Stormwater Management Plan

Panda Express – Falcon, Colorado
E Woodmen Rd & Meridian Rd, Lot 8
Falcon, CO 80831

Operator:

Panda Restaurant Group
1683 Walnut Grove Ave
Rosemead, CA 91770

SWMP Contact(s):

Name: Kurt Yoder
Company: BHC
Address: 7101 College Blvd, Suite 400
Overland Park, KS 66210

Qualified Stormwater Manager(s):

Name: Matt Cramer
Company: Coe Construction
Address: 2302 East 13th Street
Loveland, CO 80537

Contractor(s):

Name: Chris Demmler
Company: Coe Construction
Address: 2302 East 13th Street
Loveland, CO 80537

SWMP Preparation Date:

5/24/2022

Estimated Project Dates:
Project Start Date: 6/13/2022
Project Completion Date: 3/31/2023

Contents

SECTION 1: SITE EVALUATION, ASSESSMENT, AND PLANNING

1.1 Project/Site Information

Project/Site Name Panda Express - Falcon, Colorado

Project Street/Location: E Woodmen Rd & Meridian Rd, Lot 8

City: Falcon State: CO ZIP Code: 80831

County or Similar Subdivision: El Paso County

Latitude/Longitude (Use **one** of three possible formats, and specify method)

Latitude:

1. 38°56'29.8" (degrees, minutes, seconds)
2. _ _ º _ _ . _ _ ' N (degrees, minutes, decimal)
3. _ _ . _ _ _ _ º N (decimal)

Longitude:

1. 104°36'33.8" (degrees, minutes, seconds)
2. _ _ º _ _ . _ _ ' W (degrees, minutes, decimal)
3. _ _ . _ _ _ _ º W (decimal)

Method for determining latitude/longitude:

☐ USGS topographic map (specify scale: _____) ☐ EPA Web site ☐ GPS

☒ Other (please specify): Google Earth

Is the project located in Indian country? No

If yes, name of Reservation, or if not part of a Reservation, indicate "not applicable."

Not Applicable

Is this project considered a federal facility? No

NPDES project or permit tracking number*: None at Present

**(This is the unique identifying number assigned to your project by your permitting authority after you have applied for coverage under the appropriate National Pollutant Discharge Elimination System (NPDES) construction general permit.)*

1.2 Contact Information/Responsable Parties

Operator(s):

Company or Organization Name: Coe Construction
Name: Chris Demmler
Address: 2302 E 13th St
City, State, Zip Code: Loveland, CO 80537
Telephone Number:

Project Manager(s) or Site Supervisor(s):

Company or Organization Name: Same As Above
Name:
Address:
City, State, Zip Code:
Telephone Number:
Fax/Email:

SWMP Contact(s):

Company or Organization Name: BHC
Name: Kurt Yoder
Address: 7101 College Blvd, Suite 400
City, State, Zip Code: Overland Park, KS 66210
Telephone Number: 913-663-1900
Fax/Email: kurt.yoder@ibhc.com

This SWMP was Prepared by:

Company or Organization Name: BHC
Name: Kurt Yoder
Address: 7101 College Blvd, Suite 400
City, State, Zip Code: Overland Park, KS 66210
Telephone Number: (913) 663-1900
Fax/Email: (913) 663-1633/ kurt.yoder@ibhc.com

Emergency 24-Hour Contact:

Company or Organization Name: Same as Operator

Name:

Telephone Number:

1.3 Nature and Sequence of Construction Activity

Describe the general scope of the work for the project, major phases of construction, etc:

Parking lot and building construction.

What is the function of the construction activity?

Building and parking lot construction for a Panda Express.

☐ Residential ☒ Commercial ☐ Industrial ☐ Road Construction ☐ Linear Utility
☐ Other (please specify):

Estimated Project Start Date: 6/13/2022

Estimated Project Completion Date: 3/31/2023

1.4 Soils, Slopes, Vegetation, and Current Drainage Patterns

Soil type(s):

52% Columbine Gravelly Sandy Loam 0% to 3% slopes. 45% Blakeland-Fluvaquentic Haplaquolls.

Potential sediment and non-sediment pollutant sources associated with site construction activity, as identified in the General Permit, consist of the following:
- All exposed and stored soils. The potential exists for this to contribute sediment pollution to stormwater discharges.
- Vehicle tracking of sediments. The potential exists for this to contribute sediment pollution to stormwater discharges.
- Management of contaminated soils. The potential exists for this to contribute non-sediment pollution to stormwater discharges.
- Outdoor storage activities (building materials, fertilizers, chemicals, etc.). The potential exists for this to contribute non-sediment pollution to stormwater discharges.
- Significant dust or particle generating processes. The potential exists for this to contribute sediment pollution to stormwater discharges.
- Routine maintenance involving fertilizers, pesticides, detergents, fuels, solvents, oils, etc. The potential exists for this to contribute non-sediment pollution to stormwater discharges.
- On-site waste management practices (waste piles, dumpsters, etc.). The potential exists for this to contribute non-sediment pollution to stormwater discharges.
- Dedicated asphalt and concrete batch plants. The potential exists for this to contribute non-sediment pollution to stormwater discharges.
- Concrete truck and equipment washing, including the concrete truck chute and associated

fixtures and equipment. The potential exists for this to contribute non-sediment pollution to stormwater discharges.
- Concrete placement and finishing tool cleaning. The potential exists for this to contribute non-sediment pollution to stormwater discharges.
- Non-industrial waste sources that may be significant, such as worker trash and portable toilets. The potential exists for this to contribute non-sediment pollution to stormwater discharges.
- Loading and unloading operations. The potential exists for this to contribute sediment pollution to stormwater discharges.
- Other areas or procedures where spills could occur. The potential exists for this to contribute non-sediment pollution to stormwater discharges.

Slopes (describe current slopes and note any changes due to grading or fill activities):

Existing slopes on site range from 0-3%

Drainage Patterns (describe current drainage patterns and note any changes dues to grading or fill activities):

The site drains to a shared detention basin along the south edge of the site. The detention basin then outlets to a stormwater system that runs beneath East Woodmen Road.

Vegetation:

The existing site is a vacant, pad site. Due to recent mass grading of the lot by others, there is little to no vegetation.

Streams:

There are no streams that cross the project area.

Other:

Aerial (“Existing”)


Meridian Road
East Woodmen Road

1.5 Construction Site Estimates

The following are estimates of the construction site.

Total project area: 1.37 Acres

Construction site area to be disturbed: 0.87 Acres

Percentage impervious area before construction:

Runoff coefficient before construction: C = 0.3 (based on weighted average)

Percentage impervious area after construction: 56%

Runoff coefficient after construction C = 0.64 (based on weighted average)

Description of unique features that are to be preserved:

None

Describe measures to protect these features:

None

1.6 Receiving Waters

Description of receiving waters:

Black Squirrel Creek

Description of storm sewer systems:

Two grate inlets and one curb inlet that all drain to the existing detention pond.

The contractor is responsible for any sediment that may enter into the detention basin or storm pipes and will need to remove such sediment following construction.

Description of impaired waters or waters subject to TMDLs:

None on site. Arkansas River has TMDLs for E Coli

1.7 Site Features and Sensitive Areas to be Protected

None

1.8 Potential Sources of Pollution

Potential sources of sediment to stormwater runoff:

On site construction grading and other construction activities. 1) All disturbed and stored soil will be contained within fabric silt fence(s). 2) A vehicle tracking control pad will be installed to clean sediment from vehicles' tires leaving the site. 3) Vehicle wheel washing shall be provided as needed. If necessary street cleaning will take place as soon as possible after sediment has left the site. 4) Contaminanted soils shall be remeidiated per EPA guidelines and removed from the site as soon as possible. 5) Loading and unloading operations shall take place during the work day as defined by the City. 6) Vehicle and equipment maintenance and fueling shall happen in such a manner to prevent spills and leaks. In the event of any spills or leaks refer to the contaminated soils section. 7) Dust shall be controlled on-site by the use of water trucks. 8) Solid waste (trash) and liquid waste shall be placed in proper receptacals at least once a day. It is recommended the contractor recycle as much material as possible. 9) All concrete truck washing shall discharge into the designated concrete washout shown on the plans. 10) This project is not applicable to any dedicated asphalt or concrete batch plants.

Potential pollutants and sources, other than sediment, to stormwater runoff:

Material/Chemical	Physical Description	Stormwater Pollutants	Location*
Pesticides (insecticides, fungicides, herbicides, rodenticides)	Various colored to colorless liquid, powder, pellets, or grains	Chlorinated hydrocarbons, organophosphates, carbamates, arsenic	Herbicides used for noxious weed control
Fertilizer	Liquid or solid grains	Nitrogen, phosphorous	Newly seeded areas
Plaster	White granules or powder	Calcium sulphate, calcium carbonate, sulfuric acid	Building construction
Cleaning solvents	Colorless, blue, or yellow-green liquid	Perchloroethylene, methylene chloride, trichloroethylene, petroleum distillates	No equipment cleaning allowed in project limits
Asphalt	Black solid	Oil, petroleum distillates	Streets and roofing
Concrete	White solid/grey liquid	Limestone, sand, pH, chromium	Curb and gutter, building construction
Glue, adhesives	White or yellow liquid	Polymers, epoxies	Building construction
Paints	Various colored liquid	Metal oxides, stoddard solvent, talc, calcium carbonate, arsenic	Building construction
Curing compounds	Creamy white liquid	Naphtha	Curb and gutter
Wood preservatives	Clear amber or dark brown liquid	Stoddard solvent, petroleum distillates, arsenic, copper, chromium	Timber pads and building construction
Hydraulic oil/fluids	Brown oily petroleum hydrocarbon	Mineral oil	Leaks or broken hoses from equipment
Gasoline	Colorless, pale brown or pink petroleum hydrocarbon	Benzene, ethyl benzene, toluene, xylene, MTBE	Secondary containment/staging area
Diesel Fuel	Clear, blue-green to yellow liquid	Petroleum distillate, oil & grease, naphthalene, xylenes	Secondary containment/staging area

1.9 Endangered Species Certification

Are endangered or threatened species and critical habitats on or near the project area?

Possible

Describe how this determination was made:

Eastern Black Rail, Piping Plover, Whooping Crane

If yes, describe the species and/or critical habitat:

See appendix L.

1.10 Historic Preservation

Are there any historic sites on or near the construction site?

Not aware of any. Awaiting confirmation from COHS

Describe how this determination was made:

If yes, describe or refer to documentation that determines the likelihood of an impact on this historic site and the steps taken to address that impact.

Not Applicable

1.11 Applicable Federal, Tribal, State or Local Programs

None.

SECTION 2: EROSION AND SEDIMENT CONTROL BMPS

2.1 Minimize Disturbed Area and Protect Natural Features and Soil

All construction activities shall be structured to minimize impact to existing site conditions. Erosion control, sediment control, and BMPs shall be inspected and maintained by the contractor on a weekly basis and within 24 hours of a rainfall event that may cause surface erosion.

2.2 Phase Construction Activity

Pre-Clearing

1. Install perimeter sediment and erosion control measures.
2. Flag or construct rope barrier to delineate construction areas.
3. Install interior silt fence
4. Install vehicle tracking control pad and staging area
5. Install rock bag inlet protection
6. Install concrete washout

Inactive Stabilization

1. Stabilize Building Footprints
2. Temporary seed all areas temporarily unaffected by day-to-day construction activities.
3. Install on-site utilities.
4. Construct Building(s).
5. Place pavements, and other related items.

Post Construction

1. Finish Grade Site and apply Topsoil
2. Place seed and other permanent erosion and sediment control measures.
3. Remove all temporary erosion and sediment control measures once permanent vegetation has been established and all permanent erosion and sediment control measures have been stabilized.

2.3 Control Stormwater Flowing onto and through the Project

BMP Description: *Silt Fence*

Installation Schedule:	Install as perimeter BMP's and as required by grading operations.
Installation Specification	See Appendix B
Maintenance and Inspection:	Inspect within 48 hrs. after any storm event equal to or greater than a 2-year, 24-hour storm has ceased during a normal workday and within 72 hours if the rain event ceases during a non-workday such as a weekend or holiday, whichever is sooner or until all permanent measures have been established. Maintain or replace as necessary.
Responsible Staff:	Qualified Stormwater Manager

2.4 Stabilize Soils

BMP Description: *Temporary Seeding*

☐ ***Permanent*** ☒ ***Temporary***

Installation Schedule:	Throughout project in areas of disturbed soil that remain inactive for 14 days or more.
Installation Specification	Hydroseeding or mechanically drilled
Maintenance and Inspection:	Inspect within 48 hrs. after any storm event equal to or greater than a 2-year, 24-hour storm has ceased during a normal workday and within 72 hours if the rain event ceases during a non-workday such as a weekend or holiday, whichever is sooner or until all permanent measures have been established. Maintain or replace as necessary.
Responsible Staff:	Qualified Stormwater Manager.

BMP Description: *Stabilization with Mulch or Sod*

☐ ***Permanent*** ☒ ***Temporary***

Installation Schedule:	Throughout project in areas of disturbed soil that remain inactive for 14 days or more
Maintenance and Inspection:	Complete stabilization within 14 days after soil disturbing activities have ceased and will not resume for more than 14 days.
Responsible Staff:	Qualified Stormwater Manager.

2.5 Protect Slopes

***BMP Description**: Silt Fence*	
Installation Schedule:	Intermediately to stabilize slopes during grading activities until permanent seeding vegetation or controls have been established.
Installation Specification	See Appendix B
Maintenance and Inspection:	Inspect within 48 hrs. after any storm event equal to or greater than a 2-year, 24-hour storm has ceased during a normal workday and within 72 hours if the rain event ceases during a non-workday such as a weekend or holiday, whichever is sooner. Maintain or replace as necessary.
Responsible Staff:	Qualified Stormwater Manager.
***BMP Description:** Erosion Control Blankets/Turf Maps*	
Installation Schedule:	After grading operations have been completed and seed has been placed.
Installation Specification	See Appendix B
Maintenance and Inspection:	Inspect within 48 hrs. after any storm event equal to or greater than a 2-year, 24-hour storm has ceased during a normal workday and within 72 hours if the rain event ceases during a non-workday such as a weekend or holiday, whichever is sooner. Maintain or replace as necessary.
Responsible Staff:	Qualified Stormwater Manager

2.6 Protect Storm Drain Inlets

***BMP Description**: Rock Bags Inlet Filter*	
Installation Schedule:	Install at sites where inlets are within construction limits and will be affected by work.
Installation Specification	See Appendix B
Maintenance and Inspection:	Inspect within 48 hrs. after any storm event equal to or greater than a 2-year, 24-hour storm has ceased during a normal workday and within 72 hours if the rain event ceases during a non-workday such as a weekend or holiday, whichever is sooner. Maintain or replace as necessary.
Responsible Staff:	Qualified Stormwater Manager.

2.7 Establish Perimeter Controls and Sediment Barriers

BMP Description: *Perimeter Silt Fence*	
Installation Schedule:	Prior to beginning grading/clearing or demolition activities.
Installation Specification	See Appendix B
Maintenance and Inspection:	Inspect within 48 hrs. after any storm event equal to or greater than a 2-year, 24-hour storm has ceased during a normal workday and within 72 hours if the rain event ceases during a non-workday such as a weekend or holiday, whichever is sooner. Maintain or replace as necessary.
Responsible Staff:	Qualified Stormwater Manager.

2.8 Retain Sediment On-Site

BMP Description*: Silt Fence*	
Installation Schedule:	Prior to beginning grading/clearing or demolition activities.
Installation Specification	See Appendix B
Maintenance and Inspection:	Inspect within 48 hrs. after any storm event equal to or greater than a 2-year, 24-hour storm has ceased during a normal workday and within 72 hours if the rain event ceases during a non-workday such as a weekend or holiday, whichever is sooner. Maintain or replace as necessary.
Responsible Staff:	Qualified Stormwater Manager.

2.9 Establish Stabilized Construction Exits

BMP Description: Stabilized Temporary Construction Entrance	
Installation Schedule:	At start of construction activities to allow access to staging area and as required by removal of the existing pavements.
Installation Specification	See Appendix B
Maintenance and Inspection:	Temporary construction entrance shall be maintained by contractor throughout project as long as the temporary construction entrance is required.
Responsible Staff:	Qualified Stormwater Manager

BMP Description: *Off Site Road Sweeping & Cleaning*	
Installation Schedule:	Intermittently as necessary.
Maintenance and Inspection:	Tracking of soil off site shall be monitored continuously and cleaned immediately once found.
Responsible Staff:	Qualified Stormwater Manager

SECTION 3: GOOD HOUSEKEEPING BMPS

3.1 Material Handling and Waste Management

BMP Description: *Trash Receptacles*	
Installation Schedule:	At start of construction activities.
Maintenance and Inspection:	Waste disposal bins shall be checked daily for leaks and capacity. Any leaks in disposal bins are to be reported to the QSM. Waste disposal bins shall be emptied when bins are at 90% capacity.
Responsible Staff:	Qualified Stormwater Manager.
BMP Description: *Portable Toilets*	
Installation Schedule:	At start of construction activities. Portable toilets shall be installed a minimum of 10 ft away from storm inlets and 50 ft from state waters.
Maintenance and Inspection:	Regular disposal of waste off site to a wastewater facility. Portable toilets shall be secured at all four corners to prevent overturning. Toilets shall be cleaned on a weekly bases and inspected daily for spills.
Responsible Staff:	Qualified Stormwater Manager.
BMP Description: *Soil Stockpile Area*	
Installation Schedule:	Once perimeter is stabilized.
Maintenance and Inspection:	Soil stockpile area shall be monitored continuously throughout the project. **Soil stockpile area shall be bordered at minimum by perimeter silt fence.** The contractor shall be responsible to prevent soil from being transmitted away from the stockpile area by stormwater. Inspect weekly and within 24hrs after a rainfall event that may cause surface erosion, whichever is sooner. Maintain as necessary.
Responsible Staff:	Qualified Stormwater Manager.

