

Document title

# Land Disturbing Activities

Document number

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Progress Telecom Corporation

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**FORMS**

|                                |   |
|--------------------------------|---|
| <a href="#">FRM-SUBS-01050</a> | Environmental Survey for New Construction Projects and Modifications to Existing Facilities |
|--------------------------------|---|

## 1.0 BACKGROUND

- Land development activities may require several different permits, certifications, or approvals issued by different state and/or federal agencies. These activities include, but are not limited to:

- ✓ The construction or expansion of:

- ✎ Buildings,

- ✎ Facilities,

- ✎ Substations,

- ✎ Power plants,

- ✎ Parking lots,

- ✎ Roads,

- ✎ Overhead or underground utility lines (electric, gas, etc.), or

- ✓ Clearing rights-of-way.

- Permits, certifications, or approvals must be obtained prior to beginning any land-disturbing activity. Contact the Environmental Services Section ([ESS](#)) for assistance with obtaining these authorizations.

| ACTIVITIES THAT MAY REQUIRE AUTHORIZATIONS<br>FROM FEDERAL, STATE OR LOCAL AGENCIES           |
|---|
| Exposing soil to increased <a href="#">erosion</a> and off-site <a href="#">sedimentation</a> |
| Discharge of dredged or fill material to <a href="#">waters of the US</a>                     |
| Disturbing land near a stream   |
| Placing a structure in <a href="#">navigable waters</a>                                       |
| Construction in <a href="#">wetlands</a> or a <a href="#">coastal county</a>                  |
| Installation of an impervious surface   |

- Most of these authorizations are mandated by the Clean Water Act, which is a federal law. The law delegated the responsibility of administering some programs to the states.

- ✓ In this chapter, state-administered federal provisions will be found under the state sections.

- As of March 10, 2003 a general National Pollution Elimination Discharge (NPDES) permit is required for construction activities greater than 1 acre.

- Employees and contractors must comply with all site-specific and general permit conditions.
- Noncompliance with regulations, permits, plans or approvals may result in:
  - ✓ Notices of Violation;
  - ✓ Requirement to restore the disturbed area;
  - ✓ Stop-work orders;
  - ✓ Record of noncompliance (may negatively impact future permitting);
  - ✓ Fines of up to \$50,000; and
  - ✓ Two years imprisonment.

## **2.0 PROGRAM REQUIREMENTS**

### **2.1 COMPANY**

- Employees and contractors have the responsibility to determine whether land-disturbing activities require a permit, plan, or other approval.
- Refer to the Environmental Survey ([FRM-SUBS-01050](#)) early in the planning stages of any project that may cause land disturbances. If the survey indicates a permit or approval is required, contact [ESS](#) for assistance with the process.
  - ✓ Some permits require substantial (months) regulatory approval time which must be built into the project schedule; it is important to contact ESS early.
  - ✓ As of March 10, 2003 a general NPDES permit is required for construction activities greater than 1 acre.
- Any land-disturbing activity that can result in off-site [sedimentation](#) requires installation of adequate erosion control measures.
- Impacts to regulated areas should be avoided if possible and minimized at all times.
- Contacted ESS to determine the presence of [wetlands](#), surface waters, or other regulated areas and to delineate the jurisdictional boundaries. Each employee must:
  - ✓ Have jurisdictional areas identified,
  - ✓ Find out what activities can and can't be undertaken without a permit, and
  - ✓ Know the boundaries of wetland areas when land disturbing activities are undertaken in or near wetlands, coastal areas or buffer zones.

## **2.2 FEDERAL**

- Refer to [Section 3.0](#) for permit information.

## **2.3 FLORIDA**

### **A. SEDIMENT AND EROSION CONTROL**

All projects are required to institute Best Management Practices to minimize offsite transport of materials during a construction project.

### **B. STORM WATER DISCHARGES**

- Florida's Environmental Resource Permitting program combines the permitting of stormwater management and impacts to wetlands in one [permitting program](#).
- In addition to and separate from the Environmental Resource Permitting Program, a Generic Permit for Stormwater Discharge from Construction Activities that Disturb One or More Acres of Land (CGP) may also be required. These permits are required for stormwater discharges to surface water of the state from construction activity that disturbs one or more acres of land.

### **C. RIVER BUFFER**

There are no formal river buffer requirements.

