

Program Highlights

All construction activities that will cause land disturbance or otherwise negatively impact stormwater quality are affected by the program. No ground disturbing activities may commence without the Erosion Permit being issued, the Best Management Practices (BMPs) installed, and the initial site inspection is completed by the Erosion Inspector. Examples of land disturbing activities include, but are not limited to, grading, grubbing, logging, excavating or filling.

Construction activities that do not disturb the land such as interior remodeling and emergency-related circumstances such as those cause by floods and fires, are excluded.

Outcomes

The objectives of the program, called Outcomes, are described in detail in the administrative rule but are easy to understand:

- No deposit or discharge of sediment onto adjacent properties or water features
- No degradation of water features due to removal of stream bank vegetation
- No deposit of mud, soil, concrete, or other material into streets or storm drains
- No exposure of soil or stockpiles to stormwater runoff without containment
- No earth slides or mudflows can leave the property; and
- No discharge of contaminants or hazardous substances from the site

Permits

An erosion prevention permit is required prior to any site disturbance for construction activities that:

- Disturb an area one acre or greater in size or
- Disturb 500 square feet or involve the excavation or placement of 20 cubic yards of material within a sensitive area.

A site is considered a sensitive area if it meets any one of the following criteria:

- The slope of the parcel is greater than 10%;
- The site contains highly erodible soils;
- The parcel or tax lot of record has the potential to directly drain into a water feature or its designated buffer area.

A reference map of sensitive areas is located at the Permit and Information Center.

Non-Permitted Sites

Those sites which fall below the permit thresholds identified above are still required to meet the outcomes, and are subject to enforcement action if necessary to ensure compliance.

Best Management Practices (BMPs)

All persons engaged in construction activities must implement Best Management Practices (BMPs) for preventing and/or controlling erosion, sedimentation and other construction-related impacts to water quality.

BMPs are the steps taken to prevent erosion, sedimentation, or discharge of contaminants from the construction site. There is a wide variety of options to choose from, including construction of facilities (ditches, ponds, or gravel driveways), installation of sedimentation fences, covering exposed soil, use of vegetated buffers, designating areas as off-limits to vehicles, storage areas for hazardous materials. (See also Wet Weather requirements described below.)

Construction Site Management Plan (CSMP)

Projects that disturb one or more acres or are located in a sensitive area must have a permit based on a Construction Site Management Plan (CSMP) which shows the measures to be taken to comply with the mandated outcomes. However, even smaller construction projects which do not require a permit must meet the objectives of the ordinance. All public improvement projects must include a CSMP.

If a permit is required, it must include a CSMP which describes which BMPs will be utilized, where material will be stockpiled, any areas which are off-limits (creeks for example) and generally explain how the mandated outcomes of the erosion regulations will be met. If construction activity will extend into the wet weather season, the CSMP must address the wet weather requirements described below.

Most CSMPs must be prepared by a professional – an engineer, architect, landscape architect, geologist, or other person who is certified by the International Erosion Control Association. There is an exception to this requirement for the construction of single family homes or duplexes. For these projects, the CSMP may be prepared by the building permit applicant, based on a template available at the Permit & Information Center or by calling Erosion staff at 541-682-8498.

Applications

Applications are available on the [city website](#). You can also apply online through [eBuild](#).

Wet Weather Requirements

Although most BMPs can be chosen by the applicant, some are mandated for use during wet-weather season – October 15 – April 30. The following BMPs must be implemented during this time:

- Covering all exposed soil or stockpiles when not subject to construction activity, unless all stormwater runoff from the exposed areas can be contained on site or through secondary containment.
- Construction of crushed rock driveways at construction site entrances.
- All stormwater facilities, water features, and Related Natural Resource Areas shall be protected.
- Immediate removal of sediment, soil, or construction related material from the right-of-way, adjacent property, and the city's stormwater system, including water features and Related Natural Resource Areas.

Enforcement

Enforcement is generally progressive, with options including written notice to correct violations, issuance of stop work orders, imposition of escalating civil penalties, and in the worst cases, citation into municipal court and summary abatement action by the city (with the costs charged back to the property owner).

However, the focus of the program is on education and voluntary compliance meeting the objectives. Very few civil penalties have been imposed since adoption of the program.

Relationship to Other Permits

Although other permits may be issued by other city offices (Building Permits, Public Improvement Permits, Tree Cutting Permits, etc.) if an Erosion Prevention permit is required, no ground disturbing activities may comment with the Erosion Permit being issued, the BMPs installed, and the initial site inspection is completed by the Erosion Inspector. The Erosion Permit process is integrated into all the other permit processes and the application is processed concurrently.