3.2 Establish Proper Building Material Staging Areas

BMP Description: *Material Storage In Original Containers Or Sheltered From Elements.*	
Installation Schedule:	At start of construction activities.
Maintenance and Inspection:	Material storage shall be monitored continuously throughout the project. Construction materials expected to be on-site include concrete, paints, asphalts, fertilizers, petroleum based products, and cleaning solvents.
Responsible Staff:	Qualified Stormwater Manager.

3.3 Designate Washout Areas

Washout areas on site will be constructed to prevent wash water from running off to contaminate surface water or infiltrating to contaminate ground water. Washout areas shall be located as noted on C7.0 and maintained by the contractor.

3.4 Establish Proper Equipment/Vehicle Fueling and Maintenance Practices

All construction equipment shall be kept in good working order to prevent equipment leaks or spills. If equipment maintenance is to be performed on site, measures shall be taken to contain any loss of equipment fluids that may occur during maintenance. All maintenance fluids kept on site shall be kept at a minimum as described in the spill prevention and control plan section of this SWMP.

3.5 Control Equipment/Vehicle Washing

Vehicle washing facilities on site shall be designated by the contractor. All construction equipment wash water shall be contained so as to eliminate wash water runoff that may contaminate surface water or infiltrate to contaminate ground water.

3.6 Spill Prevention and Control Plan

Spill Prevention

- An effort will be made to store only enough material on site as is required to perform the work.
- All materials stored on site with be arranged in a neat, orderly manner within their appropriately labeled containers, and if possible, sheltered under a roof or within an enclosure.
- Substances stored shall not be mixed with one another unless recommended by the manufacturer.
- Whenever possible, a product will be used up before disposing of the container.
- Manufacturer's recommendations for proper use and disposal will be followed.
- The site manager or delegated personnel will inspect, daily, to ensure the proper use and disposal of onsite materials.
- Hazardous waste will be disposed of properly (as per local and state recommended methods)

Spill Containment, Cleanup & Personnel Training

- Manufacturers' recommended methods for spill cleanup will be clearly posted and site personnel will be made aware of the procedures and the location of the information and cleanup supplies.
- Materials and equipment necessary for spill cleanup will be kept in the material storage areas on site. Equipment and materials will include, but not be limited to, brooms, dust

pans, maps, rags, gloves, goggles, kitty litter, sand, sawdust, and plastic and metal trash containers specifically for this purpose.

- All spills will be cleaned up immediately after discovery.
- The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with a hazardous substance.
- Spills of toxic or hazardous material will be reported to the appropriate state or local agency, regardless of the size.
- Should a spill occur, the spill prevention plan will be adjusted by the site manager to include measures to prevent this type of spill from reoccurring and how to clean up the spill if there is another one. A description of the spill, what caused it, and the cleanup measures will also be included.
- The site manager will be the spill prevention and cleanup coordinator.

3.7 Any Additional BMPs

BMP Description: *Contractor Staging Area*	
Installation Schedule:	At start of construction activities.
Installation Specification	See Appendix B
Maintenance and Inspection:	Yard shall be constructed with an appropriate barrier to serve as storage location for materials and equipment. Yard surface and appropriate barrier shall be maintained as necessary throughout project.
Responsible Staff:	Qualified Stormwater Manager.

3.8 Allowable Non-Stormwater Discharge Management

- Potable water from uncontaminated water line flushing.
- Uncontaminated water used for dust control.
- Uncontaminated water used for soil compaction.
- Water from all water line testing shall infiltrate on-site or be dechlorinated prior to discharging off site.

3.9 Vehicle Tracking Control Pad

- A Vehicle Tracking Control Pad shall be provided for all vehicles to use while the site is a disturbed state. Vehicle wheel washing shall be provided as needed. If necessary, street cleaning will take as soon as possible after sediment has left the site.

3.10 Waste Management and Disposal

- Solid waste (trash) and liquid waste shall be placed in proper receptacles at least once a

day. It is recommended the contractor recycle as much material as possible. The concrete washout area shall remain in place until the concrete has cured and then be disposed of properly.

SECTION 4: SELECTING POST-CONSTRUCTION BMPs

BMP Description: *Permanent Seeding or Sodding, and Final Landscaping*	
Installation Schedule:	Once final grading has been completed
Installation Specification	See Appendix B
Maintenance and Inspection:	Inspection within 48 hrs. after any storm event equal to or greater than a 2-year, 24-hour storm has ceased during a normal workday and within 72 hours if the rain event ceases during a non-workday such as a weekend or holiday, whichever is sooner. or until all permanent measures have been established.
Responsible Staff:	Qualified Stormwater Manager
BMP Description: *Final Paving*	
Installation Schedule:	Once final grading has been completed
Installation Specification	See Appendix B
Maintenance and Inspection:	Inspection within 48 hrs. after any storm event equal to or greater than a 2-year, 24-hour storm has ceased during a normal workday and within 72 hours if the rain event ceases during a non-workday such as a weekend or holiday, whichever is sooner. or when paving operations are complete.
Responsible Staff:	Qualified Stormwater Manager
BMP Description: *Stabilization with Mulch or Sod*	
Installation Schedule:	Once final grading has been completed
Maintenance and Inspection:	Complete stabilization within 14 days after soil disturbing activities have ceased and will not resume for more than 14 days.
Responsible Staff:	Qualified Stormwater Manager

SECTION 5: INSPECTIONS

5.1 Inspections

1. ***Inspection Personnel:*** Identify the person(s) who will be responsible for conducting inspections and describe their qualifications: Names of Personnel to be provided by the Qualified Stormwater Manager

2. ***Inspection Schedule and Procedures:***

   Inspect within 48 hrs. after any storm event or snowmelt event that produces surface erosion has ceased during a normal workday and within 72 hours if the rain event ceases during a non-workday such as a weekend or holiday, whichever is sooner. Also, provide inspections every 14 days minimum.

   The contractor or his elected representative will be responsible for correcting any identified deficiencies in the installed or necessary erosion and sediment control measures. Corrections will be made immediately or as soon as possible.

   See Appendix E for attached inspection report.

5.2 Delegation of Authority

Duly Authorized Representative(s) or Position(s):

Company or Organization Name: _____
Name: _____
Position: _____
Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Fax/Email: _____

Signature: _____

See Appendix K for attached delegation of authority form.

5.3 Corrective Action Log

Corrective Action Log: See Appendix F.

SECTION 6: RECORDKEEPING AND TRAINING

6.1 Recordkeeping

Records are to be maintained on-site with QSM or site superintendent. Records will be retained for a minimum period of at least 3 years after the permit is terminated.

Date(s) when major grading activities occur: See Appendix I.
Copy of Construction General Permit: See Appendix C – Attach when received
Signed and Certified application form: See Appendix D – Attach when received
Copy of Letter from Colorado Department of Public Health and Environment notifying of their receipt of your complete application: See Appendix D – Attach when received
Date(s) when grading activities temporarily or permanently cease on a portion of the site: See Appendix I.
Date(s) when an area is either temporarily or permanently stabilized: See Appendix I.
Inspection Reports: See Appendix E

6.2 Log of Changes to the SWMP

Log of changes and updates to the SWMP:

See Appendix G.

6.3 Training

Individual(s) Responsible for Training: Qualified Stormwater Manager.
Describe Training Conducted:

- General stormwater and BMP awareness training for staff and subcontractors: See Appendix J.
- Detailed training for staff and subcontractors with specific stormwater responsibilities: See Appendix J.

SECTION 7: FINAL STABILIZATION

BMP Description: *Permanent Seeding or Sodding, and Final Landscaping*	
Installation Schedule:	Once final grading has been completed
Installation Specification	See Appendix B
Maintenance and Inspection:	Inspection weekly or within 24hrs after a rainfall event of .5 inch or more, whichever is sooner, or until all permanent measures have been established.
Responsible Staff:	Qualified Stormwater Manager
BMP Description: *Final Paving*	
Installation Schedule:	Once final grading has been completed
Installation Specification	See Appendix B
Maintenance and Inspection:	Inspection weekly or within 24hrs after a rainfall event of .5 inch or more, whichever is sooner, or when paving operations are complete.
Responsible Staff:	Qualified Stormwater Manager
BMP Description: *Stabilization with Mulch or Sod*	
Installation Schedule:	Once final grading has been completed
Maintenance and Inspection:	Complete stabilization within 14 days after soil disturbing activities have ceased and will not resume for more than 14 days.
Responsible Staff:	Qualified Stormwater Manager
BMP Description: *Remove silt fence and inlet protection*	
Installation Schedule:	Once landscape areas provide at least 70% coverage of what would have been provided by native vegetation in a local, undisturbed area.
Maintenance and Inspection:	Inspection weekly for vegetative cover
Responsible Staff:	Qualified Stormwater Manager

This SWMP is to be a living document. It must be continually reviewed and modified during the construction process. The QSM shall amend the SWMP when there is a change in design, construction, or O&M of the site which would require the implementation of new or revised BMPs; or if the SWMP proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges associated with construction activity; or when BMPs are no longer necessary and are removed.

This SWMP does not rely on control measures owned or operated by another entity.

SWMP APPENDICES

Attach the following documentation to the SWMP:

Appendix A – General Location Map

Appendix B – Site Maps

Appendix C – Construction General Permit

Appendix D – Land Disturbance Permit and Acknowledgement Letter from EPA/State

Appendix E – Inspection Reports

Appendix F – Corrective Action Log (or in Part 5.3)

Appendix G – SWMP Amendment Log (or in Part 6.2)

Appendix H – Subcontractor Certifications/Agreements

Appendix I – Grading and Stabilization Activities Log (or in Part 6.1)

