



## EROSIVITY WAIVER CERTIFICATION

Exclusion from the construction stormwater general permit  
for small construction activity (under 5 acres of soil disturbance).

See specific requirements in the attached General Rules.

**(Please print legibly in ink or type)**

### SECTION I Operator (applicant) Information

Original  Amended

Contact name	Phone no.
Title	E-mail address
Company	
Mailing address	
City	State Zip + 4

### SECTION II Facility/Site Location Information

Site name		
Street address (or location description)		
City (or nearest city)	Zip + 4	County
Region: <input type="checkbox"/> Central basin of Eastern Washington <input type="checkbox"/> Western Washington <input type="checkbox"/> Remainder Eastern Washington		
<p>The central basin is an area of central Eastern Washington with less than 12 inches of rainfall per year. For the exact boundary of this area, see Region 2 on the map attached to the instructions for this form.</p>		
Estimated Initial Soil Disturbance Date	Estimated Final Stabilization Date	Rainfall Erosivity Factor (R factor)
<b>Latitude</b> Degrees <input type="text"/> Minutes <input type="text"/> Seconds <input type="text"/>	<b>Longitude</b> Degrees <input type="text"/> Minutes <input type="text"/> Seconds <input type="text"/>	
Estimate of total acres to be disturbed (to the ¼ acre) within the entire construction project (common plan of development)	Estimate of total acres (to the ¼ acre) to be disturbed with this project	

- By submitting this Erosivity Waiver Certification, the applicant is certain they do not require a permit for their stormwater discharges associated with construction activity because the period of construction activity meets the conditions of low erosivity described below. This applies only to the location described in Section II.
- Submission of this form does not relieve the operator of permitting requirements for other regulated activities/discharges, which may pertain to the construction activity. Examples of these types of discharges include excavation dewatering activities, process wastewater discharges, and non-stormwater discharges.
- In order to meet the low erosivity condition, construction activity must begin and reach final stabilization within the time periods below. The project must also have a Rainfall Erosivity Factor (R factor) of less than 5 for the construction period.
  - Eastern Washington within "central basin" (as defined by the *Stormwater Management Manual for Eastern Washington*) - Any time period
  - Remainder of Eastern Washington - June 15 to October 15
  - Western Washington - June 15 to September 15
- Small construction activities include sites that will grade less than 5 acres and are not part of a 5 acres or greater common plan of development (see general permit for definition).
- If construction activity extends beyond the certified waiver period for any reason, the operator must either:
  - Recalculate the rainfall erosivity R factor using the original start date and a new projected ending date and, if the R factor is still under 5, complete and sign a new waiver certification before the end of the original waiver period. The operator must submit the new certification to Ecology before the end of the current certification or
  - Submit a complete permit application to Ecology as specified the Construction Stormwater General Permit before the end of the certified waiver period (see section S2.A-B).

Additional comments and clarifying information:

(please attach a map of the site)

### SECTION III Certification Statement

I certify under penalty of law that: 1) I have read and understand the eligibility requirements for claiming a condition of "low erosivity" and obtaining an exclusion from NPDES stormwater permitting, 2) construction activity covered under this waiver will comply with applicable local stormwater requirements, 3) appropriate erosion and sediment control BMPs will be implemented to prevent violations of water quality standards, and 4) this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.

Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information.

This certification must be signed by:

- (i) In the case of corporations, by a responsible corporate officer.
- (ii) In the case of a partnership, by a general partner.
- (iii) In the case of sole proprietorship, by the proprietor.
- (iv) In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

Print name	Title
Signature	Date

Please sign and return this document to the following address:

Department of Ecology  
Attn: Water Quality Program, Construction Stormwater  
PO Box 47696  
Olympia, WA 98504-7696

If you have any questions, please call:

- o 360-425-7000 for the Northwest Regional Office serving: *Island, King, Kitsap, & Snohomish Counties*
- o 360-715-5200 for the Bellingham Field Office serving: *San Juan, Skagit, & Whatcom Counties*
- o 509-329-3400 for the Eastern Regional Office serving: *Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, & Whitman Counties*
- o 509-575-2490 for the Central Regional Office serving: *Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, & Yakima Counties*
- o 360-407-6300 for the Southwest Regional Office serving: *Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, & Wahkiakum Counties*

