



## Fact Sheet

# 1200-C Construction Stormwater Permit for Small Lots

The Oregon Department of Environmental Quality's National Pollutant Discharge Elimination System Stormwater Construction General Permit No. 1200-C, which went into effect Dec. 15, 2020, regulates stormwater discharges to surface waters from construction activities.

## What you need to know

Federal regulations and DEQ's 1200-C Permit require permit coverage for sites less than one acre that are part of a common plan of development or sale disturbing one or more acres. Examples of a large common development or sale include subdivisions or business/industrial parks.

Small-lot construction sites within specific local government agencies' jurisdictions will be managed through local codes and automatically covered under an NPDES 1200-CN Permit, not through the DEQ-administered 1200-C Permit. To determine if your site is eligible for 1200-CN coverage, see the [1200-CN Permit](#).

If your site is not eligible for the 1200-CN, you must apply for 1200-C permit coverage.

Developers who obtain 1200-C permit coverage for grading and infrastructure work can include lot construction in their plan. When this is done, they do not need a small-lot construction permit. Similarly, a builder who will be building on more than one lot in a particular development can include all of their lots in a single small-lot permit as long as the total disturbed area is less than one acre. If the total disturbed area is one acre or more, use the 1200-C Application for Activities Disturbing One Acre or More.

**Note:** When a builder obtains small lot permit coverage, the original developer can eliminate these lots from their permit coverage area by submitting a revised ESCP via Your DEQ Online.

## Example

Developer A completes grading, utility installation, and road construction on a 10-acre subdivision under their 1200-C permit registration. Builder B purchases 9 lots totaling 0.9 acres for the construction of single-family homes. Builder B must submit a 1200-C permit application for construction activities less than one acre or obtain a local permit via the 1200-CN jurisdiction process. Developer A is responsible for implementing erosion and sediment control requirements per the 1200-C permit until Builder B obtains its own permit registration. Developer A can submit a revised ESCP with these nine lots removed from their permitted project area when Builder B has obtained small lot coverage. (As a best practice, Developer A should include new owner information or permit # for the lots sold within their revised ESCP or a comment in the YDO submittal).

## Translation or other formats

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800-452-4011 | TTY: 711 | [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov)

## Permit applications

- 1) Required submittal:
  - a. Complete application
  - b. [Erosion and Sediment Control Plan](#)
  - c. Fee
- 2) Permit Fees:
  - a. Please check the information in [OAR 340-045-0075](#) for the current fees (The small lot application fee is currently \$418)
  - b. If you are submitting your application to a DEQ agent, please contact the agent for information on the fees.
- 3) Processing your application
  - a. DEQ or its agent will review the forms to make sure the application is complete as well as technically and administratively adequate. An incomplete application (incomplete forms, applications submitted without fees, etc.) will slow the processing of your permit coverage. If you have questions about the application or do not have access to the Internet, please contact your regional DEQ stormwater representative, agent, or local government agency in your area.

## Program contact

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