



Public Works & Utilities

## Stormwater Permitting Frequently asked Questions

Q1) Who has to comply with the new stormwater regulations?

*Response: All construction sites that have soil disturbing activity greater than or equal to one acre must submit a stormwater permit application and supporting documentation that demonstrates the purposed post-construction stormwater quality treatment BMPs will be in compliance with chapter 16.32 of the city code.*

Q2) Can I get a Building permit without submitting the entire stormwater permit application and supporting documentation?

*Response: If site soil disturbing activity is less than one acre and is not part of a larger common plan of development, you can receive a Building permit without a stormwater permit application. If soil disturbing activity is greater than or equal to one acre, the stormwater permit application and supporting documentation MUST be submitted and approved prior to soil disturbing activity.*

Q3) Why would I want to comply with these new stormwater regulations?

*Response: The fines from EPA are large, (can be in the millions) not to mention the fines that can be imposed by the City or County.*

Q4) What if I build without a Building and/or stormwater permit?

*Response: The permit fee can double from OCI, the fines for a stormwater citation can be as much as \$1,000.00 per day per violation and/or up to \$2,500.00 per day per violation under stormwater administrative penalties*

Q5) Where can I find a copy of chapter 16.32 stormwater code for these regulations?

*Response: The stormwater ordinance can be found at the following web site:*

[www.wichita.gov/CityOffices/PublicWorks/StormWater/Regulatory+Documents.htm](http://www.wichita.gov/CityOffices/PublicWorks/StormWater/Regulatory+Documents.htm)

Q6) Can I use post-construction stormwater quality treatment BMPs to meet the landscape requirements?

*Response: Some post-construction stormwater quality treatment BMPs may also work towards meeting some of the City's landscaping requirements.*



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Q7) What are acceptable Best Management Practices (BMPs) for sediment and erosion control?

*Response: A set of detailed plan sheets for some of the acceptable sediment and erosion control BMP's can be found on the City's web site at:*  
[www.wichita.gov/CityOffices/PublicWorks/StormWater/Storm+Water+Construction+Details.htm](http://www.wichita.gov/CityOffices/PublicWorks/StormWater/Storm+Water+Construction+Details.htm)

Q8) What BMPs are acceptable for post-construction stormwater quality treatment?

*Response: A listing of some post-construction stormwater quality treatment BMPs can be found in the Wichita/Sedgwick County stormwater manual on the City's web site at:*  
[www.wichita.gov/CityOffices/PublicWorks/StormWater/StormWaterManual.htm](http://www.wichita.gov/CityOffices/PublicWorks/StormWater/StormWaterManual.htm)

Q9) What is a "SWPPP"?

*Response: In simple terms it's a "Stormwater Pollution Prevention Plan".  
A template for a "SWPPP" can be found in the Wichita/Sedgwick County Stormwater Manual in Appendix E.*

Q10) Does every site require a "SWPPP"?

*Response: No, only sites that have soil disturbing activity greater than or equal to one acre or are part of a larger common plan of development are required to submit and maintain a "SWPPP" for construction/soil disturbing activities.*

Q11) What can I do if I'm denied a stormwater permit, and I believe I meet the new stormwater requirements? Can I appeal the decision?

*Response: There is an appeal process that can be found in the stormwater ordinance described in chapter 16.32.120 of the City Code.*

Q12) Who is qualified to prepare the stormwater permit application and plans?

*Response: Professional Engineers, Architects and landscape Architects licensed in the state of Kansas are qualified to prepare plans but any hydraulic or hydrological calculation such as water volume, discharge rates, infiltration coefficients, etc, must be signed and sealed by a Professional Engineer licensed in the state of Kansas.*



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Q13) Who is qualified to install these stormwater management facilities?

*Response: Licensed contractors competent with this type of work.*

Q14) Who is qualified to certify the construction on the as-built plans?

*Response: A Professional Engineer licensed in the state of Kansas certifies that the facility was built to the plan specifications and a registered land surveyor licensed in the state of Kansas shall measure the location and elevation that satisfies city as-built requirements.*

Q15) How long will I have to wait for the plan review?

*Response: On small sites we expect to have a 3 to 4 day turnaround, on larger sites we expect you will not have to wait more than a week to 10 days for review comments.*

Q16) Who will be doing the technical review of the stormwater permit application?

*Response: The City's Public Works & Utilities Engineering and Stormwater Management Divisions will conduct a joint review of stormwater permit applications and supporting documentation.*

Q17) Who do I submit my stormwater permit application and plans to?

*Response: Stormwater permit applications shall be submitted as Private Project Drainage "PPD" through the City's Engineering Division.*

Q18) What is a "PPD"?

*Response: A Private Project Drainage plan, similar to the existing PPS, PPP, & PPW construction plans required for private sewer, paving, and water improvements.*



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Q19) What do I have to submit for a project?

*Response: An applicant for a site disturbing greater than or equal to one acre of soil will be required to submit a stormwater permit application with all listed supporting documentation including:*

- 1) An approved copy of KDHE's Notice Of Intent "NOI" application form.  
(A copy of what has been submitted to the State will be acceptable to get the review process started. A copy of the front page of the approved, signed NOI will need to be submitted before a building permit will be issued to start construction.)*
- 2) A drainage plan, if one has **NOT** been previously approved and is on file with the appropriate governing body.*
- 3) A private project drainage "PPD" construction plan.*
- 4) A copy of the SWPPP.*
- 5) A draft of the Operation & Maintenance "O & M" plan for the stormwater management facility.*
- 6) An ERU plan sheet.*
- 7) Pay the PPD plan review fee.*

Q20) What format will I need to submit my project paper work in?