**D. WETLANDS, WATERS OF THE U.S., AND COASTAL AREAS**

- Florida's Environmental Resource Permitting program combines the permitting of stormwater management and impacts to wetlands in one [permitting program](#).
- Construction projects involving land under water (e.g., aerial crossings, modifications to existing lines, replacement of subaqueous cables, etc.) may require State approval.
- Progress Energy Florida's use of [sovereign submerged lands](#) requires an easement or consent of use from the State. Contact the [ESS](#) for assistance if a project includes submerged lands.
- The installation of any impervious surface (driveways, buildings, equipment foundations) may require a [permit](#) to be obtained.
- Depending on the amount of impervious surface being installed a stormwater pond may be required to be constructed.
- Impacts below the 100 year floodplain require compensating storage be provided.
  - ✓ If an Environmental Resource Permit is required, this issue will be addressed as part of that permit if not, the local government will address as part of their permitting process.
- Local government rules may be more stringent than the state rules and coordination must occur to ensure that requirements of all the agencies are met.



## 2.4 GEORGIA

### A. SEDIMENT AND EROSION CONTROL

- Many counties (including Effingham, Monroe, Walton, and Washington Counties) administer their own sedimentation and erosion control programs.
- Use [Best Management Practices](#) (BMPs) found in Section [12-7-6](#) of the Georgia Erosion and Sedimentation Act (also refer to “The Manual for Erosion and Sediment Control in Georgia” for guidance) for all land-disturbing activities.
- Development involving less than 1.1 acres does not require a permit.
- A [Land-Disturbing Activities Permit](#) is required prior to beginning work for:
  - ✓ Projects over 1.1 acres (even if the disturbed area is less than 1.1 acres), or
  - ✓ Those within 200 feet of the bank of any State waters.
- Perform inspections as required in the Erosion and Sedimentation Control Plan.

### B. STORM WATER DISCHARGES

- Projects that involve less than one acre must comply with BMPs found in Section 12-7-6 of the Georgia Erosion and Sedimentation Act (also refer to “[The Manual for Erosion and Sediment Control in Georgia](#)” for guidance).
- When the project is one acre or greater, a [General NPDES Permit for Storm Water Discharges from Construction Activities](#) is required.
  - ✓ Sites greater than five acres must sample in accordance with the project’s Comprehensive Monitoring Program and a monthly monitoring results summary must be submitted to the Regional office by the fifteenth of the following month.
- As of March 10, 2003 a General NPDES Permit for Storm Water Discharges from Construction Activities is required for construction activities greater than 1 acre.

### C. RIVER BUFFERS

- A [variance or permit](#) must be obtained prior to beginning projects along rivers or streams.
- Contact the local government agency to determine if there are any additional requirements or restrictions for development along rivers.

## **D. WETLANDS, WATERS OF THE U.S., AND COASTAL AREAS**

Activities in [marshlands](#), the [dynamic dune system](#), or tidal areas require [permits](#).

### **2.5 NORTH CAROLINA**

#### **A. SEDIMENT AND EROSION CONTROL**

- Memoranda of understanding authorize certain transmission line and substation construction activities upon approval of simplified Sediment and Erosion Control Plans.
- Any land-disturbing activity that can result in off-site [sedimentation](#) requires installation of adequate erosion control measures.
- If the land-disturbance is one acre or greater a Sediment and Erosion Control Plan must be submitted to, and approved by, the appropriate Land Quality Section, Division of Land Resources Regional Office, prior to beginning work.
  - ✓ The plan must be submitted at least 30 days prior to the project's start date.
  - ✓ If the State has issued a Letter of Approval within 30 days of submission, contact [ESS](#) before beginning the project.

#### **B. STORM WATER DISCHARGES**

- Land-disturbing activities of one acre or greater require [NPDES Stormwater Discharge Permit for Construction Activities](#).
  - ✓ As of March 10, 2003 permits are required for projects of one acre or larger.
- A N.C. Stormwater Runoff Management Permit is required when a CAMA Major Development Permit or an approved Sediment and Erosion Control Plan is needed and when development activities:
  - ✓ Are located in the 20 [coastal counties](#)
  - ✓ Drain to Outstanding Resource Waters (ORW)
  - ✓ Are within 1 mile and draining to high quality waters (HQW)