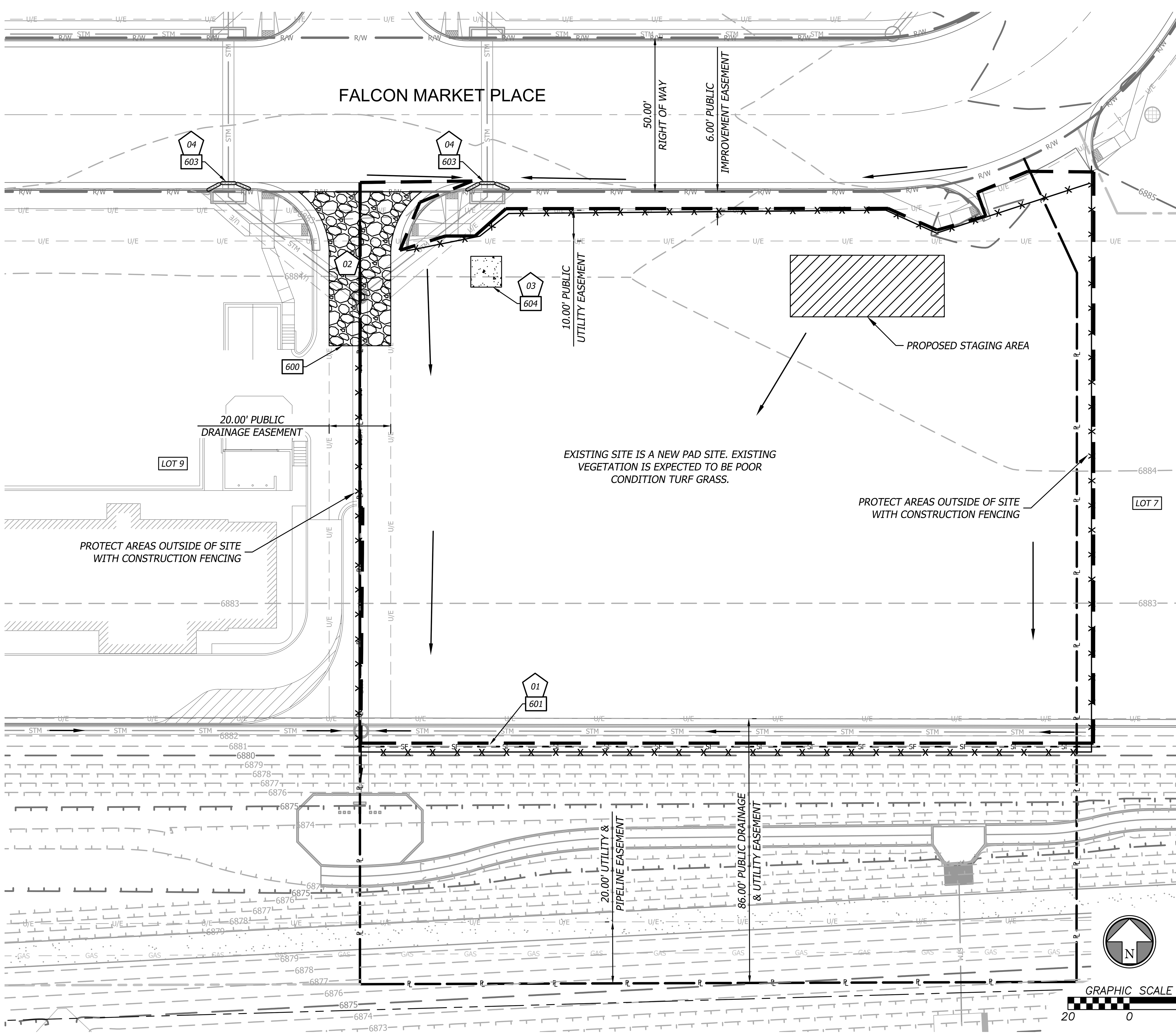
Appendix J – Training Log

Appendix K – Delegation of Authority

Appendix L – Endangered Species and Historic Preservation Documentation

Appendix A – General Location

Appendix B – Site Maps



EL PASO COUNTY GRADING AND EROSION CONTROL PLAN NOTES

1. STORMWATER DISCHARGES FROM CONSTRUCTION SITES SHALL NOT CAUSE OF THREATEN TO CAUSE POLLUTION, CONTAMINATION, OR DEGRADATION OF STATE WATERS. ALL WORK AND EARTH DISTURBANCE SHALL BE DONE IN A MANNER THAT MINIMIZES POLLUTION OF ANY ON-SITE OR OFF-SITE WATERS, INCLUDING WETLANDS.
2. NOTWITHSTANDING ANYTHING DEPICTED IN THESE PLANS IN WORDS OR GRAPHIC REPRESENTATION, ALL DESIGN AND CONSTRUCTION RELATED TO ROADS, STORM DRAINAGE AND EROSION CONTROL SHALL CONFORM TO THE STANDARDS AND REQUIREMENTS OF THE MOST RECENT VERSION OF THE RELEVANT ADOPTED EL PASO COUNTY STANDARDS, INCLUDING THE LAND DEVELOPMENT CODE, THE ENGINEERING CRITERIA MANUAL, THE DRAINAGE CRITERIA MANUAL, AND THE DRAINAGE CRITERIA MANUAL VOLUME 2. ANY DEVIATIONS FROM REGULATIONS AND STANDARDS MUST BE REQUESTED, AND APPROVED, IN WRITING.
3. A SEPARATE STORMWATER MANAGEMENT PLAN (SMWP) FOR THIS PROJECT SHALL BE COMPLETED AND AN EROSION AND STORMWATER QUALITY CONTROL PERMIT (ESQCP) ISSUED PRIOR TO COMMENCING CONSTRUCTION. MANAGEMENT OF THE SWMP DURING CONSTRUCTION IS THE RESPONSIBILITY OF THE DESIGNATED QUALIFIED STORMWATER MANAGER OR CERTIFIED EROSION CONTROL INSPECTOR. THE SWMP SHALL BE LOCATED ON SITE AT ALL TIMES DURING CONSTRUCTION AND SHALL BE KEPT UP TO DATE WITH WORK PROGRESS AND CHANGES IN THE FIELD.
4. ONCE THE ESQCP IS APPROVED AND A "NOTICE TO PROCEED" HAS BEEN ISSUED, THE CONTRACTOR MAY INSTALL THE INITIAL STAGE EROSION AND SEDIMENT CONTROL MEASURES AS INDICATED ON THE APPROVED GEC. A PRECONSTRUCTION MEETING BETWEEN THE CONTRACTOR, ENGINEER, AND EL PASO COUNTY WILL BE HELD PRIOR TO ANY CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE APPLICANT TO COORDINATE THE MEETING TIME AND PLACE WITH COUNTY STAFF.
5. CONTROL MEASURES MUST BE INSTALLED PRIOR TO COMMENCEMENT OF ACTIVITIES THAT COULD CONTRIBUTE POLLUTANTS TO STORMWATER. CONTROL MEASURES FOR ALL SLOPES, CHANNELS, DITCHES, AND DISTURBED LAND AREAS SHALL BE INSTALLED IMMEDIATELY UPON COMPLETION OF THE DISTURBANCE.
6. ALL TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REMAIN IN EFFECTIVE OPERATING CONDITION UNTIL PERMANENT SOIL EROSION CONTROL MEASURES ARE IMPLEMENTED AND FINAL STABILIZATION IS ESTABLISHED. ALL PERSONS ENGAGED IN LAND DISTURBANCE ACTIVITIES SHALL ASSESS THE ADEQUACY OF CONTROL MEASURES AT THE SITE AND IDENTIFY IF CHANGES TO THOSE CONTROL MEASURES ARE NEEDED TO ENSURE THE CONTINUED EFFECTIVE PERFORMANCE OF THE CONTROL MEASURES. ALL CHANGES TO TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES MUST BE INCORPORATED INTO THE STORMWATER MANAGEMENT PLAN.
7. TEMPORARY STABILIZATION SHALL BE IMPLEMENTED ON DISTURBED AREAS AND STOCKPILES WHERE GROUND DISTURBING CONSTRUCTION ACTIVITY HAS PERMANENTLY CEASED OR TEMPORARILY CEASED FOR LONGER THAN 14 DAYS.
8. FINAL STABILIZATION MUST BE IMPLEMENTED AT ALL APPLICABLE CONSTRUCTION SITES. FINAL STABILIZATION IS ACHIEVED WHEN ALL GROUND DISTURBING ACTIVITIES ARE COMPLETE AND ALL DISTURBED AREAS EITHER HAVE A UNIFORM VEGETATIVE COVER WITH INDIVIDUAL PLANT DENSITY OF 70 PERCENT OF PRE-DISTURBANCE LEVELS ESTABLISHED OR EQUIVALENT PERMANENT ALTERNATIVE STABILIZATION METHOD IS IMPLEMENTED. ALL TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES SHALL BE REMOVED UPON FINAL STABILIZATION AND BEFORE PERMIT CLOSURE.
9. ALL PERMANENT STORMWATER MANAGEMENT FACILITIES SHALL BE INSTALLED AS DESIGNED IN THE APPROVED PLANS. ANY PROPOSED CHANGES THAT EFFECT THE DESIGN OR FUNCTION OF PERMANENT STORMWATER MANAGEMENT STRUCTURES MUST BE APPROVED BY THE ECM ADMINISTRATOR PRIOR TO IMPLEMENTATION.
10. EARTH DISTURBANCES SHALL BE CONDUCTED IN SUCH A MANNER SO AS TO EFFECTIVELY MINIMIZE ACCELERATED SOIL EROSION AND RESULTING SEDIMENTATION. ALL DISTURBANCES SHALL BE DESIGNED, CONSTRUCTED, AND COMPLETED SO THAT THE EXPOSED AREA OF ANY DISTURBED LAND SHALL BE LIMITED TO THE SHORTEST PRACTICAL PERIOD OF TIME. PRE-EXISTING VEGETATION SHALL BE PROTECTED AND MAINTAINED WITHIN 50 HORIZONTAL FEET OF A WATERS OF THE STATE UNLESS SHOWN TO BE INFEASIBLE AND SPECIFICALLY REQUESTED AND APPROVED.
11. COMPACTION OF SOIL MUST BE PREVENTED IN AREAS DESIGNATED FOR INFILTRATION CONTROL MEASURES OR WHERE FINAL STABILIZATION WILL BE ACHIEVED BY VEGETATIVE COVER. AREAS DESIGNATED FOR INFILTRATION CONTROL MEASURES SHALL ALSO BE PROTECTED FROM SEDIMENTATION DURING CONSTRUCTION UNTIL FINAL STABILIZATION IS ACHIEVED. IF COMPACTION PREVENTION IS NOT FEASIBLE DUE TO SITE CONSTRAINTS, ALL AREAS DESIGNATED FOR INFILTRATION AND VEGETATION CONTROL MEASURES MUST BE LOOSENED PRIOR TO INSTALLATION OF THE CONTROL MEASURE(S).
12. ANY TEMPORARY OR PERMANENT FACILITY DESIGNED AND CONSTRUCTED FOR THE CONVEYANCE OF STORMWATER AROUND, THROUGH, OR FROM THE EARTH DISTURBANCE AREA SHALL BE A STABILIZED CONVEYANCE DESIGNED TO MINIMIZE EROSION AND THE DISCHARGE OF SEDIMENT OFF SITE.
13. CONCRETE WASH WATER SHALL BE CONTAINED AND DISPOSED OF IN ACCORDANCE WITH THE SWMP. NO WASH WATER SHALL BE DISCHARGED TO OR ALLOWED TO ENTER STATE WATERS, INCLUDING ANY SURFACE OR SUBSURFACE STORM DRAINAGE SYSTEM OR FACILITIES. CONCRETE WASHOUTS SHALL NOT BE LOCATED IN AN AREA WHERE SHALLOW GROUNDWATER MAY BE PRESENT, OR WITHIN 50 FEET OF A SURFACE WATER BODY, CREEK OR STREAM.
14. DURING DEWATERING OPERATIONS OF UNCONTAMINATED GROUND WATER MAY BE DISCHARGED ON SITE, BUT SHALL NOT LEAVE THE SITE IN THE FORM OF SURFACE RUNOFF UNLESS AN APPROVED STATE DEWATERING PERMIT IS IN PLACE.
15. EROSION CONTROL BLANKETING OR OTHER PROTECTIVE COVERING SHALL BE USED ON SLOPES STEEPER THAN 3:1.
16. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL WASTES FROM THE CONSTRUCTION SITE FOR DISPOSAL IN ACCORDANCE WITH LOCAL AND STATE REGULATORY REQUIREMENTS. NO CONSTRUCTION DEBRIS, TREE SLASH, BUILDING MATERIAL WASTES OR UNUSED BUILDING MATERIALS SHALL BE BURIED, DUMPED, OR DISCHARGED AT THE SITE.
17. WASTE MATERIALS SHALL NOT BE TEMPORARILY PLACED OR STORED IN THE STREET, ALLEY, OR OTHER PUBLIC WAY, UNLESS IN ACCORDANCE WITH AN APPROVED TRAFFIC CONTROL PLAN. CONTROL MEASURES MAY BE REQUIRED BY EL PASO COUNTY ENGINEERING IF DEEMED NECESSARY, BASED ON SPECIFIC CONDITIONS AND CIRCUMSTANCES.
18. TRACKING OF SOILS AND CONSTRUCTION DEBRIS OFF-SITE SHALL BE MINIMIZED. MATERIALS TRACKED OFF-SITE SHALL BE CLEANED UP AND PROPERLY DISPOSED OF IMMEDIATELY.
19. THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL CONSTRUCTION DEBRIS, DIRT, TRASH, ROCK, SEDIMENT, SOIL, AND SAND THAT MAY ACCUMULATE IN ROADS, STORM DRAINS AND OTHER DRAINAGE CONVEYANCE SYSTEMS AND STORMWATER APPURTENANCES AS A RESULT OF SITE DEVELOPMENT.
20. THE QUANTITY OF MATERIALS STORED ON THE PROJECT SITE SHALL BE LIMITED, AS MUCH AS PRACTICAL, TO THAT QUANTITY REQUIRED TO PERFORM THE WORK IN AN ORDERLY SEQUENCE. ALL MATERIALS STORED ON-SITE SHALL BE STORED IN A NEAT, ORDERLY MANNER, IN THEIR ORIGINAL CONTAINERS, WITH ORIGINAL MANUFACTURER'S LABELS.
21. NO CHEMICAL(S) HAVING THE POTENTIAL TO BE RELEASED IN STORMWATER ARE TO BE STORED OR USED ONSITE UNLESS PERMISSION FOR THE USE OF SUCH CHEMICAL(S) IS GRANTED IN WRITING BY THE ECM ADMINISTRATOR. IN GRANTING APPROVAL FOR THE USE OF SUCH CHEMICAL(S), SPECIAL CONDITIONS AND MONITORING MAY BE REQUIRED.
22. BULK STORAGE OF ALLOWED PETROLEUM PRODUCTS OR OTHER ALLOWED LIQUID CHEMICALS IN EXCESS OF 55 GALLONS SHALL REQUIRE ADEQUATE SECONDARY CONTAINMENT PROTECTION TO CONTAIN ALL SPILLS ONSITE AND TO PREVENT ANY SPILLED MATERIALS FROM ENTERING STATE WATERS, ANY SURFACE OR SUBSURFACE STORM DRAINAGE SYSTEM OR OTHER FACILITIES.
23. NO PERSON SHALL CAUSE THE IMPEDIMENT OF STORMWATER FLOW IN THE CURB AND GUTTER OR DITCH EXCEPT WITH APPROVED SEDIMENT CONTROL MEASURES.
24. OWNER/DEVELOPER AND THEIR AGENTS SHALL COMPLY WITH THE "COLORADO WATER QUALITY CONTROL ACT" (TITLE 25, ARTICLE 8, CRS), AND THE "CLEAN WATER ACT" (33 USC 1344), IN ADDITION TO THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE, DCM VOLUME II AND THE ECM APPENDIX I. ALL APPROPRIATE PERMITS MUST BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION (1041, NPDES, FLOODPLAIN, 404, FUGITIVE DUST, ETC.). IN THE EVENT OF CONFLICTS BETWEEN THESE REQUIREMENTS AND OTHER LAWS, RULES, OR REGULATIONS OF OTHER FEDERAL, STATE, LOCAL, OR COUNTY AGENCIES, THE MOST RESTRICTIVE LAWS, RULES, OR REGULATIONS SHALL APPLY.
25. ALL CONSTRUCTION TRAFFIC MUST ENTER/EXIT THE SITE ONLY AT APPROVED CONSTRUCTION ACCESS POINTS.
26. PRIOR TO CONSTRUCTION THE PERMITTEE SHALL VERIFY THE LOCATION OF EXISTING UTILITIES.
27. A WATER SOURCE SHALL BE AVAILABLE ON SITE DURING EARTHWORK OPERATIONS AND SHALL BE UTILIZED AS REQUIRED TO MINIMIZE DUST FROM EARTHWORK EQUIPMENT AND WIND.
28. THE SOILS REPORT FOR THIS SITE HAS BEEN PREPARED BY POINT CONSULTING, LLC AND SHALL BE CONSIDERED A PART OF THESE PLANS.
29. AT LEAST TEN (10) DAYS PRIOR TO THE ANTICIPATED START OF CONSTRUCTION, FOR PROJECTS THAT WILL DISTURB ONE (1) ACRE OR MORE, THE OWNER OR OPERATOR OF CONSTRUCTION ACTIVITY SHALL SUBMIT A PERMIT APPLICATION FOR STORMWATER DISCHARGE TO THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, WATER QUALITY DIVISION. THE APPLICATION CONTAINS CERTIFICATION OF COMPLETION OF A STORMWATER MANAGEMENT PLAN (SWMP), OF WHICH THIS GRADING AND EROSION CONTROL PLAN MAY BE A PART. FOR INFORMATION OR APPLICATION MATERIALS CONTACT:

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL DIVISION
WQCD – PERMITS
4300 CHERRY CREEK DRIVE SOUTH
DENVER, CO 80246-1530
ATTN: PERMITS UNIT

EROSION & SEDIMENT CONTROL STAGING CHART

Phase	Project Stage	BMP Plan Ref. No.	BMP Description	Remove After Stage:	Notes:
Phase I (PRE–CON)	A – Place BMP's Prior to Land Disturbance	01	Perimeter Silt Fence	E	Place as shown on plan
		02	Construction Entrance & Staging Area	D	Place as shown on plan
		03	Concrete Wash–Out	D	Place as shown on plan
		04	Existing Inlet Protection	E	Place as shown on plan
Phase II (MID–CON)	B – After Stripping, Grubbing, & Mass Grading	05	Interior Silt Fence	E	Place as shown on plan
	C – After Utility Storm Sewer Construction	06	Storm Inlet Protection	D	Place as shown on plan
Phase III (POST–CON)	D – After Construction of Building and Parking Lot	07	Steep Slope Protection	E	Place as shown on plan
	E – Final Grading, Paving & Landscaping	08	Final Seeding, Sod, and Landscaping	N/A	Silt fencing & inlet protect may be removed once seed & sodded areas are established on 80% of site.

EROSION CONTROL LEGEND

- LIMITS OF CONSTRUCTION/DISTURBANCE (0.96 AC)
- SILT/SEDIMENT FENCE
- INLET PROTECTION FILTER BAGS
- CONSTRUCTION ENTRANCE
- STAGING AREA
- CONCRETE CLEANOUT
- CONSTRUCTION FENCING
- DRAINAGE DIRECTION

PCD FILE #PPR2137

000 DETAILS

- SEE EROSION CONTROL DETAIL SHEET FOR THE FOLLOWING

600 VEHICLE TRACKING CONTROL PAD
601 FILTER FABRIC SILT FENCE
603 STORM INLET PROTECTION
604 CONCRETE WASH-OUT
605 PERMANENT SEEDING

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1683 Walnut Grove Ave.
Rosemead, California
91770
Telephone: 626.799.9898
Facsimile: 626.372.8288

REVISIONS:

ISSUE DATE:

1ST	PERMIT/BID SET	07-15-2021

DRAWN BY: JA

PANDA PROJECT #: S8-22-D8137
PANDA STORE #: -
ARCH PROJECT #: 20044.016

COLORADO LICENSED ERIC R BYRD PE 0057065 05/24/2022 PROFESSIONAL ENGINEER

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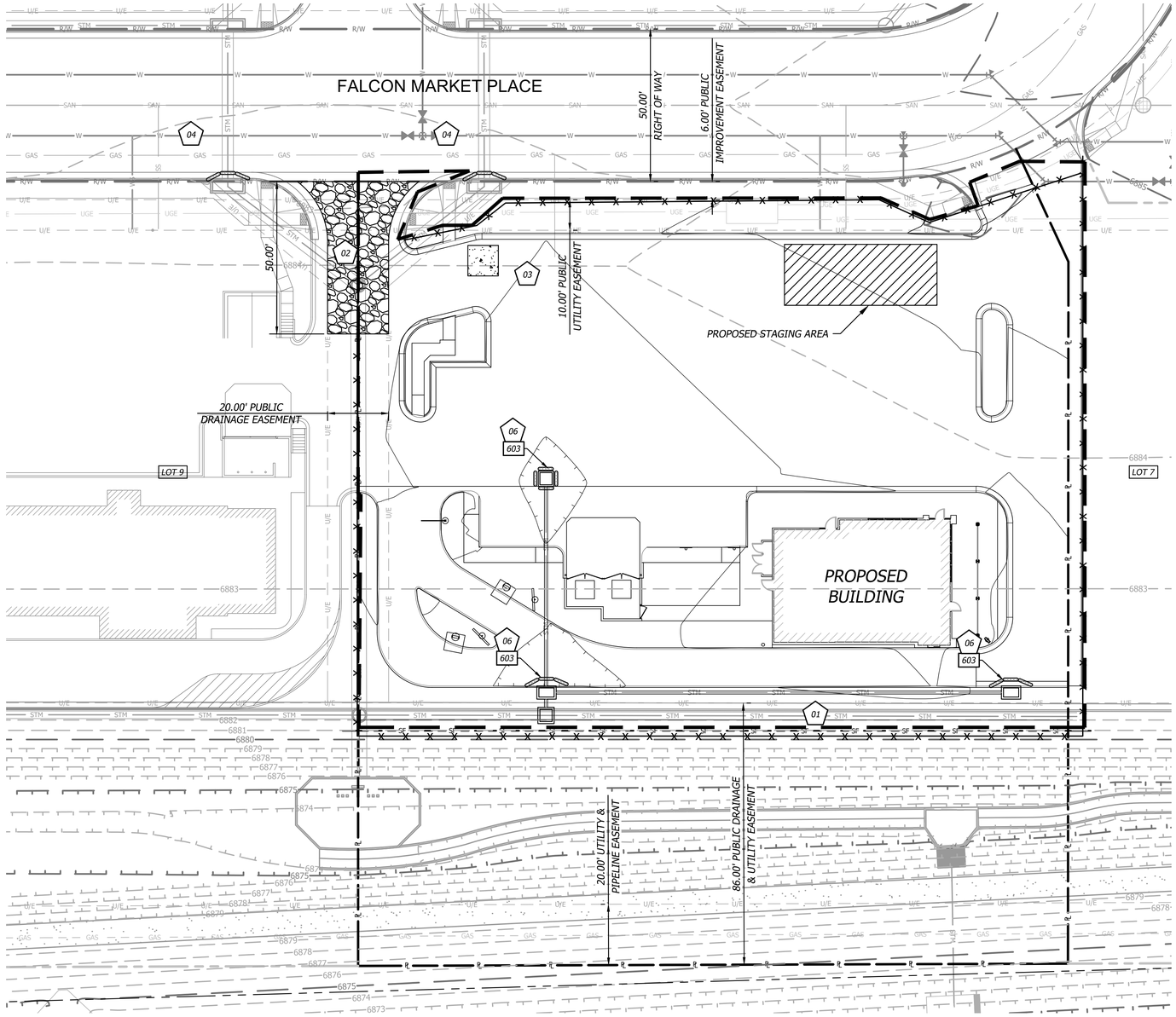
PRE-CON EROSION CONTROL

PERMIT/BID SET 07-15-2021

C3.3

TRUE WARM & WELCOME 2300 R6



EL PASO COUNTY GRADING AND EROSION CONTROL PLAN NOTES

SEE C3.3 FOR EROSION CONTROL NOTES.

FLOOD STATEMENT

A LOMR was approved by FEMA for the subject site on October 7, 2021. The LOMR is to become effective February 22, 2022. The LOMR removes all of the site from the floodplain, with the exception of the detention pond area.

Map Number: 08041C0553G
Panel No: 553 of 1300
Map Revised Date: December 7, 2018
LOMR effective Date: February 22, 2022

NOTE: This statement is provided for informational purposes only and shall in no way constitute a basis for a flood certificate. No field work was performed to establish the boundaries of this zone. The information was derived by scaling the subject property on the above referenced map.