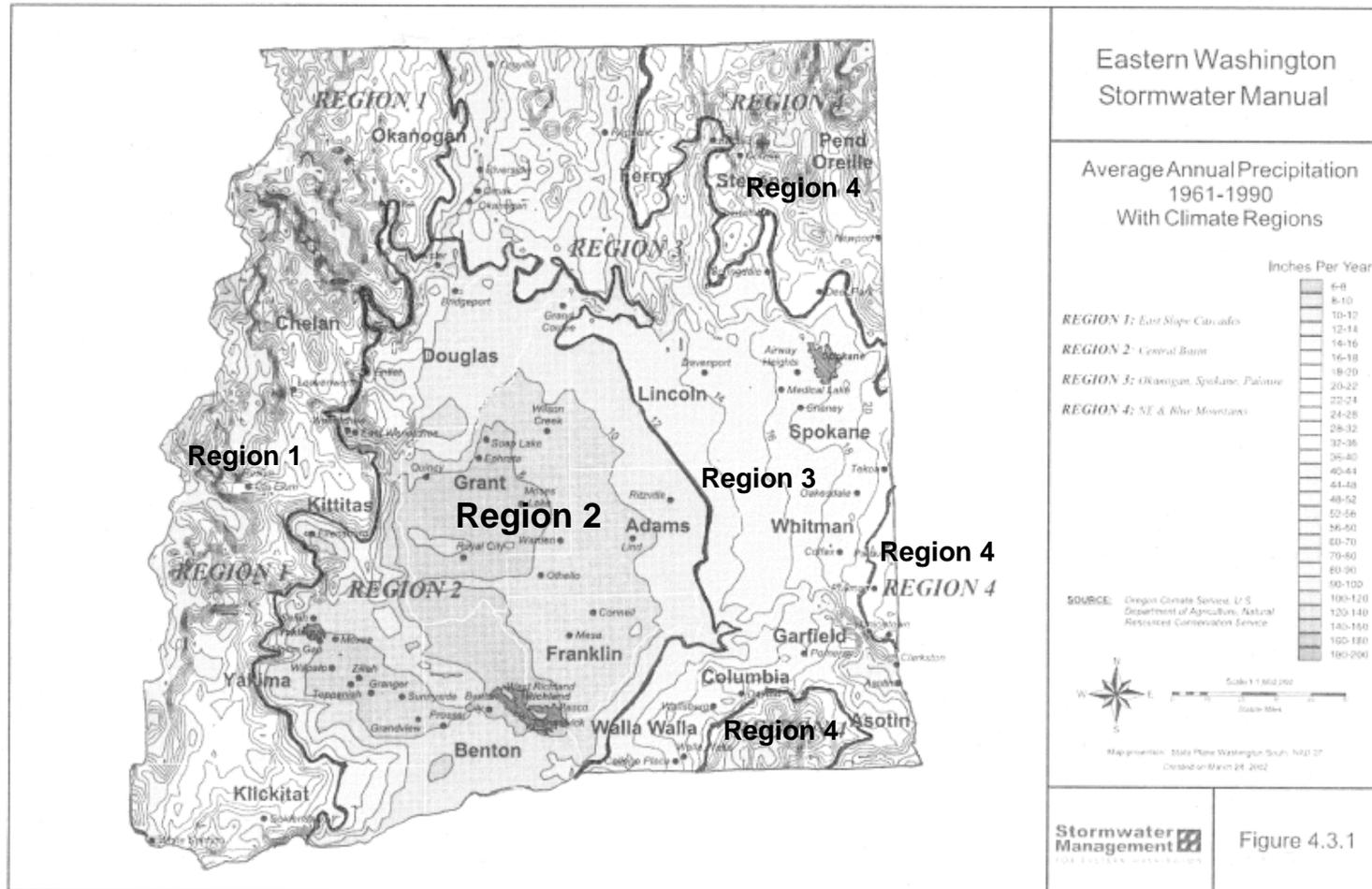
*(Please keep a copy of this form for your records.)*

To request ADA accommodation including materials in a format for the visually impaired, call the Water Quality Program at 360-407-6600 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability can call 877-833-6341.

### Map of Eastern Washington & Central Basin\*:

Central Basin for the Construction Stormwater Permit Erosivity Waiver is **Region 2** on this map.

Cities in Region 2 include: Benton City, Connell, East Wenatchee, Ephrata, Grand Coulee, Grandview, Granger, Kennewick, Lind, Mesa, Moxee, Othello, Pasco, Prosser, Quincy, Richland, Ritzville, Royal City, Selah, Soap Lake, Sunnyside, Toppenish, Yakima, Union Gap, Warden, Wapato, Wenatchee, Wilson Creek, and Zillah.