### C. RIPARIAN BUFFERS

- Activities impacting intermittent and perennial streams, lakes, ponds and estuarine waters within the Neuse, Tar-Pamlico, and Mainstem Catawba River Basins and the Randleman Reservoir must meet North Carolina Riparian Area [Buffer Protection Rules](#). Buffers are separated into two zones:
  - ✓ Zone 1 (the first 30 feet) must be left undisturbed.
  - ✓ Zone 2 (the next 20 feet) may be graded and revegetated, provided that the health of the vegetation in Zone 1 is not compromised and the ground is stabilized and existing diffuse flow is maintained.
- The North Carolina Riparian Area Buffer Protection Rules describe certain categories of activities which are “exempt,” “allowable,” “allowable with mitigation,” and “prohibited.”
  - ✓ Many construction [activities](#), including the installation of overhead and underground utility lines, are either exempt or allowable with the use of certain [BMPs](#) (see footnote on p. 9).
    - ✎ Overhead utility rights-of-way widths are limited to 150 feet.
    - ✎ Underground utility rights-of-way widths are limited to 40 feet.

| BMPS RELATED TO THE CONSTRUCTION OF ELECTRIC LINES  |                   |                |
|---|-------------------|----------------|
| PRACTICE ALLOWABLE WITHIN RIGHTS-OF-WAY   | UNDERGROUND LINES | OVERHEAD LINES |
| Remove only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line in the 10-foot wide (minimum) zone immediately adjacent to the water body. |                   | ✓              |
| Clear woody vegetation by hand. Land grubbing and grading are prohibited.   | ✓                 | ✓              |
| Leave vegetated root systems intact to maintain the integrity of the soil; stumps shall remain, except in the trench.   | ✓                 | ✓              |
| Riprap is prohibited unless it is necessary to stabilize a tower.   |                   | ✓              |
| Install underground cables by vibratory plow or trenching.  | ✓                 |                |
| Backfill the trench with the excavated soil immediately following cable installation.   | ✓                 |                |
| Fertilizer is prohibited, except for a one-time application to re-establish vegetation.   | ✓                 | ✓              |
| Minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state during construction.                                  | ✓                 | ✓              |
| Take active measures after construction and during routine maintenance to ensure diffuse flow of <a href="#">storm water</a> through the buffer.  | ✓                 | ✓              |
| Use mats in <a href="#">wetlands</a> to minimize the soil disturbance.  | ✓                 | ✓              |
| Poles or towers are prohibited within 10 feet of a water body unless the division completes a no practical alternatives evaluation.   |                   | ✓              |

- If impacts to the buffers are necessary, and do not fall within the above activities, a more formal application must be submitted to the North Carolina Division of Water Quality (DWQ), and a [permit](#) obtained prior to initiating the project.

- ✓ The permit will contain conditions to offset any impacts to the riparian buffer.
- ✓ If the State has not responded within 60 days of submission, contact [ESS](#) before starting.

#### D. WETLANDS, WATERS OF THE U.S., AND COASTAL AREAS

- [Permits and certifications](#) are required for:

- ✓ Projects in [coastal counties](#), and
- ✓ Federally-permitted activities impacting State waters.

## 2.6 SOUTH CAROLINA

### A. SEDIMENT AND EROSION CONTROL

- A sediment and erosion control plan must be filed with the Bureau of Water Pollution Control, Sediment, Erosion, and Stormwater Management Program, for any land-disturbing activity involving less than two acres. No approval is required to start work.
  - ✓ For projects two acres or more, a plan must be filed, and approval obtained, before beginning work.
- Certain activities are authorized without filing a sediment and erosion control plan, provided they are consistent with the Policy and Procedures Manual filed with the South Carolina Public Service Commission, including:
  - ✓ Construction of
    - ✎ Transmission lines,
    - ✎ Substations, and
    - ✎ Overhead and underground distribution lines, and
  - ✓ Distribution line right-of-way clearing and maintenance.

### B. STORM WATER DISCHARGES

- Land-disturbing activities involving one acre or greater require NPDES [storm water permits](#).
  - ✓ As of March 10, 2003 permits are required for projects of one acre or larger.

### C. WETLANDS, WATERS OF THE U.S., AND COASTAL AREAS

- [Permits](#) are required for activities impacting:
  - ✓ [Wetlands](#), and
  - ✓ [Lake Robinson](#).

### **3.0 PERMITS & CERTIFICATIONS**

#### **3.1 COMPANY**

- [ESS](#) will determine the type of permit, certification, or approval needed and assist in application preparation and submittal.

#### **3.2 FEDERAL**

- A Clean Water Act Section 404 permit is required for wetlands that are impacted by a land-disturbing activity.
- A Rivers and Harbors Act Section 10 permit will be required if a structure will be placed in, over or under [navigable waters](#).

