

Stormwater Permitting Requirements for Poultry House Construction

Who must file?

If you will be disturbing 1 or more acres during the construction of your new poultry house(s), you will need a stormwater construction general permit from the appropriate Virginia Stormwater Management Program (VSMP) authority. You may choose to consult a land development engineer to assist you with the permit process.

If the locality where your land disturbance is to take place manages its own stormwater management program, the permit application package would be sent to them. If not, the permit application is submitted to the Department of Environmental Quality (DEQ) in Richmond. A map showing local VSMP authorities and DEQ regional offices in Virginia is available on the [DEQ website](#).

The following steps describe the permitting process when DEQ is the VSMP authority and what to expect during and after construction:

Step 1 - Permit Application Submittal

Submit a completed application package to DEQ that includes the following:

- Erosion and sedimentation control (ESC) plan (2 copies); plan checklist can be found at: <http://deq.virginia.gov/Portals/0/DEQ/Water/StormwaterManagement/ESCChecklist.docx>
- Stormwater management (SWM) plan (2 copies) and completed SWM plan checklist; plan checklist can be found at: <http://deq.virginia.gov/Portals/0/DEQ/Water/StormwaterManagement/SWMChecklist.doc>
- Completed construction general permit registration statement (original signed and dated). Registration statement form can be found at: <http://www.deq.virginia.gov/Portals/0/DEQ/Water/Publications/CGPRegistrationStatement2014.pdf>
- Draft long-term best management practice (BMP) maintenance agreement, if applicable. The agreement template is attached as Attachment A.
- When DEQ is the VSMP authority, the permit fee is waived. However, if the locality is a VSMP authority, you should check with it on permit fees. Note: DEQ does not collect its portion of the fee from local VSMP authorities for poultry house construction.

Step 2 - Plan Review and Permit Issuance

The application package should be submitted to DEQ's central office in Richmond. Subsequent plan review submittals should be sent to the appropriate DEQ regional office. Please note that a copy of the erosion and sedimentation control plan also must be sent to the locality for review and approval.

- If DEQ determines the application to be complete, then DEQ has 60 days from the application package submittal date to approve the plans. If the application package is determined to be incomplete, plan review comments will be sent to you and your engineer. DEQ has 45 days to review subsequent plan submissions required to address the review comments.



- Once all DEQ plan review comments are satisfactorily addressed, and the erosion and sedimentation control plan is considered “approvable” by the locality, the DEQ regional office will send you a plan approval letter.
- The DEQ central office will then send you a permit coverage letter (permit) within five to 10 days. This permit coverage letter indicates that your project is covered under the construction general permit.

The land disturbance permit (issued by the locality) signifying approval to start construction will not be issued until the DEQ construction stormwater general permit has been obtained.

Step 3 - During Construction

Construction of your project must adhere to the requirements of the construction general permit. DEQ’s inspectors will conduct inspections periodically. Inspections are normally conducted during business hours, and inspectors should be allowed access to your site. As owner of the site, you should be copied, or at least have access to these inspection results.

Step 4 - Terminating the Permit

Once the land disturbing project is completed and ready for permit termination, the completed form, along with the items listed below should be sent to DEQ’s central office:

- Notice of termination form can be found at:
<http://deq.virginia.gov/Portals/0/DEQ/Water/Publications/CGPNoticeofTermination2014.pdf>
- As-built construction drawings (paper and electronic copies) signed by a licensed professional certifying that stormwater facilities shown on the drawings have been constructed in accordance with the approved plans and specifications.
- Long-term BMP maintenance agreement, if applicable. See Step 5 below.

Once the complete notice of termination package is received, a final inspection of your project site will be scheduled. If the inspection confirms that all land disturbance is at final grade and stabilized and permanent BMPs, if applicable, are correctly installed and functioning properly, DEQ will terminate your permit coverage. The current general construction permit cycle runs from July 1, 2014, to June 30, 2019. If your project permit is terminated before June 30, 2019, you would not need to obtain permit coverage into the next permit cycle (July 1, 2019, to June 30, 2024).

Step 5 - After Construction

If your site was required to install permanent BMPs, you will be required to enter into a long-term agreement with DEQ to ensure the maintenance of these BMPs. A draft of this agreement should have been prepared and submitted to the appropriate VSMP authority as part of the initial permit application. See Step 1 above and Attachment A to this document. Once finalized, this agreement spells out specific BMP long-term maintenance activities at prescribed intervals. The agreement identifies the individual or entity that will be responsible for required maintenance and allows regulatory agency inspectors to conduct inspections to ensure the proper functioning of the BMP. This document is a legally binding contract that runs with the land and must be finalized and recorded with the deed of the property before DEQ will terminate the permit.