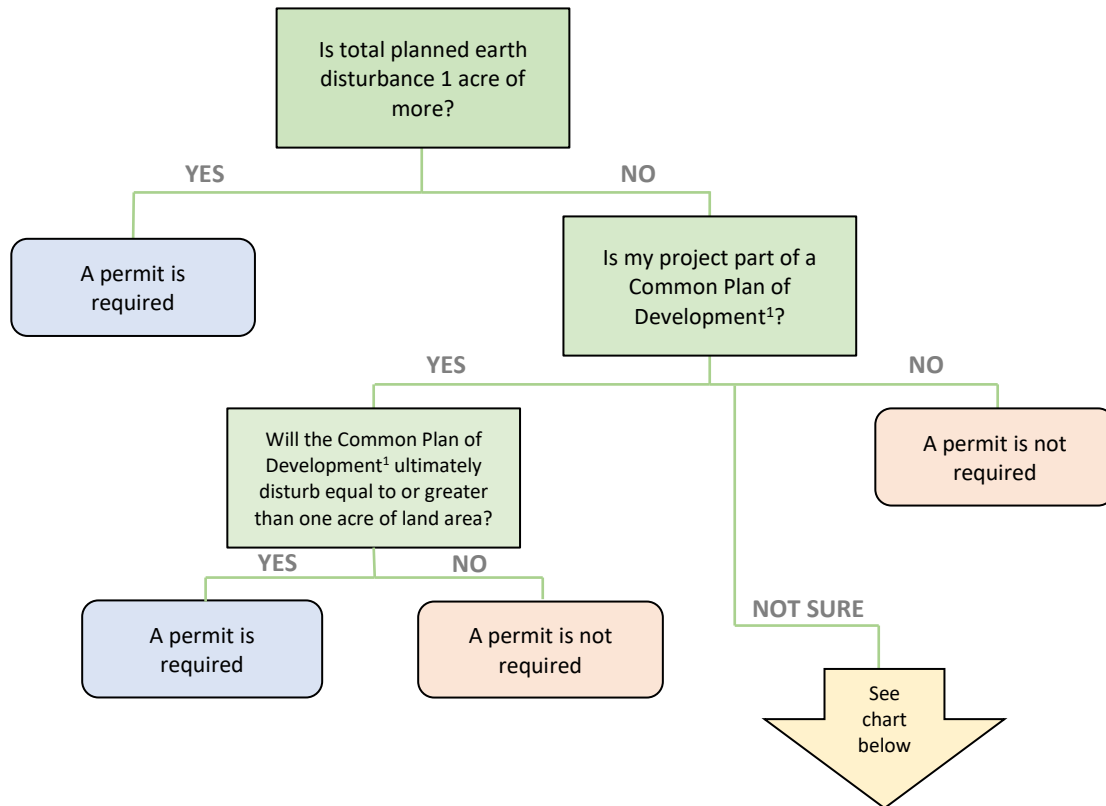


# Do I need a Stormwater Construction Permit?



<sup>1</sup> **Common Plan of Development** means a development that is completed in phases or stages when such phases or stages share a common state or local permit related to the regulation of land use, the discharge of wastewater or a discharge to surface waters or groundwater, or a development designed with shared common infrastructure. Common plans include subdivisions, industrial and commercial parks, university and other campuses, and ski areas. Construction activities or portions of construction activities that have achieved final stabilization<sup>2</sup> as of September 13, 2006 (effective date of previously issued Construction General Permit 3-9020 (2006)) shall not be considered for purposes of determining what constitutes disturbance under a common plan of development that requires coverage under this permit. Following completion of the common plan components on a parcel of land, any additional development of the parcel shall be considered as separate from the original common plan for the purposes of evaluating whether one or more acres of earth will be disturbed.

<sup>2</sup> **Final Stabilization** means that:

1. All soil disturbing activities at the site have been completed and either of the two following criteria are met:
  - a. a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or
  - b. equivalent final stabilization measures (such as pavement, cement, gravel, riprap, gabions, or geotextiles) have been employed.
2. When background native vegetation covers less than 100 percent of the ground (e.g., arid areas, beaches), the 70 percent coverage criterion is determined based on the percentage of background native vegetation. Example: if the native vegetation covers 50 percent of the ground, 70 percent of 50 percent ( $0.70 \times 0.50 = 0.35$ ) would require 35 percent total cover for final stabilization. On a beach with no natural vegetation, no stabilization is required.
3. For individual lots for residential construction, final stabilization means that either:
  - a. The parcel has reached final stabilization as specified above, or
  - b. The parcel has established temporary stabilization through seeding and mulching in accordance with this permit, and established perimeter controls for the individual lot, prior to occupation of the home by the homeowner, and the operator has informed the homeowner of the need for, and benefits of, final stabilization.
4. For construction activity on land used for agricultural purposes (e.g., pipelines across crop or range land, staging areas for highway construction, etc.), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use when such land will be used again for agricultural purposes immediately following construction activity. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to 'waters of the state,' and areas which are not being returned to their preconstruction agricultural use must meet the final stabilization criteria (1) and (2) above.

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