*Response: You will need to submit all documents in an electronic PDF format as well as two (2) hard copies of the half scale plans and other supporting documentation. PPD plans must be submitted as black and white PDFs, sized as 22"X36" sheets, and the CAD files for the PDF plans must also be included.*

Q21) When can I receive my Building permit?

*Response: When you have addressed the permit reviewer's comments including but not limited to the stormwater review.*



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Q22) Can I get a temporary occupancy certificate, without having the final stormwater O & M Plan recorded with the County or the as-built submitted?

*Response: Yes, after your final OCI inspection is satisfactory, and you have submitted a letter of credit with OCI that you will complete all of the outstanding requirements, you may receive a temporary occupancy certificate.*

Q23) When can I get a full occupancy certificate?

*Response: Upon completion of construction for a project, you will have 90 days to submit a copy of the certified as-built stormwater plans as well as the final O & M Plan with City of Wichita stormwater management office. The final O & M Plan shall be recorded with the Sedgwick County Registrar of Deeds. Proof of this filing shall also be submitted to the City stormwater management office prior to the Owner or Operator receiving a full use Occupancy Certificate.*

Q24) What do I have to submit to get a conditional Building permit?

*Response: Permits will not be issued until all stormwater related paper work has been submitted and approved. After stormwater approval you may be eligible to receive a conditional or full building permit at the discretion of the Office of Central Inspection.*

Q25) Will I need to hire an engineer to complete a stormwater management plan and application?

*Response: It depends on the type of BMP that is chosen for post-construction stormwater quality treatment. Professional Engineers, Landscape Architects and Architects licensed in the state of Kansas are qualified to prepare plans, but hydraulic or hydrological calculation such as water volume, discharge rates, infiltration coefficients, etc, must be signed and sealed by a Professional Engineer licensed in the state of Kansas.*

Q26) Where can I find the Wichita/Sedgwick County Stormwater Manual?

*Response: [www.wichita.gov/CityOffices/PublicWorks/StormWater/StormWaterManual.htm](http://www.wichita.gov/CityOffices/PublicWorks/StormWater/StormWaterManual.htm)*



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Q27) Is there grandfathering for the new stormwater regulations?

*Response:* If a project has a Building permit issued before January 1<sup>st</sup>, 2011, and the site is stabilized before April 1<sup>st</sup>, 2011, it does not need to comply with the new regulations. All other new developments and redevelopments will need to comply with the new stormwater regulations.

Q28) When will the stormwater quality treatment facility require an inspection to assure compliance with O & M Plan?

*Response:* All stormwater quality treatment facilities are required to submit an inspection report to the governing body (City/County) every two years.

Q29) Who is qualified to inspect stormwater treatment facilities for compliance?

*Response:* Professional Engineers, Landscape Architects, Architects and or Certified sediment and erosion control professionals competent with this type of services.

Q30) What is a Public drainage Improvement?

*Response:* Public drainage improvements are Stormwater Sewers (SWS), Stormwater Drains (SWD), Water Quality treatment facilities, Subdivision detention/retention ponds, or other stormwater related improvements that will be constructed using Public funds or contracts.

Q31) What if I'm restriping a parking lot that is larger than 1 acre?

*Response:* No stormwater treatment required, since no earth disturbing activity.

Q32) What if I have a project of removing and relocating parking islands (and restriping stalls) if it is part of a larger development that is less than 1 acre?

*Response:* Stormwater treatment will not be required, since the soil disturbing activity is part of a common development less than an acre in size.



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Q33) What if I have a project of removing and relocating parking islands (and restriping stalls) if it is part of a larger development that is More than 1 acre (Islands account for 0.1 acres while common development is 1.1 acres)?

*Response: Stormwater treatment will not be required, for removal and replacement of 0.1 acres of parking islands, and soil disturbing activity is less than an acre.*

Q34) What if I have a parking lot mill and overlay project that is over 1 acre?

*Response: Stormwater treatment is not required since there is no soil disturbing activity, and the development is maintaining the same foot print and grades.*

Q35) What if I am replacing a 1.5 acre parking lot with a 1.5 acre parking lot?

*Response: Stormwater treatment is required, disturbing over an acre and reconstructing a parking lot, is more than just maintenance. Reconstruction of a parking lot is a soil disturbing activity.*

Q36) What if I am redeveloping 0.50 of parking to a building and parking – then 2 years down the road The developer removes and replaces 0.75 acres of adjacent parking (for instance, an outparcel at a mall)?

*Response: No stormwater treatment required for the 0.50 acres of parking, as long as the outparcel of the mall is not part of a larger planned development. In two years when the same building owner wants to remove and replace 0.75 acres of parking adjacent to the building, they will need to provide stormwater treatment for the 0.50 acres and the 0.75 acres, since our requirements are cumulative, and the total disturbed area is more than an acre.*

Please call our office (316) 268-4498 if you have additional questions, keep in mind, redevelopment only needs to provide stormwater treatment for 30% of the redevelopment site. This may change over time, but that is what was included in EPA's model ordinance.