GRAPHIC SCALE
20 0 20

EROSION & SEDIMENT CONTROL STAGING CHART

Phase	Project Stage	BMP Plan Ref. No.	BMP Description	Remove After Stage:	Notes:
Phase I (PRE-CON)	A – Place BMP's Prior to Land Disturbance	01	Perimeter Silt Fence	E	Place as shown on plan
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	E – Final Grading, Paving & Landscaping	08	Final Seeding, Sod, and Landscaping	N/A	Silt fencing & inlet protect may be removed once seed & sodded areas are established on 80% of site.

EROSION CONTROL LEGEND

- DISTURBED AREA (0.96 AC)
- SF — SILT/SEDIMENT FENCE
- INLET PROTECTION FILTER BAGS
- CONSTRUCTION ENTRANCE
- STAGING AREA
- CONCRETE CLEANOUT
- X X — CONSTRUCTION FENCING

000 DETAILS

- SEE DETAIL SHEET C6.2 FOR THE FOLLOWING

600 VEHICLE TRACKING CONTROL PAD
601 FILTER FABRIC SILT FENCE
603 STORM INLET PROTECTION
604 CONCRETE WASH-OUT
605 PERMANENT SEEDING

PCD FILE #PPR2137

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REVISIONS:

ISSUE DATE:

1ST	PERMIT/BID SET	07-15-2021

DRAWN BY: JA

PANDA PROJECT #: S8-22-D8137
PANDA STORE #: -
ARCH PROJECT #: 20044.016

COLORADO LICENSED
CERTIFICATE NUMBER
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07/24/2022
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MID-CON EROSION CONTROL

C3.4

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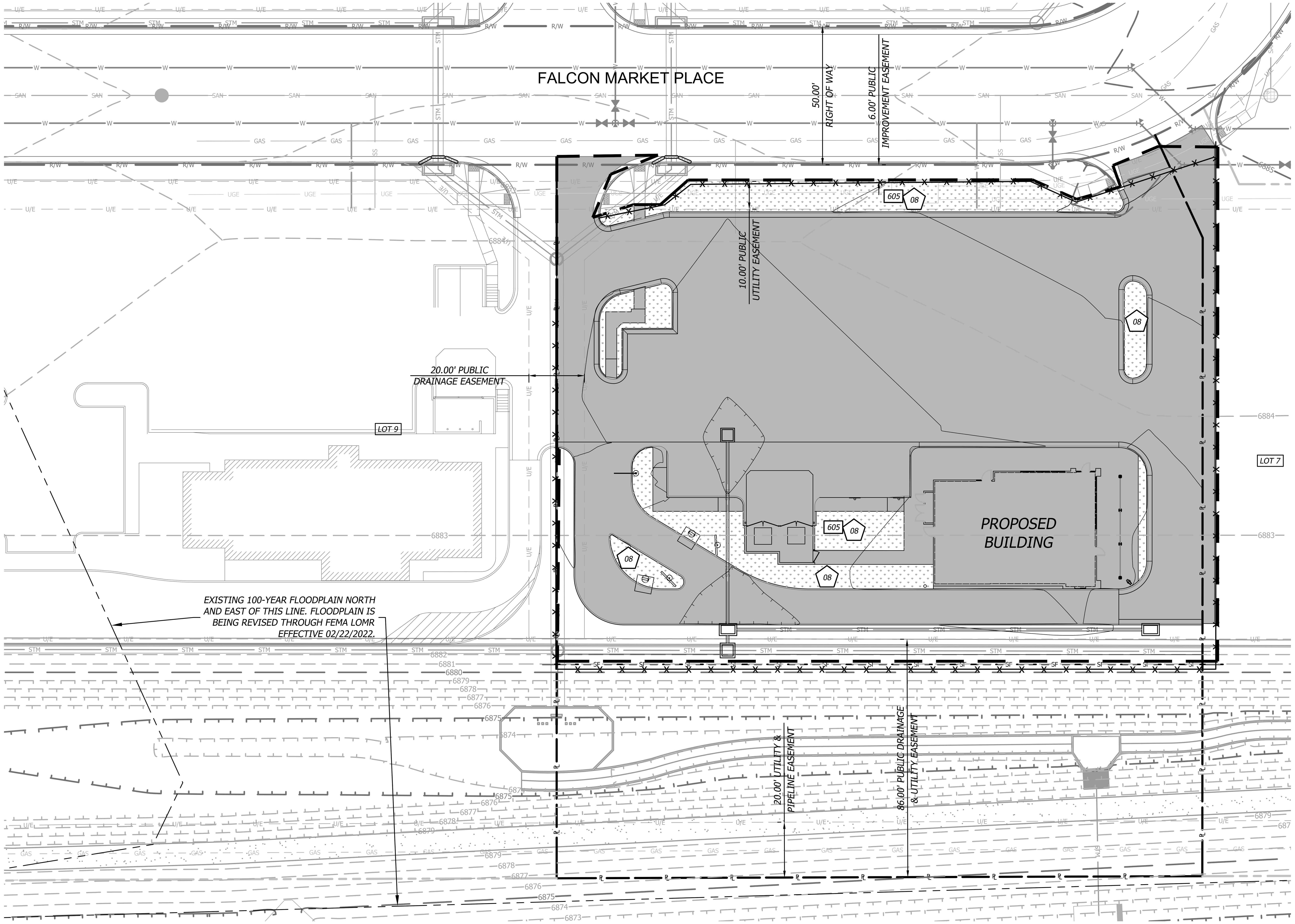
TRUE WARM & WELCOME 2300 R6

EL PASO COUNTY GRADING AND EROSION CONTROL PLAN NOTES

SEE C3.3 FOR EROSION CONTROL NOTES.



EROSION & SEDIMENT CONTROL STAGING CHART

Phase	Project Stage	BMP Plan Ref. No.	BMP Description	Remove After Stage:	Notes:
Phase I (PRE-CON)	A – Place BMP's Prior to Land Disturbance	01	Perimeter Silt Fence	E	Place as shown on plan
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Phase III (POST-CON)	D – After Construction of Building and Parking Lot	07	Steep Slope Protection	E	Place as shown on plan
	E – Final Grading, Paving & Landscaping	08	Final Seeding, Sod, and Landscaping	N/A	Silt fencing & inlet protect may be removed once seed & sodded areas are established on 80% of site.

EROSION CONTROL LEGEND

- DISTURBED AREA (0.96 AC)
- SILT/SEDIMENT FENCE
- INLET PROTECTION FILTER BAGS
- CONSTRUCTION ENTRANCE
- STAGING AREA
- CONCRETE CLEANOUT
- PERMANENT SEEDING OR MULCHING
- IMPERVIOUS AREAS INCLUDING PAVEMENT, ROOFING, SIDEWALK

000 DETAILS

- SEE EROSION CONTROL DETAIL SHEET FOR THE FOLLOWING

600 VEHICLE TRACKING CONTROL PAD
601 FILTER FABRIC SILT FENCE
603 STORM INLET PROTECTION
604 CONCRETE WASH-OUT
605 PERMANENT SEEDING

PCD FILE #PPR2137

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DRAWN BY: JA

PANDA PROJECT #: S8-22-D8137
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COLORADO LICENSED ERIC R BYRD PE 0057965 5/24/2022 PROFESSIONAL ENGINEER

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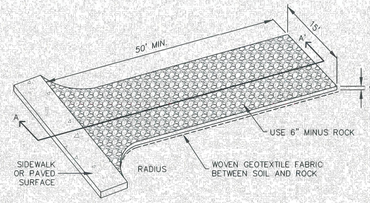
POST-CON EROSION CONTROL

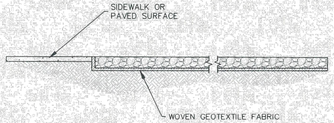
PERMIT/BID SET 07-15-2021

C3.5

TRUE WARM & WELCOME 2300 R6



AGGREGATE VEHICLE TRACKING CONTROL



SECTION A-A'

INSTALLATION NOTES:

1. A STABILIZED CONSTRUCTION ENTRANCE/EXIT SHOULD BE LOCATED AT ALL POINTS WHERE VEHICLES EXIT THE CONSTRUCTION SITE TO ADJACENT ROADWAY.
2. STABILIZED CONSTRUCTION ENTRANCE/EXITS SHALL BE INSTALLED PRIOR TO ANY LAND DISTURBING ACTIVITIES.
3. RADIUS MUST BE ADEQUATE FOR INTENDED CONSTRUCTION VEHICLE TURNING.
4. ROCK SHOULD CONSIST OF 6" MINUS ROCK.
5. INSTALL CONSTRUCTION FENCE ON BOTH SIDES OF VEHICLE TRACKING CONTROL PAD WHEN NEEDED OR REQUIRED BY INSPECTOR.

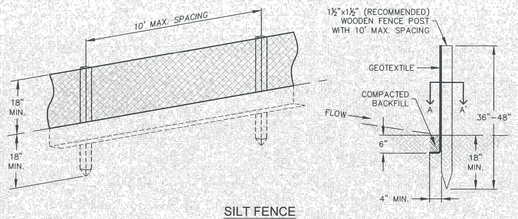
MAINTENANCE NOTES:

1. FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN CONTROL MEASURES IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
2. SEDIMENT TRACKED ONTO THE ADJACENT ROAD SHALL BE REMOVED DAILY, BY SWEEPING OR SHOVELING, AND NEVER WASHED DOWN STORM DRAINS.
3. ROUGHEN, REPLACE AND/OR ADD ROCK AS NEEDED TO MAINTAIN CONSISTENT DEPTH AND TO PREVENT SEDIMENT TRACKING ONTO ADJACENT STREET.
4. PERMANENTLY STABILIZE AREA AFTER VEHICLE TRACKING CONTROL IS REMOVED.

VTC

STORMWATER ENTERPRISE | VEHICLE TRACKING CONTROL | APPROVED: SWENT MANAGER | ISSUED: 10/7/19 | REVISED: 8/19/2020 | DRAWING NO. 900-VTC

600 Not to Scale — *Vehicle Tracking Control Pad*



SILT FENCE

J-HOOK INSTALLATION

SECTION A-A'

INSTALLATION NOTES:

1. SILT FENCE MUST BE PLACED ON A FLAT SURFACE 2'-5' AWAY FROM TOE OF THE SLOPE TO ALLOW FOR PONDING AND DEPOSITION.
2. COMPACT THE TRENCH USING A JUMPING JACK OR WHEEL ROLLING TO THE POINT THAT THE FENCE RESISTS BEING PULLED OUT OF THE GROUND BY HAND.
3. SILT FENCE SHALL BE TAUT WITH NO SAGS AFTER IT HAS BEEN ANCHORED.
4. FABRIC SHALL BE ATTACHED TO POSTS WITH 1" HEAVY DUTY STAPLES OR 1" NAILS. THESE SHOULD BE PLACED VERTICALLY DOWN THE POST, 3" APART.
5. THE PREFERRED INSTALLATION METHOD USES A TRENCHER OR SILT FENCE INSTALLATION DEVICE.
6. INSTALL SILT FENCE ALONG THE CONTOUR OF THE SLOPES OR IN A MANNER TO AVOID CREATING CONCENTRATED FLOW (SUCH AS A "J-HOOK" INSTALLATION).

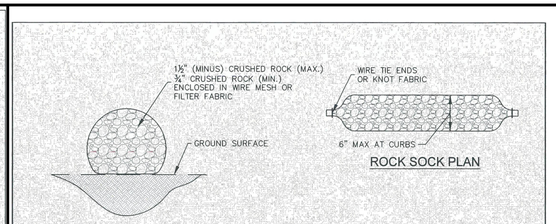
MAINTENANCE NOTES:

1. FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN CONTROL MEASURES IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
2. ACCUMULATED SEDIMENT MUST BE REMOVED WHEN THE HEIGHT REACHES ½ OF THE DESIGN HEIGHT OF THE SILT FENCE.
3. SILT FENCE MUST REMAIN UNTIL THE UPSTREAM DISTURBANCE AREA IS STABILIZED.
4. PERMANENTLY STABILIZE AREA AFTER SILT FENCE IS REMOVED.

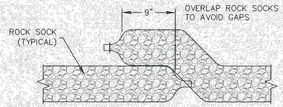
SF

STORMWATER ENTERPRISE | SILT FENCE | APPROVED: SWENT MANAGER | ISSUED: 10/7/19 | REVISED: 8/19/2020 | DRAWING NO. 900-SF

601 Not to Scale — *Filter Fabric Silt Fence*



ROCK SOCK SECTION — ROCK SOCK PLAN



ROCK SOCK OVERLAP

GRADATION TABLE

	MASS PERCENT PASSING SQUARE MESH SIEVES
	No. 4
2"	100
1½"	90–100
1"	20–55
¾"	0–15
⅜"	0–5

MATCHES SPECIFICATIONS FOR No. 4 COARSE AGGREGATE FOR CONCRETE PER AASHTO M-43. ALL ROCK SHALL BE FRACTURED FACE, ALL SIDES

INSTALLATION NOTES:

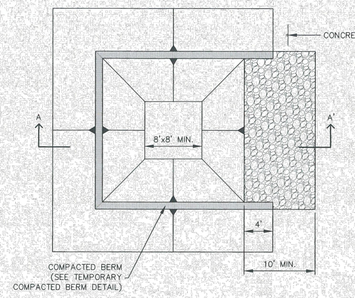
1. CRUSHED ROCK SHALL BE BETWEEN MAX. 1½" (MINUS) IN SIZE WITH A FRACTURED FACE (ALL SIDES) AND SHALL COMPLY WITH GRADATION SHOWN ON THIS SHEET AND MIN. ¾" CRUSHED ROCK.
2. WIRE MESH SHALL HAVE OPENINGS SMALLER THAN THE SMALLEST SIZE ROCK.
3. WIRE MESH SHALL BE SECURED USING 'HOG RINGS' OR WIRE TIES AT 6" CENTERS ALONG ALL JOINTS AND AT 2" CENTERS ON ENDS OF SOCKS.

MAINTENANCE NOTES:

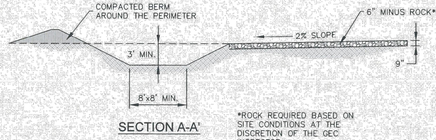
1. FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN CONTROL MEASURES IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
2. ROCK SOCKS SHALL BE REPLACED IF THEY BECOME HEAVILY SOILED OR DAMAGED BEYOND REPAIR.
3. ACCUMULATED SEDIMENT SHALL BE REMOVED WHEN THE DEPTH REACHES ½ OF THE HEIGHT OF THE ROCK SOCK.
4. ROCK SOCKS ARE TO REMAIN IN PLACE UNTIL DISTURBED AREA IS STABILIZED.
5. PERMANENTLY STABILIZE AREA AFTER ROCK SOCKS HAVE BEEN REMOVED.

RS

STORMWATER ENTERPRISE | ROCK SOCK | APPROVED: SWENT MANAGER | ISSUED: 10/7/19 | REVISED: 8/19/2020 | DRAWING NO. 900-RS



CONCRETE WASHOUT AREA PLAN



SECTION A-A'

*ROCK REQUIRED BASED ON SITE CONDITIONS AT THE DISCRETION OF THE GEC INSPECTOR

CWA

STORMWATER ENTERPRISE | CONCRETE WASHOUT AREA | APPROVED: SWENT MANAGER | ISSUED: 10/7/19 | REVISED: 8/19/2020 | DRAWING NO. 900-CWA-1

604 Not to Scale — *Concrete Washout*

SEEDING & MULCHING

ALL SOIL TESTING, SOILS AMENDMENT AND FERTILIZER DOCUMENTATION, AND SEED LOAD AND BAG TICKETS MUST BE ADDED TO THE CSWMP.

SOIL PREPARATION:

1. IN AREAS TO BE SEEDED, THE UPPER 6 INCHES OF THE SOIL MUST NOT BE HEAVILY COMPACTED, AND SHOULD BE IN FRIABLE CONDITION. LESS THAN 85% STANDARD PROCTOR DENSITY IS ACCEPTABLE. AREAS OF COMPACTION OR GENERAL CONSTRUCTION ACTIVITY MUST BE SCARIFIED TO A DEPTH OF 6 TO 12 INCHES PRIOR TO SPREADING TOPSOIL TO BREAK UP COMPACTED LAYERS AND PROVIDE A BLENDING ZONE BETWEEN DIFFERENT SOIL LAYERS.
2. AREAS TO BE PLANTED SHALL HAVE AT LEAST 4 INCHES OF TOPSOIL SUITABLE TO SUPPORT PLANT GROWTH.
3. THE CITY RECOMMENDS THAT EXISTING AND/OR IMPORTED TOPSOIL BE TESTED TO IDENTIFY SOIL DEFICIENCIES AND ANY SOIL AMENDMENTS NECESSARY TO ADDRESS THESE DEFICIENCIES. SOIL AMENDMENTS AND/OR FERTILIZERS SHOULD BE ADDED TO CORRECT TOPSOIL DEFICIENCIES BASED ON SOIL TESTING RESULTS.
4. TOPSOIL SHALL BE PROTECTED DURING THE CONSTRUCTION PERIOD TO RETAIN ITS STRUCTURE, AVOID COMPACTION, AND TO PREVENT EROSION AND CONTAMINATION. STRIPPED TOPSOIL MUST BE STORED IN AN AREA AWAY FROM MACHINERY AND CONSTRUCTION OPERATIONS, AND CARE MUST BE TAKEN TO PROTECT THE TOPSOIL AS A VALUABLE COMMODITY. TOPSOIL MUST NOT BE STRIPPED DURING UNDESIRABLE WORKING CONDITIONS (E.G. DURING WET WEATHER OR WHEN SOILS ARE SATURATED). TOPSOIL SHALL NOT BE STORED IN SWALES OR IN AREAS WITH POOR DRAINAGE.

