

About Construction Stormwater Permit

Before any construction activity can take place, an Erosion, Sedimentation and Pollution Control Plan (Plan) must be drawn up by a Certified Design Professional. Part of this process requires the Certified Design Professional to identify all state waters and sensitive areas on the property that will be developed. The Plan will be designed to install Best Management Practices (BMPs) to protect these state waters and sensitive areas. If any state waters that require a buffer or sensitive areas such as wetlands are planned to be impacted, additional state and federal permits may be required before work can begin in those areas.

In addition to this, all projects that are over 50 acres require four additional BMPs on the Plan which are listed in the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities (Permit), GAR100001.

These projects also require prior approval from EPD to disturb more the 50 acres at one time. Several things are considered when making this determination. Does the project by its nature require more than 50 acres to be disturbed at one time, proximity to state waters, proximity to sensitive areas, proximity to impaired stream segments, topography and soil erodibility.

Once a Plan has been developed and the Responsible Official has received approval to disturb over 50 acres at one time, a Notice of Intent (NOI) can be filled to obtain coverage under the NPDES Permit GAR100001. Construction activity may begin 14 days after the complete submittal of an NOI.

EPD has not had formal conversations with the local governments involved yet about oversight of this construction activity. However, we will likely be taking the lead on inspections at the site. We will conduct routine inspections at the site.