

STORMWATER CONSTRUCTION REQUIREMENTS POLK COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

The purpose of this brochure is to inform construction operators of the requirements of state law and county ordinance that impact stormwater run-off at construction sites. This brochure includes information that specifies the circumstances that require construction operators to obtain a 1200-C Permit from the Oregon Department of Environmental Quality (DEQ). The 1200-C Permit requires that erosion and sediment control measures be taken during certain construction operations. This brochure also describes the riparian and wetland setbacks required by the Polk County Zoning Ordinance and provides other useful information.

Your construction activities may require a 1200-C Permit from the Oregon Department of Environmental Quality.

To determine if your construction activity requires a 1200-C Permit, please answer the following questions:

1. Does your construction project disturb one or more acres of land through clearing, grading, excavating, or stockpiling of fill material, or less than one acre that is part of a larger common plan of development or sale that ultimately disturbs one acre or more? Remember to count the acreage of the entire project whether in a single or in a multiphase project. This applies even if you are responsible for only a small portion (less than one acre per phase) of the larger project planned over time.
2. Is there any possibility that stormwater could run off your site during construction and into surface waters or conveyance systems leading to surface waters of the state? In many cases, the answer to this question is yes. However, if the topography and location of your site is such that there is no possibility that rainfall or snowmelt could leave the site or enter a waterway, you do not need permit coverage.

If you answered “yes” to both of these questions, your construction site needs a permit. For permit information, contact the Oregon Department of Environmental Quality Western Region office at (800) 349-7677. The above information was taken from the Oregon DEQ, Construction Stormwater Permit Guidance 1200-C NPDES General Permit, July 2007, Page 2.

Riparian and Wetland Setback Requirements

Section 182.050(B) of the Polk County Zoning Ordinance provides for a riparian setback area adjacent to all streams, lakes, and wetlands in Polk County that are identified on the National Wetlands Inventory (NWI) Map. Riparian setback areas are vegetated areas that are important in order to provide shading over rivers and streams. Shading reduces river and stream temperatures. The riparian setbacks also act as a filter to reduce pollutant levels (including bacteria and mercury) that enter waterways. Within the riparian setback area, all structural development is prohibited and all trees and at least 50 percent of the understory must be retained, with limited exceptions. A project that requires vegetation removal within the riparian setback area generally requires that property owners create and implement a **management plan** designed to protect the riparian area. The management plan must be coordinated with the Oregon Department of State Lands and submitted to Polk County. If the riparian setback area is adjacent to a fish-bearing stream, the management plan must also be coordinated with the Oregon Department of Fish and Wildlife.

The riparian setback area is measured from the banktop on a straight line perpendicular to the flow of the waterway, and is determined as follows:

Streams: The width of the riparian setback shall average three times the stream width, but shall not average less than 25 feet or more than 100 feet. Stream width is the average of the main channel width of the stream during its high water level flow.

Lakes and Significant Wetlands: The width of the riparian setback for lakes and significant wetlands less than 1 acre in size shall average 25 feet; for lakes and wetlands between 1 and 5 acres in size, the width shall average 50 feet; for lakes and wetlands between 5 and 10 acres in size shall average 75 feet in width; and, for lakes and wetlands over 10 acres in size, the width shall average 100 feet.

To learn more about Polk County’s riparian setback and management plan requirements, or to determine if a particular river, stream, or wetland is identified on the NWI Map, please contact the Polk County Planning Division at (503) 623-9237.

Erosion Prevention and Sediment Control

Polk County has developed an erosion prevention and sediment control brochure that is available at the Polk County Community Development Office and electronically at the Polk County Stormwater Web Page (<http://www.co.polk.or.us/cd/building/stormwater-resources>).

An additional resource for erosion and sediment control best management practices is the Oregon Department of Environmental Quality’s Erosion and Sediment Control Manual (2005), which is available online at: <http://www.deq.state.or.us/wq/stormwater/docs/escmanual/manual.pdf>

Construction Operator Training Opportunities

Online training courses are available through the EPA website: http://cfpub.epa.gov/npdes/outreach.cfm?program_id=0&otype=1
Check the Polk County Stormwater website for information about local training opportunities.

Resources and Contacts

Polk County Community Development Department.....(503) 623-9237
(Building, Planning, Environmental Health, Code Enforcement)
Oregon DEQ Salem Office.....(800) 349-7677
Polk County Stormwater Web Page..... <http://www.co.polk.or.us/cd/building/stormwater-resources>
Oregon DEQ Stormwater Web Page.....<http://www.deq.state.or.us/wq/stormwater/stormwater.htm>

The Polk County Community Development Department is located on the second floor of the Polk County Courthouse, 850 Main Street, Dallas, OR 97338.

