



Residential Land Disturbing Requirements

Beginning on July 1, 2014, the City of Chesapeake will assume the administration and enforcement of the Virginia Department of Environmental Quality (state) General Permit for Discharges from Land Disturbing Activities also referred to as the state Construction General Permit (CGP). All land disturbing activities which disturb ≥ 1 acre are regulated under this program. Residential construction activities (single and multi-family) disturbing < 1 acre are also regulated, with a few exceptions. The CGP program will now be enforced by the City rather than the state. All new requirements listed below become effective on July 1, 2014.

Beginning on July 1, 2014, if required, registration for the state CGP for projects within the City of Chesapeake will be made through the Chesapeake Civil Permits Office of the Department of Development and Permits located on the third floor of City Hall. City staff will electronically submit the application to the State DEQ. The applicant will receive notification from the State via email or USPS of the permit fee and approved methods of payment. The applicant must provide payment to the State DEQ before CGP coverage is provided. If you are required to register, please refer to the [Chesapeake CGP Registration Process](#) document for further details.

Who is regulated and what are the requirements?

- **Single family detached residential land disturbing activities within a **common plan of development** or **subdivision** platted after July 1, 2004, where the entire subdivision will collectively disturb ≥ 1 acre:**
 1. **NEW** – These projects will receive automatic coverage under the CGP, no registration is required, but the project is required to comply with the terms and conditions of the CGP. A CGP coverage letter will be provided with your Land Disturbing Permit.
 2. **NEW** – These projects will be required to develop a Stormwater Pollution Prevention Plan (SWPPP). The Virginia DEQ has developed a SWPPP template which may be utilized. The template will be available on the City's web page. The SWPPP must contain: the CGP coverage letter; a copy of your Land Disturbing Permit, and a Pollution Prevention Plan. The Pollution Prevention Plan is a plan to control all pollutants on your site including, but not limited to: concrete wastes and washout; paint wash water; fuels; chemicals; trash; and construction debris. You will be required to conduct and document periodic **self-inspections** of your site to demonstrate SWPPP compliance. The SWPPP is required to be updated and made available on site from the commencement of land disturbing until final site stabilization.
 3. These projects must obtain a City Land Disturbing Permit, sign an Agreement in lieu of an Erosion and Sediment Control Plan, and comply with Virginia Minimum Standards for Erosion and Sediment Control and the City's Erosion and Sediment Control Ordinance.

4. **NEW** - City Inspectors will be enforcing the state CGP requirements, including review of SWPPPs and logs of your self-inspections, along with the Land Disturbing Permit requirements.
 5. A separate Stormwater Management Plan is not required provided that the stormwater management plan for the larger common plan of development or subdivision provides permanent post-construction control measures encompassing the residential structure(s).
 6. One SWPPP may be developed which encompasses multiple lots or land disturbing activities within a subdivision which are under the control of the same owner.
 7. **NEW** - City Inspectors will be enforcing the state CGP requirements, including review of SWPPPs and logs of your self-inspections, along with the Land Disturbing Permit requirements. Penalties for non-compliance may include Notices to Comply, Stop Work Orders, and Civil Fines.
- **Single family detached residential land disturbing activities disturbing ≥ 1 acre and < 5 acres :**
 1. **NEW** – These projects will receive automatic coverage under the state Construction GP, no registration is required, but the project is required to comply with the terms and conditions of the state Construction GP.
 2. **NEW** – These projects will be required to develop a Stormwater Pollution Prevention Plan (SWPPP). The Virginia DEQ has developed a SWPPP template which may be utilized. The template will be available on the City's web page. The SWPPP must contain: the CGP coverage letter; a copy of your Land Disturbing Permit, and a Pollution Prevention Plan. The Pollution Prevention Plan is a plan to control all pollutants on your site including, but not limited to: concrete wastes and washout; paint wash water; fuels; chemicals; trash; and construction debris. You will be required to conduct and document periodic **self-inspections** of your site to demonstrate SWPPP compliance. The SWPPP is required to be updated and made available on site from the commencement of land disturbing until final site stabilization.
 3. **NEW** – These projects may be required to develop a Stormwater Management Plan to demonstrate compliance with the state's revised technical criteria for water quality and water quantity. This Stormwater Management Plan will also become a part of your **SWPPP**.
 4. A separate Stormwater Management Plan is not required provided that the stormwater management plan for the larger common plan of development or subdivision provides permanent post-construction control measures encompassing the residential structure(s).
 5. These projects must obtain a City Land Disturbing Permit, sign an Agreement in lieu of an Erosion and Sediment Control Plan, and comply with Virginia Minimum Standards for Erosion and Sediment Control and the City's Erosion and Sediment Control Ordinance.
 6. **NEW** - City Inspectors will be enforcing the state CGP requirements, including review of SWPPPs and logs of your self-inspections, along with the Land Disturbing Permit requirements Penalties for non-compliance may include Notices to Comply, Stop Work Orders, and Civil Fines.

- Single family detached residential land disturbing activities located within a Chesapeake Bay Preservation Act (CBPA) area which will disturb ≥ 2500 square feet, but <1 acre, and which are not located within a **common plan of development or subdivision**:
 1. **NEW** – These projects may be required to develop a Stormwater Management Plan to demonstrate compliance with the state’s revised technical criteria for water quality and water quantity. Anticipate additional review time.
 2. These projects must obtain a City Land Disturbing Permit, sign an Agreement in lieu of an Erosion and Sediment Control Plan, and comply with Virginia Minimum Standards for Erosion and Sediment Control and the City’s Erosion and Sediment Control Ordinance. Penalties for non-compliance may include Notices to Comply, Stop Work Orders, and Civil Fines.

