



## **Agriculture Storm Water Construction Permitting Fact Sheet**

**Oklahoma Department of Agriculture, Food, and Forestry**

### **Who Must File a Notice of Intent (NOI) Form**

Under the provisions of the Clean Water Act, as amended, (33 U.S. 1251 et.seq.), Oklahoma Agriculture Code, Title 2 of the Oklahoma Statutes, Section 2A - 8 and the rules OAC 35:44-1-2 and 35:44-1-1(c)10, discharge of storm water from construction activities is prohibited without a Pollutant Discharge Elimination System Permit. The operator of a construction site that has such a storm water discharge must submit a Notice of Intent (NOI), form AEMS-093, to the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF), at least 14 calendar days prior to commencing earth-disturbing activities to obtain coverage under the Construction Storm Water General Permit (CGP). The permit application fee is \$316. A Storm Water Pollution Prevention Plan (SWPPP) shall be developed and available before the earth moving activities begin.

Construction activities associated with Agricultural production and services under Standard Industrial Code (SIC) Group 01 (crops, vegetables, fruits...production, including floriculture farming and nursery farming), Group 02 (animal feeding operations), Group 07 (crop planting and harvesting); and Group 08 (forestry services) are under the jurisdiction of ODAFF.

### **Background**

Construction sites disturbing one or more acres of land or smaller sites that are part of a common plan of development or sale are required to obtain Agriculture Pollutant Discharge Elimination System (AgPDES) permit coverage for their storm water discharges. The current EPA's CGP, effective on 2/16/2012, was adopted by ODAFF as an AgPDES Storm Water Construction General Permit covering construction sites related to agricultural activities in Oklahoma. Some of the requirements in the CGP are as follows:

- Sediment and erosion controls;
- Natural buffers or alternative controls;
- Soil stabilization;
- Site inspections;
- Storm water Pollution Prevention Plans; and
- Permit termination.

### **Where to File NOI Form**

ODAFF - AEMS Division, P.O. Box 528804, Oklahoma City, OK 73152-8804; FAX (405) 522-6357

**Contact Information** Storm Water Permitting: 405-522-5493 or 405-522-5892.

<http://ag.ok.gov/aems/agpdes.htm>