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# Land Disturbing Activity (LDA) Permits

Assistance Bulletin

# #87

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This bulletin provides information about Land Disturbing Activity (LDA) regulations. The regulations and rules address drainage control, land disturbing activity (clearing and grading) and low impact development. All stormwater definitions are found in Chapter 30.91 SCC. This bulletin explains when a land disturbing activity (LDA) permit is required for new development and redevelopment.

Since September 2010 land disturbing activity requires an application and issuance of an LDA permit prior to commencement pursuant to Chapter 30.63B SCC (Land Disturbing Activity) except for:

- Projects vested to prior drainage, grading and low impact development regulations in Title 30 SCC.
- Exempt activities listed in SCC 30.63B.070 (See also [Bulletin #86](#)).

**Q:** What is “land disturbing activity”? (See SCC 30.91L.025)

**A:** "Land disturbing activity" means any activity that will result in movement of earth or a change in the existing soil cover or the existing soil topography (both vegetative and non-vegetative), including the creation and/or replacement of impervious surfaces. Land disturbing activities include, but are not limited to, clearing, filling, excavation and grading. Compaction that is associated with stabilization of structures and road construction also is a land disturbing activity. See SCC 30.91 and [Bulletin #85](#) for definitions of terms related to land disturbing activities.

**Q:** How will I know if my new development project would require a land disturbing activity permit?

**A:** First, determine if your project is vested to codes in effect prior to September 30, 2010. If so, obtain [Bulletin #35](#) Grading and the grading permit application for projects vested prior to September 30, 2010. Second, if your project is not vested to the stormwater regulations in effect prior to September 30, 2010, determine if your project is exempt from obtaining a LDA permit.

**Q:** How can I find out if my project is exempt from the land disturbing activity requirements?

**A:** Land disturbing activity exemptions are identified in SCC 30.63B.070. Exemptions are also described in [Bulletin #86](#).

This bulletin is intended only as an information guide. The information may not be complete and is subject to change. For complete legal information, refer to Snohomish County Code.

## Q: How do I determine if a land disturbing activity permit is required?

**A:** Start by answering the following questions:

- Is the project new development or redevelopment?
- Is the project exempt from all requirements (some are exempt from all requirements except Minimum Requirement 2 soil erosion controls) and outside of critical areas except floodplains and aquifer recharge areas of low to moderate sensitivity?
- Does the project create new, replaced, or new plus replaced impervious surface and trigger a threshold (2,000 square feet)?
- Does the project have LDA (clearing or grading) of more than 7,000 square feet of land?
- Does the project convert three-quarters of an acre or more of vegetation to lawn or landscaped areas?
- Does the project convert 2.5 acres or more of native vegetation to pasture?
- Does the project create more than:
  - 100 cubic yards or less of grading on a site in any 18 consecutive months (except fills and associated compaction intended to support structures or private roads)?
  - 500 cubic yards or less of excavation in any 18 consecutive months for a basement foundation, or for improvements to a single-family dwelling and/or accessory structures, provided that excess excavated material shall be disposed of at a permitted site approved by the director and provided further that the activity shall only commence after a building permit is secured by the applicant?
  - 500 cubic yards or less of grading in any 18 consecutive months for construction of underground drainage systems, provided that the construction shall only commence after a right-of-way use, utility, single-family or commercial building permit is obtained by the applicant?

All land disturbing activity that is not exempt requires an LDA permit and compliance with the drainage regulations in [Chapter 30.63A](#) SCC including the submittal of a stormwater site plan. All new development and redevelopment must comply with soil erosion control requirements through the submittal of a Stormwater Pollution Prevention Plan (SWPPP) except for those that are exempt from all requirements.

## Q: If I need an LDA permit for clearing or grading, what do I do?

**A:** An LDA permit application packet is available from the PDS Customer Support Center, 2nd Floor, Robert J. Drewel Building, 3000 Rockefeller, Everett, WA, or at [www.snohomishcountywa.gov/DocumentCenter/View/31900](http://www.snohomishcountywa.gov/DocumentCenter/View/31900). Packet materials should include the LDA application, a stormwater site plan checklist for either a “targeted” or “full” drainage plan, and a stormwater pollution prevention plan (SWPPP) checklist. Other applications and checklists may be needed to coincide with your development plans for proposed activities in addition to LDA (i.e., building construction, timber harvest, short plat, subdivision, etc.).

