

L. Preston Bryant, Jr.
Secretary of Natural
Resources



Joseph H. Maroon
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

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October 1, 2009

Mr. Roy T. Mills
State Hydraulics Engineer
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219

Subject: 2009 VDOT Annual Standards and Specifications for Erosion and Sediment Control and Stormwater Management

Dear Mr. Mills:

In accordance with §10.1-564 of the Virginia Erosion and Sediment Control Law and §10.1-603.5 of the Virginia Stormwater Management Law, the Department of Conservation and Recreation (DCR) has completed the review of the 2009 VDOT Annual Standards and Specifications for Erosion & Sediment Control and Stormwater Management and they are conditionally approved. The conditional approval is based on DCR staff review and recommendations. The approval contains the following conditions:

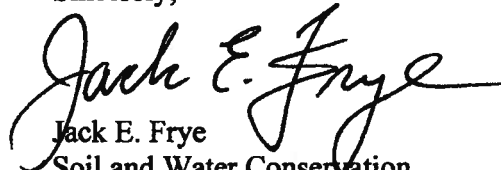
1. Appendix A through C shall be updated with the most current versions of the Virginia Erosion and Sediment Control Law and Regulations and Virginia Stormwater Management Act and Virginia Stormwater Management Program (VSMP) Permit Regulations;
2. Appendix D shall be updated with the General Permit for Discharges of Stormwater from Construction Activities (VAR10);
3. Instruction and informational memorandum IIM-LD-195.5 dated February 12, 2003 shall be revised in consultation with DCR to be consistent with the VSMP Permit Regulations for the 2010 VDOT Annual Standards and Specifications.
4. All VDOT land-disturbing activity requiring a stormwater management plan or General Permit for Discharges of Stormwater from Construction Activities will need to meet the requirements of the VSMP Permit Regulations; and

5. All regulated land disturbing activities undertaken on private and publicly owned lands in Virginia must be conducted in accordance with the approved 2009 VDOT Annual Standard and Specifications. Individual project-specific erosion and sediment control and stormwater management plans must be prepared to ensure proper on site implementation of erosion and sediment control and stormwater management measures. However, these plans need not be submitted to DCR for approval as long as they comply with the approved 2009 VDOT Annual Standard and Specifications; and

To ensure compliance with approved standards and specifications, the Virginia Erosion and Sediment Control Law, and the Stormwater Management Law, staff in DCR regional and central offices will conduct random site inspections, respond to complaints, and provide on site technical assistance with specific erosion and sediment control and stormwater management measures and plan implementation.

Thank you very much for your submission and continued efforts to conserve and protect Virginia's precious natural resources.

Sincerely,


Jack E. Frye
Soil and Water Conservation
Division Director

cc: Stephen D. Kindy, VDOT
John McCutcheon, DCR
Eric R. Capps, DCR