

A background image showing several construction cranes against a sunset sky. The sun is low on the horizon, casting a warm orange glow. The cranes are silhouetted against the sky, with some lights visible on their structures.

# General Permit for Storm Water Discharges Associated with Construction Activity

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# Overview



- Regulated Activity
- General Permit
- Summary of Changes
- Timeframe
- Questions

# Storm Water Discharges Associated with Construction Activities

**Storm water:** precipitation, snowmelt runoff, and surface runoff and drainage.

**Disturbance with Construction Activities:** clearing, grading, excavation, stockpiling, earth materials, and other placement of earth material performed during construction activities.

Regulated when **two criteria** met:

- Potential to impact surface waters and
- Total disturbance is over 1 acre.

# *Storm Water Discharges Associated with Construction Activities*

## **Larger Common Plan of Development or Sale**

- Sites that are less than one acre of disturbance, but the “plan” calls for the disturbance of greater than one acre.

# General Permit

- **General Permit vs. Individual Permit**
  - Pre-existing permit for common activities
  - NOI process
  - Authorizations issued if eligible and meet requirements
  - 5 year permit cycle

# General Permit

- **General Permit Renewal Process**
  - Develop General Permit, Fact Sheet, EA, and Update Forms (NOI, SWPPP, Attachments)
  - Issue a Public Notice and Receive Public Comments
  - Public Hearing
  - Response to Comments
  - Issue Renewed General Permit with January 1, 2018 Effective Date
  - Notify Permittees of Permit Reissuance and Renewal Requirements
  - Submittal of Complete Renewal Packages and Renew Authorizations

# Renewal Goals

- Engage stakeholders to solicit feedback on the current permit and industry needs
- Ensure protection of water quality
- Meet regulatory requirements.

# General Permit Timeline

## Stakeholder Involvement

- Initial Stakeholder Meetings
  - Billings – September 20, 2016
  - Bozeman – September 21, 2016
  - Joint Engineers Conference – November 3, 2016
- Stakeholder Meetings
  - Helena - December 15, 2016
  - Helena - March 15, 2017
- Public Notice – April 28<sup>th</sup> – June 2<sup>nd</sup>
- Public Hearing – May 31<sup>st</sup>, Metcalf Building, Room 111 at 1pm

# Renewal Goals

## **Stakeholder feedback**

- Provide Direction
- Clarify Requirements
- Maintain / Increase Flexibility
- Remove Duplicative Requirements
- Simplify Permitting Process
- Part 2 – Erosion and Sediment Controls: Provide Clarification
- SWPPP Preparer Redundant Requirement
- Inspections: Increased Flexibility and Reduce Inspection Documentation Requirements
- BMP Maintenance, Replacement, and Failure
- Impaired Waterbodies and TMDL requirements

# Draft Updated Documents

- NOI Form
  - Sage Grouse
  - MS4
  - Impaired Waterbodies
  - SWPPP Preparer and Administrator
- SWPPP Form
  - Less narrative
  - Pollutant, BMP, and Construction Phase focused
  - Reduced the number of pages
- Inspection Report
  - Pollutant and BMP focused
  - Maintenance and Corrective Action Focused
  - Streamlined and less narrative

# *Significant Updates to the Permit*

- Consultation with the Montana Sage Grouse Habitat Conservation Program
- Public signage
- Consult and incorporate MS4 requirements
- Impaired waterbodies eligibility
- SWPPP preparer
- Flexible options for inspection frequencies
- Severe winter conditions delay

# *Significant Updates to the Permit*

- Prohibited discharges
- Technology-based effluent limits - clarification and specification while maintaining flexibility
- Impaired waterbodies and BMPs
- Reduction in the amount of required records
- Development and maintenance of the SWPPP to foster better field performance and improved site inspections
- Options provided for revisions and updates to the SWPPP

# Timeframe



- Public Notice – April 28<sup>th</sup> – June 2<sup>nd</sup>

<http://deq.mt.gov/Public/notices/WQnotices>

- Public Hearing – May 31<sup>st</sup>, Metcalf Building, Room 111 at 1pm

# QUESTIONS

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