SEEDING:

1. ALLOWABLE SEED MIXES ARE INCLUDED IN THE CITY OF COLORADO SPRINGS STORMWATER CONSTRUCTION MANUAL. ALTERNATIVE SEED MIXES ARE ACCEPTABLE IF INCLUDED IN AN APPROVED LANDSCAPING PLAN.
2. SEED SHOULD BE DRILL-SEEDED WHENEVER POSSIBLE.
   - SEED DEPTH MUST BE ¼ TO ½ INCHES WHEN DRILL-SEEDING IS USED
3. BROADCAST SEEDING OR HYDRO-SEEDING WITH TACKIFIER MAY BE SUBSTITUTED ON SLOPES STEEPER THAN 3:1 OR ON OTHER AREAS NOT PRACTICAL TO DRILL SEED.
   - SEEDING RATES MUST BE DOUBLED FOR BROADCAST SEEDING OR INCREASED BY 50% IF USING A BRILLION DRILL OR HYDRO-SEEDING.
   - BROADCAST SEEDING MUST BE LIGHTLY HAND-RAKED INTO THE SOIL.

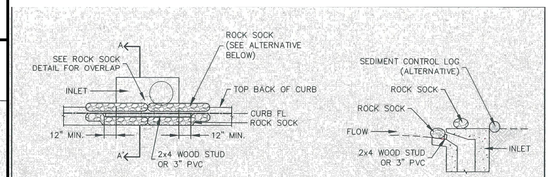
MULCHING:

1. MULCHING SHOULD BE COMPLETED AS SOON AS PRACTICABLE AFTER SEEDING, HOWEVER PLANTED AREAS MUST BE MULCHED NO LATER THAN 14 DAYS AFTER PLANTING.
2. MULCHING REQUIREMENTS INCLUDE:
   - HAY OR STRAW MULCH
     - ONLY CERTIFIED WEED-FREE AND CERTIFIED SEED-FREE MULCH MAY BE USED. MULCH MUST BE APPLIED AT 2 TONS/ACRE AND ADEQUATELY SECURED BY CRIMPING AND/OR TACKIFIER.
     - CRIMPING MUST NOT BE USED ON SLOPES GREATER THAN 3:1 AND MULCH FIBERS MUST BE TUCKED INTO THE SOIL TO A DEPTH OF 3 TO 4 INCHES.
     - TACKIFIER MUST BE USED IN PLACE OF CRIMPING ON SLOPES STEEPER THAN 3:1.
   - HYDRAULIC MULCHING
     - HYDRAULIC MULCHING IS AN OPTION ON STEEP SLOPES OR WHERE ACCESS IS LIMITED.
     - IF HYDRO-SEEDING IS USED, MULCHING MUST BE APPLIED AS A SEPARATE, SECOND OPERATION.
     - WOOD CELLULOSE FIBERS MIXED WITH WATER MUST BE APPLIED AT A RATE OF 2,000 TO 2,500 POUNDS/ACRE, AND TACKIFIER MUST BE APPLIED AT A RATE OF 100 POUNDS/ACRE.
   - EROSION CONTROL BLANKET
     - EROSION CONTROL BLANKET MAY BE USED IN PLACE OF TRADITIONAL MULCHING METHODS.

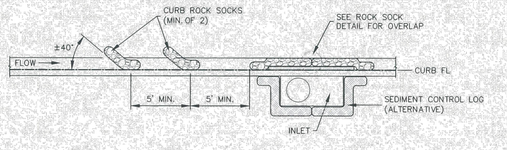
SM

STORMWATER ENTERPRISE | SEEDING & MULCHING | APPROVED: SWENT MANAGER | ISSUED: 10/7/19 | REVISED: 8/19/2020 | DRAWING NO. 900-SM

605 Not to Scale — *Permanent Seeding*



CURB INLET PROTECTION PLAN — SECTION A-A'



CURB ROCK SOCKS UPSTREAM OF INLET PROTECTION

INSTALLATION NOTES:

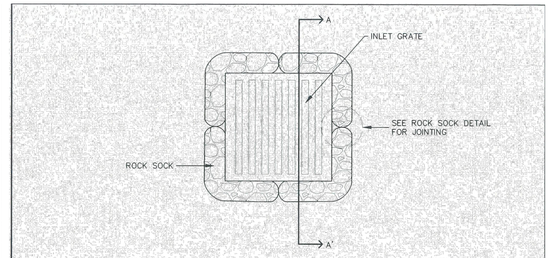
1. SEE ROCK SOCK DETAIL FOR INSTALLATION REQUIREMENTS.
2. PLACEMENT OF THE ROCK SOCK SHALL BE APPROXIMATELY 40 DEGREES FROM THE CURB.
3. ROCK SOCKS ARE TO BE FLUSH WITH THE CURB AND SPACED A MINIMUM OF 5' APART.
4. AT LEAST TWO CURB ROCK SOCKS IN SERIES ARE REQUIRED UPSTREAM OF ON-GRADIENT INLETS.
5. ADDITIONAL ROCK SOCKS MAY BE REQUIRED AT GEC INSPECTOR'S DISCRETION.

MAINTENANCE NOTES:

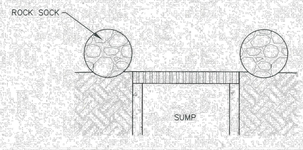
1. FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN CONTROL MEASURES IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
2. ACCUMULATED SEDIMENT MUST BE REMOVED WHEN THE HEIGHT REACHES ½ OF THE DESIGN DEPTH OF THE INLET BARRIER.
3. ROCK SOCKS MUST REMAIN UNTIL THE UPSTREAM DISTURBANCE AREA IS STABILIZED.
4. PERMANENTLY STABILIZE AREA BEHIND INLET AFTER ROCK SOCKS ARE REMOVED WHEN REMOVAL IS APPROPRIATE.

IP-1

STORMWATER ENTERPRISE | ON-GRADE INLET PROTECTION | APPROVED: SWENT MANAGER | ISSUED: 10/7/19 | REVISED: 8/19/2020 | DRAWING NO. 900-IP-1



ROCK SOCK SUMP INLET PROTECTION PLAN



SECTION A-A'

INSTALLATION NOTES:

1. SEE ROCK SOCK DETAIL FOR INSTALLATION REQUIREMENTS.
2. SEDIMENT CONTROL LOGS MAY BE USED IN PLACE OF ROCK SOCKS IN PERVIOUS AREAS. INSTALL PER SEDIMENT CONTROL LOG DETAIL.
3. CONTROL MEASURES MUST BE WRAPPED AROUND INLET AS TIGHTLY AS POSSIBLE.

MAINTENANCE NOTES:

1. FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN CONTROL MEASURES IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
2. ACCUMULATED SEDIMENT MUST BE REMOVED WHEN THE HEIGHT REACHES ½ OF THE DESIGN DEPTH OF THE INLET BARRIER.
3. ROCK SOCKS MUST REMAIN UNTIL THE UPSTREAM DISTURBANCE AREA IS STABILIZED.
4. PERMANENTLY STABILIZE AREA AROUND INLET AFTER ROCK SOCKS ARE REMOVED WHEN REMOVAL IS APPROPRIATE.

IP-2

STORMWATER ENTERPRISE | SUMP INLET PROTECTION | APPROVED: SWENT MANAGER | ISSUED: 10/7/19 | REVISED: 8/19/2020 | DRAWING NO. 900-IP-2

603 Not to Scale — *Storm Inlet Protection*

PCD FILE #PPR2137

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REVISIONS:

ISSUE DATE:

1ST	PERMIT/BID SET	07-15-2021

DRAWN BY: JA

PANDA PROJECT #: S8-22-D8137
PANDA STORE #: -
ARCH PROJECT #: 20044.016

COLORADO LICENSED PERSONAL ENGINEER — PE 0057665 — 06/24/2021 — PROFESSIONAL ENGINEER

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8813 PENROSE LANE, SUITE 400
LENEXA, KS 66219
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TRUE WARM & WELCOME
7545 FALCON MARKET PL
PEYTON, CO 80831

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C6.2

PERMIT/BID SET 07-15-2021

TRUE WARM & WELCOME 2300 R6

Appendix C – Construction General Permit

STATE OF COLORADO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Water Quality Control Division

CDPS GENERAL PERMIT STORMWATER DISCHARGES ASSOCIATED WITH

CONSTRUCTION ACTIVITY AUTHORIZATION TO DISCHARGE UNDER THE COLORADO DISCHARGE PERMIT SYSTEM (CDPS)

COR400000

In compliance with the provisions of the Colorado Water Quality Control Act, (25-8-101 et seq., CRS, 1973 as amended) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.; the "Act"), this permit authorizes the discharge of stormwater associated with construction activities (and specific allowable non-stormwater discharges in accordance with Part I.A.1. of the permit) certified under this permit, from those locations specified throughout the State of Colorado to specified waters of the State.

Such discharges shall be in accordance with the conditions of this permit. This permit specifically authorizes the facility listed on the certification to discharge in accordance with permit requirements and conditions set forth in Parts I and II hereof. All discharges authorized herein shall be consistent with the terms and conditions of this permit.

This permit becomes effective on April 1, 2019, and shall expire at midnight March 31, 2024.

Issued and signed this 28th day of January, 2021.

Meg Parish

Meg Parish, Permits Section Manager Water Quality Control Division

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Permit History
Minor Modification Issued January 28, 2021 Effective February 1, 2021
Modification Issued December 31, 2020 Effective February 1, 2021
Originally signed and issued October 31, 2018; effective April 1, 2019

Table of Contents

Part I

Note: At the first mention of terminology that has a specific connotation for the purposes of this permit, the terminology is electronically linked to the definitions section of the permit in Part I.E.

A. COVERAGE UNDER THIS PERMIT

1. Authorized Discharges

This general permit authorizes permittee(s) to discharge the following to state waters: stormwater associated with construction activity and specified non-stormwater associated with construction activity. The following types of stormwater and non-stormwater discharges are authorized under this permit:

a. Allowable Stormwater Discharges

i. Stormwater discharges associated with construction activity.

ii. Stormwater discharges associated with producing earthen materials, such as soils, sand, and gravel dedicated to providing material to a single contiguous site, or within ¼ mile of a construction site (e.g. borrow or fill areas).

iii. Stormwater discharges associated with dedicated asphalt, concrete batch plants and masonry mixing stations (Coverage under this permit is not required if alternative coverage has been obtained.)

b. Allowable Non-Stormwater Discharges

The following non-stormwater discharges are allowable under this permit if the discharges are identified in the stormwater management plan in accordance with Part I.C and if they have appropriate control measures in accordance with Part I.B.1.

i. Discharges from uncontaminated springs that do not originate from an area of land disturbance.

ii. Discharges to the ground of concrete washout water associated with the washing of concrete tools and concrete mixer chutes. Discharges of concrete washout water must not leave the site as surface runoff or reach receiving waters as defined by this permit. Concrete on-site waste disposal is not authorized by this permit except in accordance with Part I.B.1.a.ii(b).

iii. Discharges of landscape irrigation return flow.

iv. Discharges from diversions of state waters within the permitted site.

c. Emergency Fire Fighting

Discharges resulting from emergency firefighting activities during the active emergency response are authorized by this permit.

2. Limitations on Coverage

Discharges not authorized by this permit include, but are not limited to, the discharges and activities listed below. Permittees may seek individual or alternate general permit coverage for the discharges, as appropriate and available.

a. Discharges of Non-Stormwater

Discharges of non-stormwater, except the authorized non-stormwater discharges listed in Part

I.A.1.b., are not eligible for coverage under this permit.

b. Discharges Currently Covered by another Individual or General Permit

c. Discharges Currently Covered by a Water Quality Control Division (division) Low Risk Guidance Document

3. Permit Certification and Submittal Procedures

a. Duty to Apply

The following activities shall apply for coverage under this permit:

i. Construction activity that will disturb one acre or more; or

ii. Construction activity that is part of a common plan of development or sale; or

iii. Stormwater discharges that are designated by the division as needing a stormwater permit because the discharge:

(a) Contributes to a violation of a water quality standard; or

(b) Is a significant contributor of pollutants to state waters.

b. Application Requirements

To obtain authorization to discharge under this permit, applicants applying for coverage following the effective date of the renewal permit shall meet the following requirements:

i. Owners and operators submitting an application for permit coverage will be co- permittees subject to the same benefits, duties, and obligations under this permit.

ii. Signature requirements: Both the owner and operator (permittee) of the construction site, as defined in Part I.E., must agree to the terms and conditions of the permit and submit a completed application that includes the signature of both the owner and the operator. In cases where the duties of the owner and operator are managed by the owner, both application signatures may be completed by the owner. Both the owner and operator are responsible for ensuring compliance with all terms and conditions of the permit, including implementation of the stormwater management plan.

iii. The applicant(s) must develop a stormwater management plan (SWMP) in accordance with the requirements of Part I.C. The applicant(s) must also certify that the SWMP is complete, or will be complete, prior to commencement of any construction activity.

iv. In order to apply for certification under this general permit, the applicant(s) must submit a complete, accurate, and signed permit application form as provided by the division by electronic delivery at least 10 days prior to the commencement of construction activity, except those construction activities that are in response to a public emergency related site; public emergency related sites shall apply for coverage no later than 14 days after the commencement of construction activities. The provisions of this part in no way remove a violation of the Colorado Water Quality Control Act if a point source discharge occurs prior to the issuance of a CDPS permit.

v. The application in its entirety must be submitted via the division's online permitting system unless a waiver is granted by the division. If a waiver is granted, the application in its entirety, including signatures by both the owner and operator, must be submitted to:

Colorado Department of Public Health and Environment
Water Quality Control Division
Permits Section, WQCD-PS-B2
4300 Cherry Creek Drive South
Denver, CO 80246

vi. The applicant(s) must receive written notification that the division granted permit coverage prior to conducting construction activities except for construction activities that are in response to a public emergency related site.

c. Division Review of Permit Application

Within 10 days of receipt of the application, and following review of the application, the division may:

i. Issue a certification of coverage;

ii. Request additional information necessary to evaluate the discharge;

iii. Delay the authorization to discharge pending further review;

iv. Notify the applicant that additional terms and conditions are necessary; or

v. Deny the authorization to discharge under this general permit.

d. Alternative Permit Coverage

i. Division Required Alternative Permit Coverage:

The division may require an applicant or permittee to apply for an individual permit or an alternative general permit if it determines the discharge does not fall under the scope of this general permit, including if any additional terms and conditions are necessary in order to ensure that discharges authorized by this permit shall not cause, have the reasonable potential to cause, or measurably contribute to an exceedance of any applicable water quality standard, including narrative standards for water quality. In this case, the division will notify the applicant or permittee that an individual permit application is required.

ii. Permittee Request for Alternative Permit Coverage:

A permittee authorized to discharge stormwater under this permit may request to be excluded from coverage under this general permit by applying for an individual permit. In this case, the permittee must submit an individual application, with reasons supporting the request, to the division at least 180 days prior to any discharge. When an individual permit is issued, the permittee's authorization to discharge under this permit is terminated on the effective date of the individual permit.

e. Submittal Signature Requirements

Documents required for submittal to the division in accordance with this permit, including applications for permit coverage and other documents as requested by the division, must include signatures by **both** the owner and the operator, except for instances where the duties of the owner and operator are managed by the owner.

Signatures on all documents submitted to the division as required by this permit must meet the Standard Signatory Requirements in Part II.K of this permit in accordance with 40 C.F.R. 122.41(k).

i. Signature Certification

Any person(s) signing documents required for submittal to the division must make the following

certification:

"I certify under penalty of law that 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, including the possibility of fine and imprisonment for knowing violations."

f. Compliance Document Signature Requirements

Documents which are required for compliance with the permit, but for which submittal to the division is not required unless specifically requested by the division, must be signed by the individual(s) designated as the Qualified Stormwater Manager, as defined in Part I.E.

i. Any person(s) signing inspection documents required for compliance with the permit per Part I.D.5.c.xiii must make the following statement and provide the date of the statement:

"I verify that, to the best of my knowledge and belief, that if any corrective action items were identified during the inspection, those corrective actions are complete, and the site is currently in compliance with the permit."

g. Field Wide Permit Coverage for Oil and Gas Construction

At the discretion of the division, a single permit certification may be issued to a single oil and gas permittee to cover construction activity related discharges from an oil and gas field at multiple locations that are not necessarily contiguous.

h. Permit Coverage without Application

Qualifying Local Program: When a small construction site is within the jurisdiction of a qualifying local program, the owner and operator of the construction activity are authorized to discharge stormwater associated with small construction activity under this general permit without the submittal of an application to the division. Sites covered by a qualifying local program are exempt from the following sections of this general permit: Part I.A.3.a.; Part I.A.3.b.; Part I.A.3.c.; Part I.A.3.d.; Part I.A.3.g.; Part I.A.3.i.; Part I.A.3.j.; Part I.A.3.k.

