



Focus on Construction Stormwater General Permit

from Ecology's Water Quality Program

Definitions

Larger common plan of development or sale:

An area where multiple, separate and distinct construction activities may be taking place on different schedules under one plan. In a larger common plan, the disturbed area of the entire plan is used to determine if a permit is required.

Surface waters of the state:

include wetlands, ditches, rivers, unnamed creeks, rivers, lakes, estuaries, and salt water. Most construction sites discharge to waters of the state.

Final permit issued November 2005

The Washington Department of Ecology's (Ecology) construction stormwater general permit is required for certain construction activities. The goal of the permit is to reduce or eliminate stormwater pollution and other harm to surface waters from construction sites.

Construction site activities disturb the land and, when it rains, can create a lot of muddy stormwater. When this muddy stormwater runs off-site (also known as a discharge), it often causes sediment increases and alters the water chemistry in local streams, rivers, wetlands, and lakes. This lowers water quality and often harms the uses that humans, fish, and other wildlife rely upon. Muddy water is considered "pollution" because it can clog fish gills and smother fish eggs.

Which construction sites need to apply for a permit?

Construction activities that require this permit are **any land-disturbing activities such as clearing, grading, excavating, and/or demolition** that:

1. Disturb **one or more acres of land area**

OR

2. Are "part of a **larger common plan of development or sale**" that will ultimately disturb one or more acres of land

AND

3. **Discharge stormwater** from the site into **state surface water(s)** or into storm drainage systems, which discharge to state surface waters.

Ecology can also require a permit for any size construction site, if it determines the site is a **significant contributor of pollutants** to waters of the state. Construction activities that require a permit also include clearing forested areas, if the clearing is in preparation for construction activities.

Exemptions to the permit

The following types of sites and activities do not require a permit:

- Construction activity for routine maintenance of an original line and grade, hydraulic capacity, or the facility's original purpose.
- Sites that retain all stormwater on site. For example, if all stormwater is discharged into the ground through infiltration basins, dry wells, drain fields, or other means of discharge into the ground.
- Construction sites on federal land or Indian Reservations, except for construction on the Puyallup Indian Reservation.

- Forestry activities such as nurseries, reforestation, thinning, prescribed burning, or timber harvesting that are NOT part of preparation for construction.
- Sites covered by an existing National Pollution Discharge Elimination (NPDES) individual permit for stormwater discharges.
- Sites covered by an erosivity waiver, which are low-risk projects that occur during the dry season.

Who needs to apply?

The operator of the construction site must apply for permit coverage. The operator can be either the party with operational control over construction plans and specifications or the party in charge of day-to-day activities related to the Stormwater Pollution Prevention Plan (SWPPP). The operator, also known as the permittee, is responsible for applying and following the terms of the construction stormwater general permit.

All municipal governments must apply for permit coverage for construction projects with one acre or more of disturbed area that discharge stormwater into state waters.

Who to contact for assistance

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