#### **A. WETLANDS, WATERS OF THE U.S., AND COASTAL AREAS**

- The United States Army Corps of Engineers (COE) has three types of permits for activities that affect wetlands or other [waters of the US.](#):
  - ✓ Nationwide,
  - ✓ Regional, and
  - ✓ Individual.
- The COE issues a General Permit (Regional and Nationwide) Verification for activities having little or no impact on water quality or navigability.
  - ✓ Examples of such activities include:
    - ✎ Some minor dredging or filling activities;
    - ✎ Maintenance of existing structures;
    - ✎ Emergency work; and
    - ✎ Installation of navigation or monitoring devices.
  - ✓ While they require less regulatory review, these permits have specific conditions that must be met before they are applicable.
  - ✓ Nationwide and regional permits may or may not require prior notification of the Corps or other agencies before work begins.

- Individual permits must be obtained for those activities that do not fall under a nationwide or regional permit; permitting may take up to a year.
- ✓ A formal application, including a detailed description of the work to be done and drawings, must be submitted for review.
- ✓ The application is submitted for public notice and may also be reviewed and commented on by other regulatory agencies.
- ✓ The Corps may examine alternatives that avoid or lessen the impact on wetlands.
- If the project crosses a federal channel, approval may be necessary from the Corps Real Estate Division.
- As of March 10, 2003 NPDES Stormwater Discharge for Construction Activities Permits are required for land disturbances of one acre or more. This permit is issued by each state.

### **3.3 FLORIDA**

#### **A. SEDIMENT EROSION CONTROL**

A separate permit for sedimentation and erosion control is not required.

#### **B. STORM WATER DISCHARGES**

- A Generic Permit for Stormwater Discharge from Construction Activities that Disturb One or More Acres of Land (CGP) is required for stormwater discharges to surface water of the state from construction activity that disturbs one or more acres of land.
- If the project is required to have a National Pollutant Discharge Elimination System (NPDES) Permit, the Notice of Intent (NOI) is required to be submitted at least two days before construction activity starts.
- The NOI must include a stormwater pollution prevention plan that was developed and will be implemented during the project.

## C. WETLANDS, WATERS OF THE U.S., AND COASTAL AREAS

- Environmental Resource Permits (ERP) are required prior to the construction, alteration, maintenance, operation, or abandonment of any dam, impoundment, reservoir, appurtenant works, or work on [surface water management systems](#), uplands and [wetlands](#). Most activities that involve alteration of land surfaces or dredging and filling require an ERP, including:
  - ✓ Constructing or modifying:
    - ✎ Buildings,
    - ✎ Parking lots, and
    - ✎ Driveways;
  - ✓ Dredging of navigation channels;
  - ✓ Filling of wetlands (including the installation of power poles); and
  - ✓ Constructing docks and seawalls.
- A proprietary authorization is required for activities located on [sovereign submerged lands](#). The proprietary authorization application is reviewed concurrently with the ERP application; this [linkage](#) streamlines the review of state regulatory and proprietary authorizations.
- Permits issued for facility surface water management systems are site-specific.
- There are several types of Environmental Resource Permits:
  - ✓ Noticed General Permits are for small projects with minimal impact. These permits have a 30 day processing time.
  - ✓ Standard General and Individual Permits are for greater impacts and may require at least 6 months of review.
  - ✓ Contact [ESS](#) for assistance with determining what type of permit maybe required for your project.
- ERP may require pre-construction notifications, as-built certifications and on-going operations and maintenance inspections. Depending on the type of project, additional specific conditions may apply.



### 3.4 GEORGIA

#### A. SEDIMENT AND EROSION CONTROL

■ A Land-Disturbing Activity Permit is required for projects:

- ✓ 1.1 acres or greater, or
- ✓ Within 200 feet of the bank of any State waters.

■ The permit application must include an Erosion and Sedimentation Control Plan (refer to [“The Manual for Erosion and Sediment Control in Georgia”](#) for guidance).

- ✓ The plan must adhere to [BMPs](#) listed in the Georgia Erosion and Sedimentation Act ([12-7-6](#)).

#### B. STORM WATER DISCHARGES

■ A Notice of Intent (NOI) for a General NPDES Permit for Storm Water Discharges from Construction Activities must be filed with the appropriate Regional Office of the Georgia Environmental Protection Division for activities disturbing greater than one acres of land.

- ✓ Unless the Regional Office notifies the permittee that coverage is denied and an application is needed for an individual permit, the general permit will be effective one week after submittal of the NOI.
- ✓ An Erosion, Sedimentation and Pollution Control Plan, designed and certified by a licensed professional, must be in place.
- ✓ A Comprehensive Monitoring Program (also designed and certified by a licensed professional) must be instituted.