Sites covered by a qualifying local program are subject to the following requirements:

i. Local Agency Authority: This permit does not pre-empt or supersede the authority of local agencies to prohibit, restrict, or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.

ii. Permit Coverage Termination: When a site under a Qualifying Local Program is finally stabilized, coverage under this permit is automatically terminated.

iii. Compliance with Qualifying Local Program: Qualifying Local Program requirements that are equivalent to the requirements of this permit are incorporated by reference. Permittees authorized to discharge under this permit, must comply with the equivalent requirements of the Qualifying Local Program that has jurisdiction over the site as a condition of this permit.

iv. Compliance with Remaining Permit Conditions. Requirements of this permit that are in addition to or more stringent than the requirements of the Qualifying Local Program apply in addition to the requirements of the Qualifying Local Program.

v. Written Authorization of Coverage: The division or local municipality may require any permittee within the jurisdiction of a Qualifying Local Program covered under this permit to

apply for, and obtain written authorization of coverage under this permit. The permittee must be notified in writing that an application for written authorization of coverage is required.

i. Permittee Initiated Permit Actions

Permittee initiated permit actions, including but not limited to modifications, contact changes, transfers, and terminations, shall be conducted following Part II.L, division guidance and using appropriate division-provided forms.

j. Sale of Residence to Homeowner

Residential construction sites only: The permittee may remove residential lots from permit coverage once the lot meets the following criteria:

i. The residential lot has been sold to the homeowner(s) for private residential use;

ii. A certificate of occupancy, or equivalent, is maintained on-site and is available during division inspections;

iii. The lot is less than one acre of disturbance;

iv. All construction activity conducted on the lot by the permittee is complete;

v. The permittee is not responsible for final stabilization of the lot; and

vi. The SWMP was modified to indicate the lot is no longer part of the construction activity.

If the residential lot meets the criteria listed above then activities occurring on the lot are no longer considered to be construction activities with a duty to apply and maintain permit coverage. Therefore, the permittee is not required to meet the final stabilization requirements and may terminate permit coverage for the lot.

k. Permit Expiration and Continuation of Permit Coverage

Authorization to discharge under this general permit shall expire at midnight on March 31, 2024. While Regulation 61.4 requires a permittee to submit an application for continuing permit coverage 180 days before the permit expires, the division is requiring that permittees desiring continued coverage under this general permit must reapply at least 90 days in advance of this permit expiration. The division will determine if the permittee may continue to discharge stormwater under the terms of the general permit. An individual permit may be required for any facility not reauthorized to discharge under the reissued general permit.

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued and remain in force and effect. For permittees that have applied for continued permit coverage, discharges authorized under this permit prior to the expiration date will automatically remain covered by this permit until the earliest of:

i. An authorization to discharge under a reissued permit, or a replacement of this permit, following the timely and appropriate submittal of a complete application requesting authorization to discharge under the new permit and compliance with the requirements of the new permit; or

ii. The issuance and effect of a termination issued by the division; or

iii. The issuance or denial of an individual permit for the facility's discharges; or

iv. A formal permit decision by the division not to reissue this general permit, at which time the division will identify a reasonable time period for covered dischargers to seek coverage under

an alternative general permit or an individual permit. Coverage under this permit will cease when coverage under another permit is granted/authorized; or

v. The division has informed the permittee that discharges previously authorized under this permit are no longer covered under this permit.

B. EFFLUENT LIMITATIONS

1. Requirements for Control Measures Used to Meet Effluent Limitations

The permittee must implement control measures to minimize the discharge of pollutants from all potential pollutant sources at the site. Control measures must be installed prior to commencement of construction activities. Control measures must be selected, designed, installed and maintained in accordance with good engineering, hydrologic and pollution control practices. Control measures implemented at the site must be designed to prevent pollution or degradation of state waters.

a. Stormwater Pollution Prevention

The permittee must implement structural and/or nonstructural control measures that effectively minimize erosion, sediment transport, and the release of other pollutants related to construction activity.

i. Control Measures for Erosion and Sediment Control

Control measures for erosion and sediment control may include, but are not limited to, wattles/sediment control logs, silt fences, earthen dikes, drainage swales, sediment traps, subsurface drains, pipe slope drains, inlet protection, outlet protection, gabions, sediment basins, temporary vegetation, permanent vegetation, mulching, geotextiles, sod stabilization, slope roughening, maintaining existing vegetation, protection of trees, and preservation of mature vegetation.

Specific control measures must meet the requirements listed below.

(a) Structural and nonstructural vehicle tracking controls shall be implemented to minimize vehicle tracking of sediment from disturbed areas and may include tracking pads, minimizing site access, wash racks, graveled parking areas, maintaining vehicle traffic to paved areas, street sweeping and sediment control measures.

(b) Stormwater runoff from all disturbed areas and soil storage areas must utilize or flow to one or more control measures to minimize erosion or sediment in the discharge. The control measure(s) must be selected, designed, installed and adequately sized in accordance with good engineering, hydrologic and pollution control practices for the intended application. The control measure(s) must contain or filter flows in order to prevent the bypass of flows without treatment and must be appropriate for stormwater runoff from disturbed areas and for the expected flow rate, duration, and flow conditions (e.g. sheet or concentrated flow).

(c) Selection of control measures should prioritize the use of structural and nonstructural control measures that minimize the potential for erosion (i.e. covering materials). Selection should also prioritize phasing construction activities to minimize the amount of soil disturbance at any point in time throughout the duration of construction.

(d) Outlets that withdraw water from or near the surface shall be installed when discharging from basins and impoundments, unless infeasible.

(e) Maintain pre-existing vegetation or equivalent control measures for areas within 50 horizontal feet of receiving waters as defined by this permit, unless infeasible.

(f) Soil compaction must be minimized for areas where infiltration control measures will occur or where final stabilization will be achieved through vegetative cover.

(g) Unless infeasible, topsoil shall be preserved for those areas of a site that will utilize vegetative final stabilization.

(h) Minimize the amount of soil exposed during construction activity, including the disturbance of steep slopes.

(i) Diversion control measures must minimize soil transport and erosion within the entire diversion, minimize erosion during discharge, and minimize run-on into the diversion. The permittee must minimize the discharge of pollutants throughout the installation, implementation and removal of the diversion. Diversions must meet one or more of the following conditions:

(1) Lined or piped structures that result in no erosion in all flow conditions.

(2) Diversion channels, berms, and coffer dams must be lined or composed of a material that minimizes potential for soil loss in the entire wetted perimeter during anticipated flow conditions (e.g. vegetated swale, non-erosive soil substrate). The entire length of the diversion channel must be designed with all of the following considerations: maximum flow velocity for the type of material(s) exposed to the anticipated flows to ensure that the calculated maximum shear stress of flows in the channel is not expected to result in physical damage to the channel or liner and result in discharge of pollutants. Additionally, the conditions relied on to minimize soil loss must be maintained for the projected life of the diversion (i.e. a vegetated swale must be limited to a period of time that ensures vegetative growth, minimizes erosion and maintains stable conditions).

(3) An alternative diversion criteria, approved by the division prior to implementation. The diversion method must be designed to minimize the discharge of pollutants and to prevent the potential for pollution or degradation to state waters as a result of the diverted flow through the diversion structure. In addition, the alternative diversion method must minimize the discharge of pollutants throughout the installation, implementation and removal of the diversion.

ii. Practices for Other Common Pollutants

(a) Bulk storage, individual containers of 55 gallons or greater, for petroleum products and other liquid chemicals must have secondary containment, or equivalent protection, in order to contain spills and to prevent spilled material from entering state waters.

(b) Control measures designed for concrete washout waste must be implemented. This includes washout waste discharged to the ground as authorized under this permit and washout waste from concrete trucks and masonry operations contained on site. The permittee must ensure the washing activities do not contribute pollutants to stormwater runoff, or receiving waters in accordance Part I.A.1.b.ii. Discharges that may reach groundwater must flow through soil that has buffering capacity prior to reaching groundwater, as necessary to meet the effluent limits in this permit, including Part I.B.3.a. The concrete washout location must not be located in an area where shallow groundwater may be present and would result in buffering capacity not being adequate, such as near natural drainages, springs, or wetlands. This permit authorizes discharges to the ground of concrete washout waste, but does not authorize on-site waste disposal per Part I.B.3.d.

(c) In the event that water remains onsite and contains pollutants either from the

firefighting activities or picked up from the site (i.e. in a gutter, sediment basin, etc.) after active emergency response is complete, the permittee must ensure the remaining water containing pollutants is properly removed and disposed of in order to minimize pollutants from discharging from the site, unless infeasible.

iii. Stabilization Requirements

The following requirements must be implemented for each site.

(a) Temporary stabilization must be implemented for earth disturbing activities on any portion of the site where ground disturbing construction activity has permanently ceased, or temporarily ceased for more than 14 calendar days. Temporary stabilization methods may include, but are not limited to, tarps, soil tackifier, and hydroseed. The permittee may exceed the 14-day schedule when either the function of the specific area of the site requires it to remain disturbed or physical characteristics of the terrain and climate prevent stabilization. The SWMP must document the constraints necessitating the alternative schedule, provide the alternate stabilization schedule, and identify all locations where the alternative schedule is applicable on the site map. Minimum inspection frequency and scope, as directed in Part I.D., must be followed for temporarily stabilized areas.

(b) Final stabilization must be implemented for all construction sites covered under this permit. Final stabilization is reached when (1), (2), and (3) below are complete:

(1) All construction activities are complete.

(2) Permanent stabilization methods are complete. Permanent stabilization methods include, but are not limited to, permanent pavement or concrete, hardscape, xeriscape, stabilized driving surfaces, vegetative cover, or equivalent permanent alternative stabilization methods. The division may approve alternative final stabilization criteria for specific operations. Vegetative cover must meet the following criteria:

a. Evenly distributed perennial vegetation, and

b. Coverage, at a minimum, equal to 70 percent of what would have been provided by native vegetation in a local, undisturbed area or adequate reference site, and

(3) The permittee must ensure all temporary control measures are removed from the construction site once final stabilization is achieved, except when the control measure specifications allow the control measure to be left in place (i.e. bio-degradable control measures).

(c) Final stabilization must be designed and installed as a permanent feature. Final stabilization measures for obtaining a vegetative cover or alternative stabilization methods include, but are not limited to, the following as appropriate:

(1) Seed mix selection and application methods;

(2) Soil preparation and amendments;

(3) Soil stabilization methods to provide adequate protection to minimize erosion (e.g. crimped straw, hydro mulch or rolled erosion control products);

(4) Appropriate sediment control measures as needed until final stabilization is achieved;

(5) Permanent pavement, hardscape, xeriscape, stabilized driving surfaces;

(d) Other alternative stabilization practices as applicable.

b. Maintenance

The permittee must ensure that all control measures remain in effective operating condition and are protected from activities that would reduce their effectiveness. Control measures must be maintained in accordance with good engineering, hydrologic and pollution control practices. Observations leading to the required maintenance of control measures can be made during a site inspection, or during general observations of site conditions. The necessary repairs or modifications to a control measure requiring routine maintenance, as defined in Part I.E., must be conducted to maintain an effective operating condition. This section is not subject to the requirements in Part I.B.1.c below.

c. Corrective Actions

The permittee must assess the adequacy of control measures at the site, and the need for changes to those control measures, to ensure continued effective performance.

When an inadequate control measure, as defined in Part I.E., is identified (i.e., new or replacement control measures become necessary), the following corrective action requirements apply. The permittee is in noncompliance with the permit until the inadequate control measure is replaced or corrected and returned to effective operating condition in compliance with Part I.B.1 and the general requirements in Part I.B.3. If the inadequate control measure results in noncompliance that meets the conditions of Part II.L., the permittee must also meet the requirements of that section.

i. The permittee must take all necessary steps to minimize or prevent the discharge of pollutants from the permitted area and manage any stormwater run-on onto the site until a control measure is implemented and made operational and/or an inadequate control measure is replaced or corrected and returned to effective operating condition. If it is infeasible to install or repair the control measure immediately after discovering the deficiency, the following must be documented in the SWMP in Part I.D.5.c and kept on record in accordance with the recordkeeping requirements in Part II.

(a) Describe why it is infeasible to initiate the installation or repair immediately; and

(b) Provide a schedule for installing or repairing the control measure and returning it to an effective operating condition as soon as possible.

ii. If applicable, the permittee must remove and properly dispose of any unauthorized release or discharge within and from the permitted area (e.g., discharge of non-stormwater, untreated stormwater containing pollutants, spill, or leak not authorized by this permit.) The permittee must also clean up any contaminated surfaces, if feasible, to minimize discharges of the material in subsequent storm events, including water remaining from the response that contains pollutants after active emergency firefighting response is complete.

2. Discharges to an Impaired Waterbody

a. Total Maximum Daily Load (TMDL)

If the discharge from the site of permit coverage flows to or could reasonably be expected to flow to any water body for which a TMDL has been approved, and stormwater discharges associated with construction activity were assigned a pollutant-specific Wasteload Allocation (WLA) under the TMDL, the division may:

i. Ensure the WLA is implemented properly through alternative local requirements, such as by a

municipal stormwater permit; or

ii. Notify the permittee of the WLA and amend the permittee's certification to add specific effluent limits and other requirements, as appropriate. The permittee may be required to do the following:

(a) Under the permittee's SWMP, implement specific control measures based on requirements of the WLA, and evaluate whether the requirements are met through implementation of existing stormwater control measures or if additional control measures are necessary. Document the calculations or other evidence demonstrating that the requirements are expected to be met; and

(b) If the evaluation shows that additional or modified control measures are necessary, describe the type and schedule for the control measure additions or modifications.

iii. Discharge monitoring may also be required. The permittee may maintain coverage under the general permit provided they comply with the applicable requirements outlined above. The division reserves the right to require individual or alternate general permit coverage.

3. General Requirements

a. Discharges authorized by this permit shall not cause, have the reasonable potential to cause, or measurably contribute to an exceedance of any applicable water quality standard, including narrative standards for water quality.

b. The division may require sampling and testing, on a case-by-case basis, in the event that there is reason to suspect that the SWMP is not adequately minimizing pollutants in stormwater or in order to measure the effectiveness of the control measures in removing pollutants in the effluent. Such monitoring may include Whole Effluent Toxicity testing.

c. The permittee must comply with the lawful requirements of federal agencies, municipalities, counties, drainage districts and other local agencies including applicable requirements in Municipal Stormwater Management Programs developed to comply with CDPS permits. The permittee must comply with local stormwater management requirements, policies and guidelines including those for erosion and sediment control.

d. All construction site wastes must be properly managed to prevent potential pollution of state waters. This permit does not authorize on-site waste disposal.

e. This permit does not relieve the permittee of the reporting requirements in 40 CFR 110, 40 CFR 117 or 40 CFR 302. Any discharge of hazardous material must be handled in accordance with the division's Noncompliance Notification Requirements (see Part II.L of the permit).

C. STORMWATER MANAGEMENT PLAN (SWMP) REQUIREMENTS

1. SWMP General Requirements

a. A SWMP shall be developed for each construction site listed under Part I.A.3.a, including but not limited to, construction activity that will disturb one acre or more and/or are part of a common plan of development or sale covered by this permit. The SWMP must be prepared in accordance with good engineering, hydrologic and pollution control practices.

i. For public emergency related sites, a SWMP shall be created no later than 14 days after the commencement of construction activities.

b. The permittee must implement the provisions of the SWMP as written and updated, from commencement of construction activity until final stabilization is complete. The division may review the SWMP.

c. A copy of the SWMP must be retained onsite or be onsite when construction activities are occurring at the site unless the permittee specifies another location and obtains approval from the division.

2. SWMP Content

a. The SWMP, at a minimum, must include the following elements.

i. Qualified Stormwater Manager. The SWMP must list individual(s) by title and name who are designated as responsible for implementing the SWMP in its entirety and meet the definition of a Qualified Stormwater Manager. This role may be filled by more than one individual.

ii. Spill Prevention and Response Plan. The SWMP must have a spill prevention and response plan. The plan may incorporate by reference any part of a Spill Prevention Control and Countermeasure (SPCC) plan under section 311 of the Clean Water Act (CWA) or a Spill Prevention Plan required by a separate CDPS permit. The relevant sections of any referenced plans must be available as part of the SWMP consistent with Part I.C.4.

iii. Other CDPS Permits. The SWMP must list the applicable CDPS permits associated with the permitted site and the activities occurring on the permitted site (e.g. a CDPS Dewatering Permit).

iv. Materials Handling. The SWMP must describe handling procedures of all control measures implemented at the site to minimize impacts from handling significant materials that could contribute pollutants to runoff. These handling procedures can include control measures for pollutants and activities such as, exposed storage of building materials, paints and solvents, landscape materials, fertilizers or chemicals, sanitary waste material, trash and equipment maintenance or fueling procedures.

v. Potential Sources of Pollution. The SWMP must list all potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with construction activity from the site. This may include, but is not limited to, the following pollutant sources:

(a) Disturbed and stored soils;

(b) Vehicle tracking of sediments;

(c) Management of contaminated soils, if known to be present, or if contaminated soils are found during construction;

(d) Loading and unloading operations;

(e) Outdoor storage activities (erodible building materials, fertilizers, chemicals, etc.);

(f) Vehicle and equipment maintenance and fueling;

(g) Significant dust or particulate generating processes (e.g., saw cutting material, including dust);

(h) Routine maintenance activities involving fertilizers, pesticides, herbicides, detergents, fuels, solvents, oils, etc.;

(i) On-site waste management practices (waste piles, liquid wastes, dumpsters);

(j) Concrete truck/equipment washing, including washing of the concrete truck chute and associated fixtures and equipment;

(k) Dedicated asphalt, concrete batch plants and masonry mixing stations;

(l) Non-industrial waste sources such as worker trash and portable toilets.

vi. Implementation of Control Measures. The SWMP must include design specifications that contain information on the implementation of all the structural and nonstructural control measures in use on the site in accordance with good engineering, hydrologic and pollution control practices; including, as applicable, drawings, dimensions, installation information, materials, implementation processes, control measure-specific inspection expectations, and maintenance requirements.

