



Notice of New Storm Water Management Regulations Effective January 1, 2011

Public Works & Utilities
Storm Water Management Division

8th Fl, City Hall
455 N Main St
Wichita, KS 67202
(316) 268-4498

Notice:

New regulations concerning drainage which affect the Wichita and Sedgwick County Development Community are going into effect January 1, 2011. The regulations are mandated by the Environmental Protection Agency (EPA) and are meant primarily to address water quality, channel protection, and erosion issues. Municipalities, Developers, Builders, etc. that chose to disregard the regulations are subject to severe fines. The following is a brief outline of information, dates, and requirements concerning these new, additional regulations.

1-Acre, Cumulative:

- Any development or redevelopment that disturbs 1-acre of ground, or more, or is part of a group of developments, redevelopment, or plans which over time disturbs 1-acre, or more, will be required to implement water quality best management practices (BMPs).

Key Dates:

- **January 1, 2011:**
 - Any building permit issued on, or after Jan. 1, 2011, requires that the development meets the new storm water regulations.
 - Old, approved drainage plans and plats will not be “grandfathered”. If the building permit is issued after Jan. 1, 2011, an updated, approved drainage plan that addresses the new regulations is required.
- **March 31, 2011:**
 - If a building permit has been issued prior to Jan. 1, 2011, the contractor has until March 31, 2011, to construct impervious areas and stabilize the site according to approved plans.
 - If the site is not stabilized by March 31, 2011, and ground is disturbed, then the new water quality requirements must be met. A final permit for occupancy will not be issued until such requirements are addressed.

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PPD, Permits, and Storm Water Management Facilities:

- **Private Project Drainage (PPD)**

If the site requires permanent, post-construction BMPs, a set of engineered, private project plans must be submitted for review and approval through the Engineering Division, 7th Fl of City Hall (phone: 316-268-4501). The plans should cover aspects related to storm water quality and management such as storm sewer, detention ponds, grading, and water quality and flood control BMPs. The process is similar to submitting a set of Private Project Sanitary (PPS) plans.

- **Building permit:**

To obtain a building permit for a site that disturbs 1-acre, or greater, the following must be submitted with the PPD:

- A copy of the state-issued Notice of Intent (**NOI**)
- Storm Water Pollution Prevention Plan (**SWPPP**)
- **Subdivision Grading/Drainage Plan**, if not already on file with the City
- **Draft** Operation and Maintenance (**O&M**) **Plan** for water quality BMPs
- Hydrologic and Hydraulic (**H&H**) **analysis** for water quality and channel protection, signed and sealed by an Engineer licensed in Kansas
- Equivalent Residential Unit (**ERU**) **sheet** that shows the total impervious area for the site, post-construction and lists it in square footage.
- A City of **Wichita, Storm Water Permit Application**

No permit, conditional or otherwise, will be issued until such documents are submitted and approved.

For smaller sites, it is possible to have the EPSC, grading plan, water quality BMPs, and engineering analysis on one sheet. However, if the reviewer cannot easily discern the information, the respective plans will have to be resubmitted on separate sheets.

Standardized BMP details, alone, are not acceptable submissions for a SWPPP or EPSC Plan. However, details for BMPs used on the site plan should be included with the plan set.

The NOI form is available from the Kansas Department of Health & Environment (KDHE) website. A SWPPP template, ERU sheet, and the Storm Water Permit Application can be found at: <http://www.wichita.gov/CityOffices/PublicWorks/StormWater/> The SWPPP template is in the “Storm Water Manual” link, Volume 3, Appendix E. ERU sheet requirements and example are in the “Construction and Design”, and the the Storm Water Permit Application is in the “Regulatory Documents” link.

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- **Occupancy permit:**

To obtain a permit for final occupancy, the following must be submitted and approved:

- **As-built plans** sealed and signed by the appropriate professional that show the installation of the necessary grades and BMPs for water quality and channel protection.
- Approval of the **final O&M Plan**.
- **Proof** of the **final O&M Plan** being **recorded** with the Register of Deeds, Sedgwick County.

Dependent on timing for surveying and records processed by the County, a temporary permit for occupancy may be issued on a case-by-case basis. This leniency is subject to change.

Submittals:

- **Public Works & Utilities, Engineering Division:**

Sites that have storm sewer pipe of 12 inches or greater, a detention/retention pond, or water quality or channel protection detention within other BMPs, will require a set of private project plans submitted as a PPD through the Engineering Division with the City of Wichita. The related storm water quality documents are to be submitted for approval with the PPD as a packet with the Storm Water Permit Application.

- **Office of Central Inspection (OCI):**

If the development does not require a PPD, sediment and erosion control BMP documents shall be submitted to OCI with the other plans for the site.

Upon receipt of all documents, Storm Water Management will review and either approve or request additional information or revisions within 3 days to a week. Said turnaround time may vary depending on the number of applications received within a given week.

Licensure, Seals, and Plans:

- **Hydrologic and Hydraulic Calculations (Licensed Engineer):**

Portions of the Plan that require hydrologic and hydraulic calculations must have a seal and signature from a professional engineer, licensed in Kansas, with the necessary expertise to perform such design and calculations. The layout of storm water quality BMPs and proof of achieving the storm water quality benchmarks requires such calculations.

Portions of a site plan related to storm water quality that are not dependent on hydrologic and hydraulic calculations may be signed off by a licensed architect, or landscape architect.

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- **As-built Survey:**

As-built surveys may be sealed and signed by the appropriate professional with respect to those portions of the plan which they are qualified to submit in design.

A land surveyor or professional engineer, licensed in Kansas, may seal and sign the as-built survey for BMPs and grades related to the new water quality regulations.

Code, Web Addresses:

- **Code Adoption:**

- The new and amended storm water ordinance was adopted November 16, 2010, by City Council following the second reading of the ordinance.
- Notice of the impending regulation change was published in the Wichita Eagle newspaper on October 29, 2010, following the first reading by City Council.
- Notice of the adopted regulation following the second reading was published in the Wichita Eagle on November, 19, 2010.

- **Web addresses:**

- The following is a web address for the code for the new **storm water regulations**:
<http://www.wichita.gov/CityOffices/PublicWorks/StormWater/Regulatory+Documents.htm>
- The following is a web address for the new **storm water manual**:
<http://www.wichita.gov/CityOffices/PublicWorks/StormWater/StormWaterManual.htm>
- The following is a web address for **storm water details**:
<http://www.wichita.gov/CityOffices/PublicWorks/StormWater/Storm+Water+Construction+Details.htm>