

GESC Manual Resource Guide Fact Sheet Series

#12: GESC Outside of MS4 Permit Area

Do you need a Permit

The use of GESC permitting to control the transport of pollutants from a construction site **with over an acre of disturbance** is county-wide. However, the streamlined Low Impact Permit can often effectively replace the Standard GESC Permit in rural areas.

Larger Common Plan of Development or Sale

A contiguous area (within 1/4 mile) where multiple separate and distinct construction activities may be taking place at different times on different schedules, but remain related. These sites, even if under an acre of disturbance, require a SWMP to be developed.

Typical Perimeter BMPs to be used in rural areas

In the rural area, transport of sediment, trash & debris, and wastes offsite of a disturbed site onto private property or into a resource area still needs to be controlled. However, formal complete perimeter controls, such as purchased Silt Fence and Sediment Control Logs can be replaced with downhill side Surface Roughening or Diversion Ditches using available site equipment.

Local drainageways

Even though State Waters are limited in the eastern area, local conveyance drainageways, tributaries and named streams must be protected from sediment and waste transport at all times.

Final Stabilization in rural areas

It is in the best interests of the County to require final stabilization measures for all disturbed sites. However, this may take the form of a reasonable length of native vegetation buffer area for sediment to be attenuated rather than formal Erosion Control Blanket stabilization.

Development in Areas outside of MS 4 Permit Area

Disturbed land outside of Arapahoe County's MS4 Permit area that SEMSWA may manage for stormwater system impacts will still require application of GESC Manual principles, but may not need the complete suite of plan/report preparation, submittal for review/comment, plan approval, permitting, frequency of inspection, final stabilization, and close-out processes that are required by those areas governed by the County's MS4 Permit. For this reason, this Fact Sheet will provide guidance on meeting the intent of controlling sediment, trash & debris, and wastes from transport off of more rural disturbed sites and mitigating the impact of pollutants on local drainageways to preserve natural resources in the eastern portion of the County. This may take several forms; for example, GESC control measures will be minimized to the extent that infrastructure is protected, conveyance pathways are preserved, and the natural resources of the eastern area are maintained. GESC controls can be less formal, and reflect the type of controls that eastern landowners inherently utilize to protect their lands from loss of native soil.

Variance Process. Variances to the GESC Manual requirements will be an option for those land disturbance sites outside of the County Permit area. The County will grant a variance to any part of the GESC Manual at the County's discretion. The Variance Process is explained in the GESC Manual, and is primarily requested at the time of initial site drawings as the site is evaluated for control measures for all of the construction phases, although the Variance process is for use throughout the project timeline.

For Land Disturbance Sites over an Acre. The State of Colorado issues a General Construction Permit (CGP) for all land disturbances over an acre (or less than an acre if part of a Larger Common Plan of Development or Sale), State-wide, regardless of MS4 Permit boundaries. The CGP requires the Applicant to prepare a Stormwater Management Plan (SWMP) which is a dynamic drawing of how sediment, trash & debris, and wastes will be controlled at a site through the use of identified control measures. It is a dynamic drawing in that as a site progresses from initial clearing and grading to foundations to going vertical to final stabilization, the choices for best management practices to control sediment will change and evolve over time, and the drawing must reflect the real-time state of the control measures on the site. The Permittee is continuously red-lining the document, taking stock of the control measures each morning as the site is surveyed for either new control measure(s) needed, or maintenance of existing controls, or removal of a control when no longer needed. When done daily, the update to the drawing is completed in minutes, so that work can progress speedily throughout the day.

Low Impact Permitting

A simplified permitting document process is associated with a Low Impact GESC Permit. A Low Impact Permit does not require GESC Drawings to be prepared or stamped by a Professional Engineer. A hand-drawn plan can be submitted by an Applicant and is accompanied by a completed Low Impact GESC Permit Application.

No GESC Report is required for the Low Impact Permit; however, the application form requires descriptive information regarding the proposed project.

Fees for a Low Impact GESC Permit is per the approved County Fee Schedule. The review fee is less than other permits because of the limited information to review. There is typically no collateral required.

Limited inspections will be conducted by the County for a Low Impact Permit. The Permittee should inspect and maintain any GESC control measures accordingly.

GESC Resource Guide Fact Sheet #8 has additional information on Low Impact Permits.

Low Risk Activity Designation

The use of Low Risk activity designation will increase in the rural areas of the County, as the County is amenable to allowing for more 'risk' in terms of disturbance limits, minimally engineered Control Measures, and final stabilization approaches in a predominantly non-urban area outside of the MS4 Permit boundary.

'Urban' type development in Rural Area

When an 'urban' level of development is anticipated in a predominantly rural area, with an increase in associated density, for example, additional care will be taken to address stormwater quality issues that are associated with urban development even though outside of the MS4 Permit area. It is good practice to plan for consequences of a more urban setting's impact on natural resources, so that all County citizens can enjoy the eastern rural area amenities.