- Multi-family residential (duplex or townhome) land disturbing activities disturbing ≥ 1 acre:
 1. **NEW** – These projects must submit a **registration statement** to the City for CGP coverage and pay a state fee to DEQ. No Land Disturbing Permit will be issued until CGP coverage has been issued.
 2. **NEW** – These projects will be required to develop a Stormwater Pollution Prevention Plan (SWPPP). The Virginia DEQ has developed a SWPPP template which may be utilized. The template will be available on the City’s web page. The SWPPP must contain: the CGP coverage letter; a copy of your Land Disturbing Permit, and a Pollution Prevention Plan. The Pollution Prevention Plan is a plan to control all pollutants on your site including, but not limited to: concrete wastes and washout; paint wash water; fuels; chemicals; trash; and construction debris. You will be required to conduct and document periodic **self-inspections** of your site to demonstrate SWPPP compliance. The SWPPP must be kept updated and made available on site from the commencement of land disturbing until final site stabilization.
 3. **NEW** – These projects will be required to develop a Stormwater Management Plan to demonstrate compliance with the state’s revised technical criteria for water quality and water quantity. This Stormwater Management Plan will also become part of your **SWPPP**.
 4. A separate Stormwater Management Plan is not required provided that the stormwater management plan for the larger common plan of development or subdivision provides permanent post-construction control measures encompassing the residential structure(s).
 5. These projects must obtain a City Land Disturbing Permit, submit an Erosion and Sediment Control Plan or sign an Agreement in lieu of an Erosion and Sediment Control Plan, and comply with Virginia Minimum Standards for Erosion and Sediment Control and the City’s Erosion and Sediment Control Ordinance.
 6. **NEW** - City Inspectors will be enforcing the state CGP requirements, including review of SWPPPs and logs of your self-inspections, along with the Land Disturbing Permit requirements. Penalties for non-compliance may include Notices to Comply, Stop Work Orders, and Civil Fine

- **Multi-family residential (duplex or townhome) land disturbing activities located within a common plan of development or subdivision platted after July 1, 2004, where the subdivision will collectively disturb ≥ 1 acre:**

1. **NEW** – These projects must submit a **registration statement** to the City for CGP coverage and pay a state fee to DEQ. No Land Disturbing Permit will be issued until CGP coverage has been issued.
2. **NEW** – These projects will be required to develop a Stormwater Pollution Prevention Plan (SWPPP). The Virginia DEQ has developed a SWPPP template which may be utilized. The template will be available on the City's web page. In addition to a copy of your E&S Plan or Agreement in lieu of an E&S Plan and copy of your Land Disturbing Permit, the SWPPP must contain a Pollution Prevention Plan which is a plan to control all pollutants on your site including, but not limited to: concrete wastes and washout; paint wash water; fuels; chemicals; trash; and construction debris. You will be required to conduct and document periodic **self-inspections** of your site to demonstrate SWPPP compliance. The SWPPP must be kept updated and made available on site from the commencement of land disturbing until final site stabilization.
3. These projects must obtain a City Land Disturbing Permit, sign an Agreement in lieu of an Erosion and Sediment Control Plan, and comply with Virginia Minimum Standards for Erosion and Sediment Control and the City Erosion and Sediment Control Ordinance.
4. **NEW** - City Inspectors will be enforcing the state CGP requirements, including review of SWPPPs and logs of your self-inspections, along with the Land Disturbing Permit requirements.
5. A separate Stormwater Management Plan is not required provided that the stormwater management plan for the larger common plan of development or sale provides permanent post-construction control measures encompassing the residential structure(s).
6. One SWPPP may be developed which encompasses multiple lots or land disturbing activities within a subdivision which are under the control of the same owner.
7. **NEW** - City Inspectors will be enforcing the state CGP requirements, including review of SWPPPs and logs of your self-inspections, along with the Land Disturbing Permit requirements. Penalties for non-compliance may include Notices to Comply, Stop Work Orders, and Civil Fines.

- **In-fill residential construction disturbing < 1 acre, and not located within a CBPA area:**

1. These projects must obtain a City Land Disturbing Permit, sign an Agreement in lieu of an Erosion and Sediment Control Plan, and comply with Virginia Minimum Standards for Erosion and Sediment Control and the City Erosion and Sediment Control Ordinance.
2. Penalties for non-compliance may include Notices to Comply, Stop Work Orders, and Civil Fines.

Contacts

Please contact Barbara Brumbaugh in the Public Works Department at 382-6919 or bbrumba@cityofchesapeake.net or Dave Dombroski in the Development and Permits Department at 382-6304 or dombroski@cityofchesapeake.net if you have questions or require additional information.

The Virginia Department of Environmental Quality has posted information and Frequently Asked Questions which can be found here:

<http://www.deq.virginia.gov/Programs/Water/StormwaterManagement/VSMPPermits/ConstructionGeneralPermit.aspx>

<http://www.deq.virginia.gov/ConnectWithDEQ/TrainingCertification/TrainingCertificationFAQs.aspx>