## Q: What drainage review requirements must I comply with if I am doing a land disturbing activity?

**A:** All LDA requires compliance with Chapter 30.63A SCC drainage requirements. Note that some LDA that is exempt from LDA permit requirements under Chapter 30.63B SCC may still require compliance with Minimum Requirement 2 in Chapter 30.63A SCC to address soil erosion and sedimentation control. When MR 2 compliance is required, a stormwater pollution prevention plan (SWPPP) must be developed and implemented.

## Q: What is a stormwater pollution prevention plan (SWPPP)?

**A:** A “Stormwater pollution prevention plan” or “SWPPP” is a narrative and site plan that identifies measures to prevent and control sedimentation, erosion and point source contamination of stormwater. SWPPP requirements are described in the Snohomish County Drainage Manual, Volume II, Chapter 3.

## Q: When does new development or redevelopment require an LDA permit and a targeted stormwater site plan?

**A:** Unless an activity is exempt under SCC 30.63B.070, approval of an LDA permit is required prior to conducting LDA if the new development or redevelopment:

- Results in or adds 2,000 square feet or greater of new, replaced or new plus replaced hard surface area; or
- Causes land disturbing activity of 7,000 square feet or greater.

All LDA must comply with all applicable provisions of chapter 30.63A SCC (Drainage). The thresholds above trigger drainage minimum requirements 1 through 5 (SCC 30.63A.400 through 30.63A.525) and require the submittal of a targeted stormwater site plan.

### **Q: When does new development or redevelopment require an LDA permit and a full stormwater site plan?**

**A:** Unless an activity is exempt under SCC 30.63B.070, approval of an LDA permit is required prior to conducting LDA if the new development or redevelopment:

- Results in or adds 5,000 square feet or more of new impervious surface area;
- Converts three-quarters of an acre or more of vegetation to lawn or landscaped areas; or
- Converts 2.5 acres or more of native vegetation to pasture.

All LDA must comply with all applicable provisions of chapter 30.63A SCC (Drainage). The thresholds above trigger minimum requirements 1 through 9 (SCC 30.63A.400 through 30.63A.605) and require the submittal of a full stormwater site plan.

### **Q: What are the “minimum requirements” or “MRs”?**

**A:** “Minimum requirements “ or “MRs” refers to a set of nine requirements related to drainage and stormwater management. The MRs are set forth in SCC 30.63A.400 through 30.63A.605, and are described in greater detail in the Snohomish County Drainage Manual, Volume I, Chapter 2. See also [Bulletin #89](#).

### **Q: Do other requirements apply to redevelopment?**

**A:** Yes, additional drainage review requirements apply to certain redevelopment projects. Please see SCC 30.63A.700.

### **Q: Can I make an emergency repair involving a land disturbing activity?**

**A:** Yes, if you meet the requirements under SCC 30.63B.380. See PDS [Bulletin #88](#) Land Disturbing Activity Emergency Actions.

### **Q: What are other sources of information related to this topic?**

**A:** Please see the following Bulletins:

- [Bulletin #85](#) Land Disturbing Activity Terms
- [Bulletin #86](#) Land Disturbing Activity Exemptions
- [Bulletin #88](#) Land Disturbing Activity Emergency Actions
- [Bulletin #89](#) Drainage Review
- [Bulletin #93](#) Forest Practices: Class IV-General Permit

Note: If your project is vested to regulations in effect prior to September 30, 2010, please see PDS [Bulletin # 35](#) Grading and the appropriate grading permit application.

### **Q: What if I have other questions?**

**A:** Call (425) 388-3311 or submit questions online at [AskPermitTech@snoco.org](mailto:AskPermitTech@snoco.org). Remember, asking questions first can save lots of headaches, heartaches and money!