■ As of March 10, 2003 the general permit is required for construction activities greater than 1 acre.

#### C. RIVER BUFFERS

■ A variance is required in the Land-Disturbing Activities Permit for projects within the:

- ✓ 25 foot buffer on State waters, and
- ✓ 50 foot buffer on designated “trout streams.”

**D. WETLANDS, WATERS OF THE U.S., AND COASTAL AREAS**

- If a project potentially has jurisdictional waters, the Savannah District Army Corps of Engineers (COE) must be contacted to determine if a 404 permit is required (see [Section 3.2](#)).
  - ✓ If the COE determines a 404 permit is required, then a Clean Water Act Section 401 water quality certification (WQC), administered by the Georgia Environmental Protection Division, Water Protection Branch, Nonpoint Source Program, is required.
- Shore Protection Act Permits may be issued for projects within the [dynamic dune system](#) on barrier islands and submerged shoreline lands, provided:
  - ✓ There is no feasible alternatives;
  - ✓ The project is on the landward part of the site (landward of the dunes, if possible);
  - ✓ One third of the site is left undisturbed;
  - ✓ The project minimizes impacts on the sand sharing system; and
  - ✓ Any structure meets hurricane-resistant standards.
- A Coastal Marshlands Protection Permit is required for projects in, on, or over [marshlands](#) within estuarine areas of the State.
  - ✓ The application must show the project is not inconsistent with public interest and has no viable alternative.
- A revocable license is required for disturbances in tidal areas.
- An authorization must be obtained to construct, operate or maintain a structure in the:
  - ✓ Chattooga River, or
  - ✓ West Branch of the Chattooga River.

### **3.5 NORTH CAROLINA**

#### **A. SEDIMENT AND EROSION CONTROL**

- The North Carolina Department of Environment and Natural Resources (DENR), Division of Land Resources, Land Quality Section issues a Letter of Approval for Sediment and Erosion Control Plans; this approval currently includes a notice of coverage under the NPDES Stormwater Discharge Permit for Construction Activities, where applicable.
- Land-disturbing activities within a riparian buffer (15A NCAC 2B.233), must be exempted under those rules or the DENR Division of Water Quality (DWQ), Wetlands/401 Unit issues an Authorization Certificate for “No Practical Alternatives” or variance associated with the riparian area buffer program.
- The DENR DWQ, Wetlands/401 Unit issues the 401 Water Quality Certification.

#### **B. STORM WATER DISCHARGES**

- NPDES Stormwater Discharge Permit for Construction Activities, administered by the DENR Division of Land Resources, Land Quality Section, may be required in areas draining to high quality waters, outstanding resource waters, or sensitive waters, above and beyond sediment and erosion control permits, to protect water quality.
- An activity involving one acre or more must have a NPDES Stormwater Discharge Permit for Construction Activities.
  - ✓ A notice of coverage under the NPDES Stormwater Discharge Permit for Construction Activities is included in the Sediment and Erosion Control Plan Letter of Approval from the Division of Land Resources, Land Quality Section, and no additional notification is needed to obtain coverage.
  - ✓ The NPDES Stormwater Discharge Permit for Construction Activities contains monitoring, recordkeeping, and maintenance requirements in excess of those for erosion control.
- As of March 10, 2003 an NPDES Stormwater Discharge Permit for Construction Activities is required for land disturbances of one acre or more.

### **C. RIPARIAN BUFFERS**

- A formal request must be submitted to the DWQ, and approval obtained prior to initiating any disturbance of the riparian area buffer within the Neuse, Tar-Pamlico, and Mainstem Catawba River Basins and the Randleman Reservoir. This request is not required if:
  - ✓ The activity is [exempt](#) ; or
  - ✓ The project follows [BMPs](#).
- If the State has not approved the plan within 60 days of submission, contact [ESS](#) before starting the project.

### **D. WETLANDS, WATERS OF THE U.S., AND COASTAL AREAS**

- A Project located in a coastal county requires a permit from the Division of Coastal Management if it is:
  - ✓ In, or affects, an area of environmental concern, as defined by the [Coastal Area Management Act §113A-100](#), (i.e., waters of the state, on a marsh or wetland, or within 300 feet of the ocean beach), or
  - ✓ It is considered [development](#) and does not qualify for an exemption identified by the Act or by the Coastal Resources Commission.
- A 401 Water Quality Certification, administered by the DWQ, Wetlands/401 Unit, is required for any federally-permitted activity which impacts State waters.
  - ✓ General WQCs authorize certain low-impact activities; these certifications require adherence to specific conditions.

