



Blue Heron Woods (BHW) is currently under an **NPDES permit** until at least the year 2024. As a land owner, you should be knowledgeable about what this means and how it will affect you when you decide to build a house. Some of the information below was taken from the EPA website, however this information should **not** be taken as official or legally binding in any way.

What does NPDES stand for and what is its main purpose?

- NPDES stands for National Pollutant Discharge Elimination System. The Clean Water Act prohibits anybody from discharging "pollutants" through a "point source" into a "water of the United States" unless they have an NPDES permit. The permit will contain limits on what you can discharge, monitoring and reporting requirements, and other provisions to ensure that the discharge does not hurt water quality or people's health.
- What this means to you is when you decide to build a house, the building process must not pollute the surrounded watershed. This means there will be guidelines and rules placed on your builder on how to control run off from your building site.

Why do we have a NPDES permit? Is it required?

- The NPDES permit was originally set up by the BHW developers. It is a requirement for anyone who builds in BHW to build under this permit. If the community did not have one, individual lot owners would have to acquire one when they build their house.

Why are the benefits for the community to have a permit?

- The benefit is for the land owner – because the community has a permit, you do not have to apply for your own, which would be both a large financial and timing liability.

What restrictions does the permit put on me and my builder?

- When the community paid for the permit, an engineer designed plans for each lot that obey the guidelines set forth in the permit. These plans include a typical placement of a house and septic on your land, how to control run off using mandatory berms, and most importantly, a set limit of "impermeable" surface area that you can create (this would include the house, plus the driveway). This is called a "typical."
- If you follow the "typical" already established with the permit, you will work with the PCCD and the BHW Architectural Review Committee to establish that your builder's plans are valid with the typical (via the established procedure in the ARC Handbook) and once that is established, building can commence. This should be a quick and easy process.

What if I don't want to follow the typical?

- If your building plans involve a house and/or driveway that goes over the impermeable surface number, then you must apply for a modification of the NPDES permit. You would work with your builder and would most likely have to hire an engineer to make a new plan for your house and apply for this modification. There are two types of modifications – minor and major.

What is the difference between a minor and major modification?

- Both of these would involve an application process. This process may involve a large amount of time, and will definitely involve a large fee. A major modification would obviously involve more time and money. The DEP determines whether your changes are a major or minor modification. Major ones, which involve changing the entire permit for the community, are generally something the DEP would like to avoid, so they may try and work with you on this aspect.

What does the future hold for this permit?

- The leadership of BHW will have to debate again in 2024 whether it benefits the POA to renew the community NPDES. If the permit is not renewed, it will fall on individual land owners to purchase their own permit, which will involve an application process and fee.