The SWMP must include a documented use agreement between the permittee and the owner or operator of any control measures located outside of the permitted area, that are utilized by the permittee's construction site for compliance with this permit, but not under the direct control of the permittee. The permittee is responsible for ensuring that all control measures located outside of their permitted area, that are being utilized by the permittee's construction site, are properly maintained and in compliance with all terms and conditions of the permit. The SWMP must include all information required of and relevant to any such control measures located outside the permitted area, including location, installation specifications, design specifications and maintenance requirements.

vii. Site Description. The SWMP must include a site description which includes, at a minimum, the following:

(a) The nature of the construction activity at the site;

(b) The proposed schedule for the sequence for major construction activities and the planned implementation of control measures for each phase. (e.g. clearing, grading, utilities, vertical, etc.);

(c) Estimates of the total acreage of the site, and the acreage expected to be disturbed by clearing, excavation, grading, or any other construction activities;

(d) A summary of any existing data and sources used in the development of the construction site plans or SWMP that describe the soil types found in the permitted area and the erodibility of the identified soil types;

(e) A description of the percent cover of native vegetation on the site if the site is undisturbed, or the percent cover of native vegetation in a similar, local undisturbed area or adequate reference area if the site is disturbed. Include the source or methodology for determining the percentage. If a percent cover is not appropriate for the site location (i.e. arid), describe the technique and justification for the identified cover of native vegetation;

(f) A description of any allowable non-stormwater discharges at the site, including those being discharged under a separate CDPS permit or a division low risk discharge guidance policy, and applicable control measures installed;

(g) A description of the drainage patterns from the site, including a description of the immediate source receiving the discharge and the receiving water(s) of the discharge, if different than the immediate source. If the stormwater discharge is to a municipal separate storm sewer system, include the name of the entity owning that system, the location(s) of the stormwater discharge, and the receiving water(s);

(h) A description of all stream crossings located within the construction site boundary; and

(i) A description of the alternate temporary stabilization schedule, if applicable (Part I.B.1.a.iii(a)).

(j) A description of the alternative diversion criteria as approved by the division, if applicable (Part I.B.1.a.i(i)(3)).

viii. Site Map. The SWMP must include a site map which includes, at a minimum, the following:

(a) Construction site boundaries;

(b) Flow arrows that depict stormwater flow directions on-site and runoff direction;

(c) All areas of ground disturbance including areas of borrow and fill;

(d) Areas used for storage of soil;

(e) Locations of all waste accumulation areas, including areas for liquid, concrete, masonry, and asphalt;

(f) Locations of dedicated asphalt, concrete batch plants and masonry mixing stations;

(g) Locations of all structural control measures;

(h) Locations of all non-structural control measures (e.g. temporary stabilization);

(i) Locations of springs, streams, wetlands, diversions and other state waters, including areas that require pre-existing vegetation be maintained within 50 feet of a receiving water, where determined feasible in accordance with Part I.B.1.a.i(e);

(j) Locations of all stream crossings located within the construction site boundary; and

(k) Locations where alternative temporary stabilization schedules apply.

ix. Temporary Stabilization, Final Stabilization and Long Term Stormwater Management.

(a) The SWMP must document the constraints necessitating an alternative temporary stabilization schedule, as referenced in Part I.B.1.a.iii(a), provide the alternate stabilization schedule, and identify all locations where the alternative schedule is applicable on the site map.

(b) The SWMP must describe and locate the methods used to achieve final stabilization of all disturbed areas at the site, as listed in Part I.B.1.a.iii(b).

(c) The SWMP must describe the measures used to establish final stabilization through vegetative cover or alternative stabilization method, as referenced in Part I.B.1.a.iii(c), and describe and locate any temporary control measures in place during the process of final stabilization.

(d) The SWMP must describe and locate any planned permanent control measures to control pollutants in stormwater discharges that will occur after construction operations are completed, including but not limited to, detention/retention ponds, rain gardens, stormwater vaults, etc.

x. Inspection Reports. The SWMP must include documented inspection reports in accordance with Part I.D.5.c.

3. SWMP Review and Revisions

Permittees must keep a record of SWMP changes made that includes the date and identification of the changes. The SWMP must be amended when the following occurs:

a. A change in design, construction, operation, or maintenance of the site requiring implementation

of new or revised control measures;

b. The SWMP proves ineffective in controlling pollutants in stormwater runoff in compliance with the permit conditions;

c. Control measures identified in the SWMP are no longer necessary and are removed; and

d. Corrective actions are taken onsite that result in a change to the SWMP.

e. The site or areas of the site qualifying for reduced frequency inspections under Part I.D.4.

For SWMP revisions made prior to or following a change(s) onsite, including revisions to sections addressing site conditions and control measures, a notation must be included in the SWMP that identifies the date of the site change, the control measure removed, or modified, the location(s) of those control measures, and any changes to the control measure(s). The permittee must ensure the site changes are reflected in the SWMP. The permittee is noncompliant with the permit until the SWMP revisions have been made.

4. SWMP Availability

A copy of the SWMP must be provided upon request to the division, EPA, and any local agency with authority for approving sediment and erosion plans, grading plans or stormwater management plans within the time frame specified in the request. If the SWMP is required to be submitted to any of these entities, the submission must include a signed certification in accordance with Part I.A.3.e, certifying that the SWMP is complete and compliant with all terms and conditions of the permit.

All SWMPs required under this permit are considered reports that must be available to the public under Section 308(b) of the CWA and Section 61.5(4) of the CDPS regulations. The permittee must make plans available to members of the public upon request. However, the permittee may claim any portion of a SWMP as confidential in accordance with 40 CFR Part 2.

D. SITE INSPECTIONS

Site inspections must be conducted in accordance with the following requirements. The required inspection schedules are a minimum frequency and do not affect the permittee's responsibility to implement control measures in effective operating condition as prescribed in the SWMP, Part I.C.2.a.vi, as proper maintenance of control measures may require more frequent inspections. Site inspections shall start within 7 calendar days of the commencement of construction activities on site.

1. Person Responsible for Conducting Inspections

The person(s) inspecting the site may be on the permittee's staff or a third party hired to conduct stormwater inspections under the direction of the permittee(s). The permittee is responsible for ensuring that the inspector meets the definition of a Qualified Stormwater Manager. The inspector may be different than the individual(s) listed in Part I.C.2.a.i.

2. Inspection Frequency

Permittees must conduct site inspections in accordance with on the following minimum frequencies, unless the site meets the requirements of Part I.D.3. All inspections must be recorded per Part I.D.5.c.

a. At least one inspection every 7 calendar days; or

b. At least one inspection every 14 calendar days, if post-storm event inspections are conducted within 24 hours after the end of any precipitation or snowmelt event that causes surface erosion. Post-storm inspections may be used to fulfill the 14-day routine inspection requirement.

c. When site conditions make the schedule required in this section impractical, the permittee may

petition the division to grant an alternate inspection schedule. The alternative inspection schedule must not be implemented prior to written approval by the division and incorporation into the SWMP.

3. Inspection Frequency for Discharges to Outstanding Waters

Permittees must conduct site inspections at least once every 7 calendar days for sites that discharge to a water body designated as an Outstanding Water by the Water Quality Control Commission.

4. Reduced Inspection Frequency

The permittee may perform site inspections at the following reduced frequencies when one of the following conditions exists:

a. Post-Storm Inspections at Temporarily Idle Sites

For permittees choosing an inspection frequency pursuant to Part I.D.2.b and if no construction activities will occur following a storm event, post-storm event inspections must be conducted prior to re-commencing construction activities, and no later than 72 hours following the storm event. If the post-storm event inspection qualifies under this section, the inspection delay must be documented in the inspection record per Part I.D.5.c. Routine inspections must still be conducted at least every 14 calendar days.

b. Inspections at Completed Sites/Areas

When the site, or portions of a site, are awaiting establishment of a vegetative ground cover and final stabilization, the permittee must conduct a thorough inspection of the stormwater management system at least once every 30 days. Post-storm event inspections are not required under this schedule. This reduced inspection schedule is allowed if all of the following criteria are met:

i. All construction activities resulting in ground disturbance are complete;

ii. All activities required for final stabilization, in accordance with Part I.B.1.a.iii(b) & (c) and with the SWMP, have been completed, with the exception of the application of seed that has not occurred due to seasonal conditions or the necessity for additional seed application to augment previous efforts; and

iii. The SWMP has been amended to locate those areas to be inspected in accordance with the reduced schedule allowed for in this paragraph.

c. Winter Conditions Inspections Exclusion

Inspections are not required for sites that meet all of the following conditions: construction activities are temporarily halted, snow cover exists over the entire site for an extended period, and melting conditions posing a risk of surface erosion do not exist. This inspection exception is applicable only during the period where melting conditions do not exist, and applies to the routine 7-day, 14-day and monthly inspections, as well as the post-storm-event inspections. When this inspection exclusion is implemented, the following information must be documented in accordance with the requirements in Part I.C.3 and Part I.D.5.c:

i. Dates when snow cover existed;

ii. Date when construction activities ceased; and

iii. Date melting conditions began.

5. Inspection Scope

a. Areas to Be Inspected

When conducting a site inspection the following areas, if applicable, must be inspected for evidence of, or the potential for, pollutants leaving the construction site boundaries, entering the stormwater drainage system or discharging to state waters:

i. Construction site perimeter;

ii. All disturbed areas;

iii. Locations of installed control measures;

iv. Designated haul routes;

v. Material and waste storage areas exposed to precipitation;

vi. Locations where stormwater has the potential to discharge offsite; and

vii. Locations where vehicles exit the site.

b. Inspection Requirements

i. Visually verify whether all implemented control measures are in effective operational condition and are working as designed in their specifications to minimize pollutant discharges.

ii. Determine if there are new potential sources of pollutants.

iii. Assess the adequacy of control measures at the site to identify areas requiring new or modified control measures to minimize pollutant discharges.

iv. Identify all areas of non-compliance with the permit requirements and, if necessary, implement corrective action(s) in accordance with Part I.B.1.c.

c. Inspection Reports

The permittee must keep a record of all inspections conducted for each permitted site. Inspection reports must identify any incidents of noncompliance with the terms and conditions of this permit. All inspection reports must be signed and dated in accordance with Part I.A.3.f. Inspection records must be retained in accordance with Part II.O. At a minimum, the inspection report must include:

i. The inspection date;

ii. Name(s) and title(s) of personnel conducting the inspection;

iii. Weather conditions at the time of inspection;

iv. Phase of construction at the time of inspection;

v. Estimated acreage of disturbance at the time of inspection;

vi. Location(s) and identification of control measures requiring routine maintenance;

vii. Location(s) and identification of discharges of sediment or other pollutants from the site;

viii. Location(s) and identification of inadequate control measures;

ix. Location(s) and identification of additional control measures needed that were not in place at the time of inspection;

x. Description of corrective action(s) for items vii, viii, ix, above, dates corrective action(s) were completed, including requisite changes to the SWMP, as necessary;

xi. Description of the minimum inspection frequency (either in accordance with Part I.D.2, Part I.D.3 or Part I.D.4.) utilized when conducting each inspection.

xii. Deviations from the minimum inspection schedule as required in Part I.D.2. This would include documentation of division approval for an alternate inspection schedule outlined in Part I.D.2.c;

xiii. After adequate corrective action(s) have been taken, or where a report does not identify any incidents requiring corrective action, the report shall contain a statement as required in Part I.A.3.f.

E. DEFINITIONS

For the purposes of this permit:

(1) Bypass the intentional diversion of waste streams from any portion of a treatment facility in accordance with 40 CFR 122.41(m)(1)(i) and Regulation 61.2(12).

(2) Common Plan of Development or Sale - A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules, but remain related. The division has determined that "contiguous" means construction activities located in close proximity to each other (within ¼ mile). Construction activities are considered to be "related" if they share the same development plan, builder or contractor, equipment, storage areas, etc. "Common plan of development or sale" includes construction activities that are associated with the construction of field wide oil and gas permits for facilities that are related.

(3) Construction Activity - Ground surface disturbing and associated activities (land disturbance), which include, but are not limited to, clearing, grading, excavation, demolition, installation of new or improved haul roads and access roads, staging areas, stockpiling of fill materials, and borrow areas. Construction does not include routine maintenance to maintain the original line and grade, hydraulic capacity, or original purpose of the facility. Activities to conduct repairs that are not part of routine maintenance or for replacement are construction activities and are not routine maintenance. Repaving activities where underlying and/or surrounding soil is exposed as part of the repaving operation are considered construction activities. Construction activity is from initial ground breaking to final stabilization regardless of ownership of the construction activities.

(4) Control Measure - Any best management practice or other method used to prevent or reduce the discharge of pollutants to state waters. Control measures include, but are not limited to, best management practices. Control measures can include other methods such as the installation, operation, and maintenance of structural controls and treatment devices.

(5) Control Measure Requiring Routine Maintenance - Any control measure that is still operating in accordance with its design and the requirements of this permit, but requires maintenance to prevent a breach of the control measure. See also inadequate control measure.

(6) Dedicated Asphalt, Concrete Batch Plants and Masonry Mixing Stations – Are batch plants or mixing stations located on, or within ¼ mile of, a construction site and that provide materials only to that specific construction site.

(7) Diversion – Discharges of state waters that are temporarily routed through channels or structures (e.g. in-stream, uncontaminated springs, non-pumped groundwater, temporary rerouting of surface waters).

(8) Final Stabilization - The condition reached when construction activities at the site have been

completed, permanent stabilization methods are complete, and temporary control measures are removed. Areas being stabilized with a vegetative cover must have evenly distributed perennial vegetation. The vegetation coverage must be, at a minimum, equal to 70 percent of what would have been provided by native vegetation in a local, undisturbed area or adequate reference site.

(9) Good Engineering, Hydrologic and Pollution Control Practices: are methods, procedures, and practices that:

a. Are based on basic scientific fact(s).

b. Reflect best industry practices and standards.

c. Are appropriate for the conditions and pollutant sources.

d. Provide appropriate solutions to meet the associated permit requirements, including practice based effluent limits.

(10) Inadequate Control Measure - Any control measure that is not designed or implemented in accordance with the requirements of the permit and/or any control measure that is not implemented to operate in accordance with its design. See also Control Measure Requiring Routine Maintenance.

(11) Infeasible – Not technologically possible, or not economically practicable and achievable in light of best industry practices.

(12) Minimize - reduce or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice.

(13) Municipality - A city, town, county, district, association, or other public body created by, or under, State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or a designated and approved management agency under section 208 of CWA (1987).

(14) Municipal Separate Storm Sewer System (MS4) - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

a. Owned or operated by a State, city, town, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to state waters;

i. Designed or used for collecting or conveying stormwater;

ii. Are not a combined sewer; and

iii. Are not part of a Publicly Owned Treatment Works (POTW). See 5 CCR 1002-61.2(62).

(15) Municipal Stormwater Management Program - A stormwater program operated by a municipality, typically to meet the requirements of the municipalities MS4 discharge certification.

(16) Operator - The party that has operational control over day-to-day activities at a project site which are necessary to ensure compliance with the permit. This party is authorized to direct individuals at a site to carry out activities required by the permit (i.e. the general contractor).

(17) Outstanding Waters - Waters designated as outstanding waters pursuant to Regulation 31, Section 31.8(2)(a). The highest level of water quality protection applies to certain waters that constitute an outstanding state or national resource.

(18) Owner - The party that has overall control of the activities and that has funded the implementation of the construction plans and specifications. This is the party that may have ownership of, a long term lease of, or easements on the property on which the construction activity is occurring (e.g. the developer).

(19) Permittee(s) - The owner and operator named in the discharge certification issued under this permit for the construction site specified in the certification.

(20) Point Source - Any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. Point source does not include irrigation return flow. See 5 CCR 102-61.2(75).

(21) Pollutant - Dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, wrecked or discarded equipment, rock, sand, or any industrial, municipal or agricultural waste. See 5 CCR 1002-61.2(76).

(22) Presentation of credentials – a government issued form of identification, if in person; or (ii) providing name, position and purpose of inspection if request to enter is made via telephone, email or other form of electronic communication. A Permittee's non-response to a request to enter upon presentation of credentials constitutes a denial to such request, and may result in violation of the Permit.

(23) Process Water - Any water which, during manufacturing or processing, comes into contact with or results from the production of any raw material, intermediate product, finished product, by product or waste product.

(24) Public Emergency Related Site - a project initiated in response to an unanticipated emergency (e.g., mud slides, earthquake, extreme flooding conditions, disruption in essential public services), for which the related work requires immediate authorization to avoid imminent endangerment to human health or the environment, or to reestablish essential public services.

(25) Qualified Stormwater Manager - An individual knowledgeable in the principles and practices of erosion and sediment control and pollution prevention, and with the skills to assess conditions at construction sites that could impact stormwater quality and to assess the effectiveness of stormwater controls implemented to meet the requirements of this permit.

(26) Qualifying Local Program - A municipal program for stormwater discharges associated with small construction activity that was formally approved by the division as a qualifying local program.

(27) Receiving Water - Any classified or unclassified surface water segment (including tributaries) in the State of Colorado into which stormwater associated with construction activities discharges. This definition includes all water courses, even if they are usually dry, such as borrow ditches, arroyos, and other unnamed waterways.

(28) Severe Property Damage - substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. See 40 CFR 122.41(m)(1)(ii).

(29) Significant Materials - Include, but not limited to, raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in

food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the permittee is required to report under section 313 of Title III of the Superfund Amendments and Reauthorization Act (SARA); fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

(30) Small Construction Activity - The discharge of stormwater from construction activities that result in land disturbance of equal to, or greater than, one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale, if the larger common plan ultimately disturbs equal to, or greater than, one acre and less than five acres.

(31) Spill - An unintentional release of solid or liquid material which may pollute state waters.

(32) State Waters - means any and all surface and subsurface waters which are contained in or flow in or through this state, but does not include waters in sewage systems, waters in treatment works of disposal systems, waters in potable water distribution systems, and all water withdrawn for use until use and treatment have been completed.