### **3.6 SOUTH CAROLINA**

#### **A. SEDIMENT AND EROSION CONTROL**

- Land disturbing activities require a sediment and erosion control plan to be filed with the Bureau of Water.
- ✓ Projects that disturb two or more acres of land require approval prior to beginning the land disturbance.
- ✓ For projects less than two acres, no approval is required.

#### **B. STORM WATER DISCHARGES**

- a Notice of Intent (NOI) must be submitted (to the Bureau of Water Pollution Control) requesting coverage under a NPDES general permit for Storm water Discharges associated with construction Industrial Activities when land-disturbances are one acre or more.
- As of March 10, 2003 an NPDES construction storm water permit is required for land disturbances of one acre or more.

#### **C. WETLANDS, WATERS, BUFFERS AND COASTAL AREAS**

- Wetland permits, administered by either the South Carolina Department of Health and Environmental Control's (DHEC) Water Quality Division or Office of Coastal and Resource Management, depending on the location:
  - ✓ Area A, inland, requires a permit issued by the Division of Water Quality;
  - ✓ Area B , the inland portion of coastal counties, require permits issued by the Division of Water Quality and it must be consistent with the South Carolina Coastal Zone Management Program; and
  - ✓ Area C, the coastal portion of [coastal county](#), must obtain a permit from the Office of Ocean and Coastal Resources Management, or a certification that the activity to be authorized by the COE is consistent with the South Carolina Coastal Zone Management Program.
- The installation of piers or docks in Lake Robinson requires a South Carolina navigable waters permit.

## 4.0 TRAINING REQUIREMENTS

### 4.1 COMPANY

[ESS](#) staff conducts informational seminars on sediment and erosion control and [storm water](#) throughout the year.

### 4.2 FEDERAL

There are no wetlands training requirements in place by the COE, however a COE field representative must verify all wetland delineation lines.

### 4.3 FLORIDA

There are no formal training requirements by the state.

### 4.4 GEORGIA

- Individuals performing BMP inspections must receive “Qualified personnel training” offered by the University of Georgia, and other organizations.
- Plans must be prepared by registered professionals (e.g., professional engineer, licensed architect).

### 4.5 NORTH CAROLINA

There is no training required, but DENR offers various training sessions on erosion control, the Section 401 process in North Carolina, and buffer rules.

### 4.6 SOUTH CAROLINA

N/A

## **5.0 RECORD KEEPING REQUIREMENTS**

### **5.1 COMPANY**

Progress Energy requires all permit authorizations or approvals be kept on the job site. All permits, plans and records must be kept for 5 years from the end of the project.

### **5.2 FEDERAL**

A copy of the 404 Permit authorization should be located on the job site.

### **5.3 FLORIDA**

- A copy of all permits is required to be on-site during construction.
- The permit may also require operation and maintenance inspections of the system to be conducted and submitted to the agency.

### **5.4 GEORGIA**

| <b>RECORDKEEPING REQUIREMENTS:</b>          |                     |  |
|---|---------------------|--|
| <b>RECORD</b>                               | <b>KEPT ON-SITE</b> | <b>RETAINED AT PRIMARY PLACE OF BUSINESS</b> |
| <b>Notice of Intent</b>                     | ✓                   | 3 years                                      |
| <b>Sediment and erosion control plan</b>    | ✓                   | 3 years                                      |
| <b>Land-Disturbing Activity Permit</b>      | ✓                   | 3 years                                      |
| <b>Comprehensive Monitoring Plan</b>        | ✓                   | 3 years                                      |
| <b>BMP Inspections log</b>                  | ✓                   | 3 years                                      |
| <b>Monitoring data</b>                      | ✓                   | 3 years                                      |
| <b>Notice of Termination</b>                | ✓                   | 3 years                                      |
| <b>General or Individual NPDES permit</b>   | ✓                   | 3 years                                      |
| <b>Shore Protection Act Permit</b>          | ✓                   | 5 years                                      |
| <b>Coastal Marshlands Protection Permit</b> | ✓                   | 5 years                                      |

## 5.5 NORTH CAROLINA

| RECORDKEEPING REQUIREMENTS:                                   |              |
|---|--------------|
| RECORD  | KEPT ON-SITE |
| Sediment and Erosion Control Plan Letter of Approval          | ✓            |
| Sediment and Erosion Control Plan                             | ✓            |
| NPDES Stormwater Discharge Permit for Construction Activities | ✓            |
| Record of inspections and corrective actions                  | ✓            |
| 401 Water Quality Certification                               | ✓            |
| CAMA permit   | ✓            |