This map is also available in color on the construction stormwater web page under the Erosivity Waiver tab:

[www.ecology.wa.gov/constructionstormwaterpermit](http://www.ecology.wa.gov/constructionstormwaterpermit) or follow this publication link:

<https://fortress.wa.gov/ecy/publications/publications/0410076maps.pdf#page=4>

\*The original map was scanned in black and white and regional lines were darkened.

## Instructions for EROSIVITY WAIVER CERTIFICATION

For exclusion from the construction stormwater general permit  
for small construction activity

### General Rules:

- 1) This waiver is not available for the following types of construction sites:
  - Projects that are 5 acres or larger;
  - Smaller individual filings, phases, or other portions of a common plan of development or sale that will **disturb 5 acres or greater**;
  - Sites with an existing construction stormwater NPDES permit;
  - Where Ecology determines the site to be a significant contributor of pollutants or Ecology reasonably expects the site to violate water quality standards;
  - Sites with non-stormwater discharges. Some examples of non-stormwater discharges include excavation dewatering, wash waters and hydrostatic test waters. You must get NPDES permit coverage for non-storm water discharges.

Refer to the general permit section S1 for more details or contact your Ecology regional office stormwater staff if you have questions about whether a project needs a permit.

- 2) The use of this waiver is voluntary for those who qualify. Potential permittees may always seek the assurance and flexibility of permit coverage.
- 3) If your site is disturbing less than one acre or not discharging to surface water, you do not need permit coverage. However, you may choose to apply for the erosivity waiver. By signing the waiver certification, you accept the conditions in the general permit section S2.C. This includes a requirement to apply for permit coverage if construction activity extends beyond the final stabilization date.
- 4) In order to receive the waiver, you must submit a complete and accurate application on time. You must also meet the following conditions:
  - a) Calculation of Rainfall Erosivity Waiver: The small construction project's rainfall erosivity factor calculation is **less than 5** during the period of construction activity ("R" in the Revised Universal Soil Loss Equation).

*To determine the erosivity factor, see the Construction Stormwater General Permit (CSWGP) homepage <https://ecology.wa.gov/constructionstormwaterpermit> for a link to the EPA's calculator and step-by-step instructions on computing the "R" Factor in the EPA Erosivity Waiver Fact Sheet.*
  - b) The entire period of construction activity (including all phases of a phased project) used above must also fall within the following timeframes:
    - i) For sites west of the Cascades Crest: June 15 – September 15.
    - ii) For sites east of the Cascades Crest, excluding the Central Basin: June 15 – October 15.
    - iii) For sites east of the Cascades Crest, within the Central Basin (see Region 2 of attached map for location): no additional timeframe restrictions apply.
  - c) Operators must submit a complete and qualifying erosivity waiver certification **at least one week before starting soil disturbing activities**.
  - d) You must submit a separate erosivity waiver certification for each construction site that qualifies for the waiver.
  - e) Use the comments and additional information to specify the location of construction site. Record latitude and longitude of the main entrance to the site in Section II. Attach a detailed map of the construction site.
  - f) This waiver applies only to the requirements of this permit. It does not supersede or preempt the authority of other agencies to prohibit, restrict, or control discharges of stormwater to storm drain systems or other water courses in their jurisdiction.
- 5) Keep a copy of the Erosivity Waiver Certification on site, or within reasonable access to the site, for use by the operator or for on-site review by Ecology or the local jurisdiction.

## Form Instructions:

1. Section I & II: Fill out and complete Facility Operator & Facility Location information.
2. Note: Phased projects that ultimately disturb 5 acres or greater or the construction activity extends beyond timeframes listed in the General Rules above (see 4b) are not eligible for a waiver.
3. Section III: Fill out and sign the certification statement.

The statement testifies that:

- i) the operator will comply with applicable local stormwater requirements; and
- ii) the operator will implement appropriate erosion and sediment control Best Management Practices (BMPs) to prevent violations of water quality standards.

A qualifying individual must sign the certification:

- i) in the case of corporations, by a responsible corporate officer;
- ii) in the case of a partnership, by a general partner;
- iii) in the case of sole proprietorship, by the proprietor; and
- iv) in the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

3. Mail a signed copy of the completed certification to the address indicated **at least one week before land disturbing activity starts**. Applicants are responsible for submitting an accurate and complete erosivity certification form. Ecology recommends that you use a mailing process that gives you a delivery record and that you retain a copy of your waiver.