(33) Steep Slopes: where a local government, or industry technical manual (e.g. stormwater BMP manual) has defined what is to be considered a “steep slope”, this permit’s definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 3:1 or greater.

(34) Stormwater - Precipitation runoff, snow melt runoff, and surface runoff and drainage. See 5 CCR 1002-61.2(103).

(35) Total Maximum Daily Loads (TMDLs) -The sum of the individual wasteload allocations (WLA) for point sources and load allocations (LA) for nonpoint sources and natural background. For the purposes of this permit, a TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes WLAs, LAs, and must include a margin of safety (MOS), and account for seasonal variations. See section 303(d) of the CWA and 40 C.F.R. 130.2 and 130.7.

(36) Upset - an exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation in accordance with 40 CFR 122.41(n) and Regulation 61.2(114).

F. MONITORING

The division may require sampling and testing, on a case-by-case basis. If the division requires sampling and testing, the division will send a notification to the permittee. Reporting procedures for any monitoring data collected will be included in the notification.

If monitoring is required, the following applies:

1. The thirty (30) day average must be determined by the arithmetic mean of all samples collected during a thirty (30) consecutive-day period; and

2. A grab sample, for monitoring requirements, is a single “dip and take” sample.

G. OIL AND GAS CONSTRUCTION

Stormwater discharges associated with construction activities directly related to oil and gas exploration, production, processing, and treatment operations or transmission facilities are regulated under the Colorado Discharge Permit System Regulations (5 CCR 1002-61), and require coverage under this permit in accordance with that regulation. However, references in this permit to specific authority under the CWA do not apply to

stormwater discharges associated with these oil and gas related construction activities, to the extent that the references are limited by the federal Energy Policy Act of 2005.

Part II: Standard Permit Conditions

A. DUTY TO COMPLY

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Water Quality Control Act and is grounds for:

1. Enforcement action;

2. Permit termination, revocation and reissuance, or modification; or

3. Denial of a permit renewal application.

B. DUTY TO REAPPLY

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain authorization as required by Part I.A.3.k. of the permit.

C. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. DUTY TO MITIGATE

A permittee must take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. PROPER OPERATION AND MAINTENANCE

A permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit. This requirement can be met by meeting the requirements for Part I.B., I.C., and I.D. above. See also 40 C.F.R. § 122.41(e).

F. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated for cause. The permittee request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. Any request for modification, revocation, reissuance, or termination under this permit must comply with all terms and conditions of Regulation 61.8(8).

G. PROPERTY RIGHTS

In accordance with 40 CFR 122.41(g) and 5 CCR 1002-61, 61.8(9):

1. The issuance of a permit does not convey any property or water rights in either real or personal property, or stream flows or any exclusive privilege.

2. The issuance of a permit does not authorize any injury to person or property or any invasion of personal rights, nor does it authorize the infringement of federal, state, or local laws or regulations.

3. Except for any toxic effluent standard or prohibition imposed under Section 307 of the Federal act or any standard for sewage sludge use or disposal under Section 405(d) of the Federal act, compliance with a permit during its term constitutes compliance, for purposes of enforcement, with Sections 301,

302, 306, 318, 403, and 405(a) and (b) of the Federal act. However, a permit may be modified, revoked and reissued, or terminated during its term for cause as set forth in Section 61.8(8) of the Colorado Discharge Permit System Regulations.

H. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the division, within a reasonable time, any information which the division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the division, upon request, copies of records required to be kept by this permit in accordance with 40 CFR 122.41(h) and/or Regulation 61.8(3)(q).

I. INSPECTION AND ENTRY

The permittee shall allow the division and the authorized representative, upon the presentation of credentials as required by law, to allow for inspections to be conducted in accordance with 40 CFR 122.41(i), Regulation 61.8(3), and Regulation 61.8(4):

1. To enter upon the permittee's premises where a regulated facility or activity is located or in which any records are required to be kept under the terms and conditions of this permit;

2. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit;

3. At reasonable times, inspect any monitoring equipment or monitoring method required in the permit; and

4. To enter upon the permittee's premises in a reasonable manner and at a reasonable time to inspect or investigate, any actual, suspected, or potential source of water pollution, or any violation of the Colorado Water Quality Control Act. The investigation may include: sampling of any discharges, stormwater or process water, taking of photographs, interviewing site staff on alleged violations and other matters related to the permit, and assessing any and all facilities or areas within the site that may affect discharges, the permit, or an alleged violation.

   The permittee shall provide access to the division or other authorized representatives upon presentation of proper credentials. A permittee's non-response to a request to enter upon presentation of credentials constitutes a denial of such request, and may result in a violation of the permit.

J. MONITORING AND RECORDS

1. Samples and measurements taken for the purpose of monitoring must be representative of the volume and nature of the monitored activity.

2. The permittee must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date the permit expires or the date the permittee's authorization is terminated. This period may be extended by request of the division at any time.

3. Records of monitoring information must include:

   a. The date, exact place, and time of sampling or measurements;

   b. The individual(s) who performed the sampling or measurements;

   c. The date(s) analyses were performed

d. The individual(s) who performed the analyses;

e. The analytical techniques or methods used; and

f. The results of such analyses.

4. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in the permit.

K. SIGNATORY REQUIREMENTS

1. Authorization to Sign:

All documents required to be submitted to the division by the permit must be signed in accordance with the following criteria:

a. For a corporation: by a responsible corporate officer. For the purpose of this subsection, a responsible corporate officer means:

i. A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or

ii. The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this subsection, a principal executive officer of a federal agency includes

i. The chief executive officer of the agency, or

ii. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency. (e.g. Regional Administrator of EPA)

2. Electronic Signatures

For persons signing applications for coverage under this permit electronically, in addition to meeting other applicable requirements stated above, such signatures must meet the same signature, authentication, and identity-proofing standards set forth at 40 CFR § 3.2000(b) for electronic reports (including robust second-factor authentication). Compliance with this requirement can be achieved by submitting the application using the Colorado Environmental Online Service (CEOS) system.

3. Change in Authorization to Sign

If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the division, prior to the re-authorization, or together with any reports, information, or applications to be signed by an authorized representative.

L. REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall give advance notice to the division, in writing, of any planned physical alterations or additions to the permitted facility in accordance with 40 CFR 122.41(l) and Regulation 61.8(5)(a). Notice is required only when:

a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.41(a)(1).

2. Anticipated Non-Compliance

The permittee shall give advance notice to the division, in writing, of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements. The timing of notification requirements differs based on the type of non-compliance as described in subparagraphs 5, 6, 7, and 8 below.

3. Transfer of Ownership or Control

The permittee shall notify the division, in writing, ten (10) calendar days in advance of a proposed transfer of the permit. This permit is not transferable to any person except after notice is given to the division.

a. Where a facility wants to change the name of the permittee, the original permittee (the first owner or operators) must submit a Notice of Termination.

b. The new owner or operator must submit an application. See also signature requirements in Part II.K, above.

c. A permit may be automatically transferred to a new permittee if:

i. The current permittee notifies the division in writing 30 calendar days in advance of the proposed transfer date; and

ii. The notice includes a written agreement between the existing and new permittee(s) containing a specific date for transfer of permit responsibility, coverage and liability between them; and

iii. The division does not notify the existing permittee and the proposed new permittee of its intent to modify, or revoke and reissue the permit.

iv. Fee requirements of the Colorado Discharge Permit System Regulations, Section 61.15, have been met.

4. Monitoring reports

Monitoring results must be reported at the intervals specified in this permit per the requirements of 40 CFR 122.41(l)(4).

5. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule in the permit, shall be submitted on the date listed

in the compliance schedule section. The fourteen (14) calendar day provision in Regulation 61.8(4)(n)(i) has been incorporated into the due date.

6. Twenty-four Hour Reporting

In addition to the reports required elsewhere in this permit, the permittee shall report the following circumstances orally within twenty-four (24) hours from the time the permittee becomes aware of the circumstances, and shall mail to the division a written report containing the information requested within five (5) working days after becoming aware of the following circumstances:

a. Circumstances leading to any noncompliance which may endanger health or the environment regardless of the cause of the incident;

b. Circumstances leading to any unanticipated bypass which exceeds any effluent limitations in the permit;

c. Circumstances leading to any upset which causes an exceedance of any effluent limitation in the permit;

d. Daily maximum violations for any of the pollutants limited by Part I of this permit. This includes any toxic pollutant or hazardous substance or any pollutant specifically identified as the method to control any toxic pollutant or hazardous substance.

e. The division may waive the written report required under subparagraph 6 of this section if the oral report has been received within 24 hours.

7. Other Non-Compliance

A permittee must report all instances of noncompliance at the time monitoring reports are due. If no monitoring reports are required, these reports are due at least annually in accordance with Regulation 61.8(4)(p). The annual report must contain all instances of non-compliance required under either subparagraph 5 or subparagraph 6 of this subsection.

8. Other Information

Where a permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Permitting Authority, it has a duty to promptly submit such facts or information.

M. BYPASS

1. Bypass Not Exceeding Limitations

The permittees may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Part II.M.2 of this permit. See 40 CFR 122.41(m)(2).

2. Notice of Bypass

a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, the permittee must submit prior notice, if possible at least ten days before the date of the bypass. ee 40 CFR §122.41(m)(3)(i) and/or Regulation 61.9(5)(c).

b. Unanticipated bypass. The permittee must submit notice of an unanticipated bypass in accordance with Part II.L.6. See 40 CFR §122.41(m)(3)(ii).

3. Prohibition of Bypass

Bypasses are prohibited and the division may take enforcement action against the permittee for bypass, unless:

a. The bypass is unavoidable to prevent loss of life, personal injury, or severe property damage;

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

c. Proper notices were submitted to the division.

N. UPSET

1. Effect of an upset

An upset constitutes an affirmative defense to an action brought for noncompliance with permit effluent limitations if the requirements of Part II.N.2. of this permit are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review in accordance with Regulation 61.8(3)(j).

2. Conditions Necessary for Demonstration of an Upset

A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed contemporaneous operating logs, or other relevant evidence that:

a. An upset occurred and the permittee can identify the specific cause(s) of the upset;

b. The permitted facility was at the time being properly operated and maintained; and

c. The permittee submitted proper notice of the upset as required in Part II.L.6.(24- hour notice); and

d. The permittee complied with any remedial measure necessary to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. In addition to the demonstration required above, a permittee who wishes to establish the affirmative defense of upset for a violation of effluent limitations based upon water quality standards shall also demonstrate through monitoring, modeling or other methods that the relevant standards were achieved in the receiving water.

3. Burden of Proof

In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

O. RETENTION OF RECORDS

1. Post-Expiration or Termination Retention

Copies of documentation required by this permit, including records of all data used to complete the application for permit coverage to be covered by this permit, must be retained for at least three years from the date that permit coverage expires or is terminated. This period may be extended by request of EPA at any time.

2. On-site Retention

The permittee must retain an electronic version or hardcopy of the SWMP at the construction site from

the date of the initiation of construction activities to the date of expiration or inactivation of permit coverage; unless another location, specified by the permittee, is approved by the division.

P. REOPENER CLAUSE

1. Procedures for Modification or Revocation

   Permit modification or revocation of this permit or coverage under this permit will be conducted according to Regulation 61.8(8).

2. Water Quality Protection

   If there is evidence indicating that the stormwater discharges authorized by this permit cause, have the reasonable potential to cause or contribute to an excursion above any applicable water quality standard, the permittee may be required to obtain an individual permit, or the permit may be modified to include different limitations and/or requirements.

Q. SEVERABILITY

The provisions of this permit are severable. If any provisions or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.

R. NOTIFICATION REQUIREMENTS

1. Notification to Parties

   All notification requirements, excluding information submitted using the CEOS portal, shall be directed as follows:

   a. Oral Notifications, during normal business hours shall be to:
      Clean Water Compliance Section
      Water Quality Control Division
      Telephone: (303) 692-3500

   b. Written notification shall be to:
      Clean Water Compliance Section
      Water Quality Control Division
      Colorado Department of Public Health and Environment
      WQCD-WQP-B2
      4300 Cherry Creek Drive South
      Denver, CO 80246-1530

S. RESPONSIBILITIES

1. Reduction, Loss, or Failure of Treatment Facility

   The permittee has the duty to halt or reduce any activity if necessary to maintain compliance with the effluent limitations of the permit. It shall not be a defense for a permittee in an enforcement action that it would be necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

T. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 (Oil and Hazardous Substance Liability) of the CWA.

U. EMERGENCY POWERS

Nothing in this permit shall be construed to prevent or limit application of any emergency power of the division.

V. CONFIDENTIALITY

Any information relating to any secret process, method of manufacture or production, or sales or marketing data which has been declared confidential by the permittee, and which may be acquired, ascertained, or discovered, whether in any sampling investigation, emergency investigation, or otherwise, shall not be publicly disclosed by any member, officer, or employee of the Water Quality Control Commission or the division, but shall be kept confidential. Any person seeking to invoke the protection of this section shall bear the burden of proving its applicability. This section shall never be interpreted as preventing full disclosure of effluent data.

W. FEES

The permittee is required to submit payment of an annual fee as set forth in the 2016 amendments to the Water Quality Control Act. Section 25-8-502 (1.1) (b), and the Colorado Discharge Permit System Regulations 5 CCR 1002-61, Section 61.15 as amended. Failure to submit the required fee when due and payable is a violation of the permit and will result in enforcement action pursuant to Section 25-8-601 et. seq., C.R.S.1973 as amended.

X. DURATION OF PERMIT

The duration of a permit shall be for a fixed term and shall not exceed five (5) years. If the permittee desires to continue to discharge, a permit renewal application shall be submitted at least ninety (90) calendar days before this permit expires. Filing of a timely and complete application shall cause the expired permit to continue in force to the effective date of the new permit. The permit's duration may be extended only through administrative extensions and not through interim modifications. If the permittee anticipates there will be no discharge after the expiration date of this permit, the division should be promptly notified so that it can terminate the permit in accordance with Part I.A.3.i.

Y. SECTION 307 TOXICS

If a toxic effluent standard or prohibition, including any applicable schedule of compliance specified, is established by regulation pursuant to Section 307 of the Federal Act for a toxic pollutant which is present in the permittee's discharge and such standard or prohibition is more stringent than any limitation upon such pollutant in the discharge permit, the division shall institute proceedings to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition

Appendix D – Land Disturbance Permit and Acknowledgement Letter from EPA/State

Appendix E – Inspection Reports

Appendix F – Corrective Action Log

Project Name: Panda Express - Falcon, Colorado
SWMP Contact: Matt Cramer

Inspection Date	Inspector Name(s)	Description of BMP Deficiency	Corrective Action Needed (including planned date/responsible person)	Date Action Taken/Responsible person

Appendix G – SWMP Amendment Log

Project Name: Panda Express - Falcon, Colorado
SWMP Contact: Matt Cramer

Amendment No.	Description of the Amendment	Date of Amendment	Amendment Authorized by [Name(s) and Title]

Appendix H – Subcontractor Certifications/Agreements

SUBCONTRACTOR CERTIFICATION
STORMWATER MANAGEMENT PLAN

Project Number: _____

Project Title: _____

Operator(s): _____

As a subcontractor, you are required to comply with the Stormwater Pollution Prevention Plan (SWMP) for any work that you perform on-site. Any person or group who violates any condition of the SWMP may be subject to substantial penalties or loss of contract. You are encouraged to advise each of your employees working on this project of the requirements of the SWMP. A copy of the SWMP is available for your review at the office trailer.

Each subcontractor engaged in activities at the construction site that could impact stormwater must be identified and sign the following certification statement:

I certify under the penalty of law that I have read and understand the terms and conditions of the SWMP for the above designated project and agree to follow the BMPs and practices described in the SWMP.

This certification is hereby signed in reference to the above-named project:

Company: _____

Address: _____

Telephone Number: _____

Type of construction service to be provided: _____

_____

_____

Signature: _____

Title: _____

Date: _____

Appendix I – Grading and Stabilization Activities Log

Project Name: Panda Express - Falcon, Colorado

SWMP Contact: Matt Cramer

Date Grading Activity Initiated	Description of Grading Activity	Date Grading Activity Ceased (Indicate Temporary or Permanent)	Date When Stabilization Measures are Initiated	Description of Stabilization Measure and Location

Appendix J – SWMP Training Log

Stormwater Pollution Prevention Training Log

Project Name: Panda Express - Falcon, Colorado

Project Location:

Instructor's Name(s):

Instructor's Title(s):

Course Location: _____ Date: _____

Course Length (hours): _____

Stormwater Training Topic: *(check as appropriate)*

- ❑ **Erosion Control BMPs**
- ❑ **Emergency Procedures**
- ❑ **Sediment Control BMPs**
- ❑ **Good Housekeeping BMPs**
- ❑ **Non-Stormwater BMPs**

Specific Training Objective:_____

_____

Attendee Roster: *(attach additional pages as necessary)*

No.	Name of Attendee	Company
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Appendix K – Delegation of Authority Form

Delegation of Authority

I, _____ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with environmental requirements, including the Construction General Permit, at the _____ construction site. The designee is authorized to sign any reports, stormwater pollution prevention plans and all other documents required by the permit.

_____ (name of person or position)
_____ (company)
_____ (address)
_____ (city, state, zip)
_____ (phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in _____ (Reference State Permit), and that the designee above meets the definition of a "duly authorized representative" as set forth in _____ (Reference State Permit).

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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, including the possibility of fine and imprisonment for knowing violations.

Name: _____

Company: _____

Title: _____

Signature: _____

Date: _____

Appendix L – Endangered Species and Historic Preservation Documentation