## 5.6 SOUTH CAROLINA

| RECORDKEEPING REQUIREMENTS:                                    |              |                     |
|--|--------------|---------------------|
| RECORD   | KEPT ON-SITE | RETAINED            |
| Certificate of sediment and erosion control plan approval      | ✓            | During construction |
| Sediment and erosion control plan                              | ✓            | During construction |
| Stormwater Discharges Associated with Industrial Activities    | ✓            | During construction |
| Record of inspections and corrective actions                   | ✓            | 5 years             |
| Construction in Navigable Waters Permit                        |              |                     |
| State Storm Water Management and Sediment Reduction Act Permit |              |                     |
| Section 401 Water Quality Certification                        | ✓            | N/A                 |
| Coastal Zone Consistency Certification                         |              |                     |
| Coastal Zone Critical Area permit                              | ✓            | 5 years             |

## 6.0 SELF-ASSESSMENTS

[FRM-SUBS-00063](#) Environmental Self-Assessment Program Other Items Compliance Checklist Form



## **7.0 REFERENCES**

### **7.1 COMPANY**

[EVC-SUBS-00030 Environmental Organizations and Contacts  
List of Coastal Counties](#)

### **7.2 FEDERAL**

Legislation: [U.S. Code, Title 33, Chapter 26: Federal Water Pollution Control Act \(The Clean Water Act\)](#)  
[U.S. Code, Title 33, Chapter 9: Protection of Navigable Waters and of Harbor and River Improvements Generally \(The Rivers and Harbors Act\)](#)

Regulation: [Code of Federal Regulations Title 33, Part 320: General Regulatory Policies](#)  
[Code of Federal Regulations Title 33, Part 321: Permits for dams and dikes in navigable waters of the United States](#)  
[Code of Federal Regulations Title 33, Part 322: Permits for structures or work in or affecting navigable waters of the United States](#)  
[Code of Federal Regulations Title 33, Part 323: Permits for discharges of dredged or fill material into waters of the United States](#)  
[Code of Federal Regulations Title 33, Part 324: Permits for ocean dumping of dredged material](#)  
[Code of Federal Regulations Title 33, Part 325: Processing of Department of the Army permits](#)  
[Code of Federal Regulations Title 33, Part 326: Enforcement](#)  
[Code of Federal Regulations Title 33, Part 327: Public hearings](#)  
[Code of Federal Regulations Title 33, Part 328: Definition of waters of the United States](#)  
[Code of Federal Regulations Title 33, Part 329: Definition of navigable waters of the United States](#)  
[Code of Federal Regulations Title 33, Part 330: Nationwide permit program](#)  
[Code of Federal Regulations Title 40, Part 122: EPA Administered Permit Programs: The National Pollutant Discharge Elimination System](#)  
[Federal Register Vol. 67, No. 10, January 15, 2002, pp. 2020-2095: Issuance of Nationwide Permits; Notice](#)

Agency: [United States Environmental Protection Agency, Office of Water](#)  
[United States Army Corps of Engineers](#)

