efforts of you and your staff in helping us to resolve any issues with our Stormwater Program and in helping to make it stronger in providing for the protection of our natural water resources. We look forward to a continuing relationship and open dialogue between our staffs.

Sincerely,



Roy T. Mills
State Stormwater Program Administrator

Cc: Mr. Doug Fritz (DCR)
Mr. John McCutcheon (DCR)
Mr. Charlie A. Kilpatrick, P.E. (VDOT)
Mr. Malcolm T. Kerley, P.E. (VDOT)
Mr. Mohammad Mirshahi, P.E. (VDOT)
Mr. John Olenik (VDOT)