### 7.3 FLORIDA

|              |   |
|--------------|---|
| Legislation: | <a href="#"><u>Florida Statute Title XVIII, Chapter 253: State Lands</u></a><br><a href="#"><u>Florida Statute Title XVIII, Chapter 258: State Parks and Preserves</u></a><br><a href="#"><u>Florida Statute Title XXVIII, Chapter 373: Water Resources</u></a><br><a href="#"><u>Florida Statute Title XXIX, Chapter 403: Environmental Control</u></a>  |
| Regulation:  | <a href="#"><u>Florida Administrative Code Rule 40B-1: General and Procedural Rules</u></a><br><a href="#"><u>Florida Administrative Code Rule 40B-4: Environmental Resource and Works of the District Permits</u></a><br><a href="#"><u>Florida Administrative Code Rule 40B-400: Environmental Resource Permits</u></a><br><a href="#"><u>Florida Administrative Code Rule 40C-1: Organization and Procedure</u></a><br><a href="#"><u>Florida Administrative Code Rule 40C-4: Environmental Resource Permits: Surface Water Management Systems</u></a><br><a href="#"><u>Florida Administrative Code Rule 40C-8: Minimum Flows and Levels</u></a><br><a href="#"><u>Florida Administrative Code Rule 40C-40: Standard General Environmental Resource Permits</u></a><br><a href="#"><u>Florida Administrative Code Rule 40C-41: Surface Water Management Basin Criteria</u></a><br><a href="#"><u>Florida Administrative Code Rule 40C-42: Environmental Resource Permits: Regulation of Stormwater Management Systems</u></a><br><a href="#"><u>Florida Administrative Code Rule 40D-1: Procedural</u></a><br><a href="#"><u>Florida Administrative Code Rule 40D-4: Individual Environmental Resource Permits</u></a><br><a href="#"><u>Florida Administrative Code Rule 40D-40: General Environmental Resource Permits</u></a><br><a href="#"><u>Florida Administrative Code Rule 40E-1: General and Procedural</u></a><br><a href="#"><u>Florida Administrative Code Rule 40E-4: Environmental Resource Permits</u></a><br><a href="#"><u>Florida Administrative Code Rule 40E-40: General Environmental Resource Standard Permits</u></a><br><a href="#"><u>Florida Administrative Code Rule 40E-41: Surface Water Management Basin and Related Criteria</u></a><br><a href="#"><u>Florida Administrative Code Rule 62-4: Permits</u></a><br><a href="#"><u>Florida Administrative Code Rule 62-25: Regulations of Stormwater Discharge</u></a><br><a href="#"><u>Florida Administrative Code Rule 62-301: Surface Waters of the State</u></a><br><a href="#"><u>Florida Administrative Code Rule 62-330: Environmental Resource Permitting</u></a><br><a href="#"><u>Florida Administrative Code Rule 62-340: Delineation of the Landward Extent of Wetlands and Surface Waters</u></a><br><a href="#"><u>Florida Administrative Code Rule 62-341: Noticed General Environmental Resource Permits</u></a><br><a href="#"><u>Florida Administrative Code Rule 62-343: Environmental Resource Permit Procedures</u></a><br><a href="#"><u>Florida Administrative Code Rule 62-621: Generic Permits</u></a> |

Agency: [Florida Department of Environmental Protection, Division of Water Resources Management](#)  
[Florida Department of Environmental Protection, Northwest Florida Water Management District](#)  
[Florida Department of Environmental Protection, South Florida Water Management District](#)  
[Florida Department of Environmental Protection, Southwest Florida Water Management District](#)  
[Florida Department of Environmental Protection, St. John's River Water Management District](#)  
[Florida Department of Environmental Protection, Suwannee River Water Management District](#)

## **7.4 GEORGIA**

Legislation: [Official Code of Georgia 12-2-8: Georgia Planning Act of 1989](#)  
[Official Code of Georgia 12-5-20: Georgia Water Quality Control Act](#)  
[Official Code of Georgia 12-5-230: Shore Protection Act](#)  
[Official Code of Georgia 12-5-320: Georgia Coastal Management Act](#)  
[Official Code of Georgia 12-5-350: Georgia Scenic Rivers Act](#)  
[Official Code of Georgia 12-5-440: Metropolitan River Protection Act](#)  
[Official Code of Georgia 12-5-520: Georgia River Basin Management Planning Act](#)  
[Official Code of Georgia 12-7-1: Georgia Erosion and Sedimentation Act](#)

Regulation: [Chapter 391-2-2: Shore Protection \(unavailable online\)](#)  
[Chapter 391-3-6: Water Quality Control](#)  
[Chapter 391-3-7: Erosion and Sedimentation Act](#)  
[Chapter 391-3-16: Rules for Environmental Planning Criteria](#)

Agency: [Georgia Department of Natural Resources, Environmental Protection Division](#)  
[Georgia Department of Natural Resources, Coastal Resources Division](#)

## **7.5 NORTH CAROLINA**

- Legislation: [North Carolina General Statutes Chapter 113A, Article 4: The North Carolina Sedimentation Pollution Control Act of 1973](#)  
[North Carolina General Statutes Chapter 113A, Article 4: Coastal Area Management](#)  
[North Carolina General Statute Chapter 143, Article 21: Water and Air Resources](#)
- Regulation: [Title 15 North Carolina Administrative Code Chapter 4: Sedimentation Control](#)  
[Title 15A, North Carolina Administrative Code Chapter 2, Subchapter 2B: Surface Water and Wetland Standards](#)  
[Title 15A, North Carolina Administrative Code Chapter 2, Subchapter 2H: Procedures for Permits: Approvals](#)
- Agency: [North Carolina Department of Environment and Natural Resources, Division of Coastal Management](#)  
[North Carolina Department of Environment and Natural Resources, Division of Land Resources, Land Quality Section](#)  
[North Carolina Department of Environment and Natural Resources, Division of Water Quality](#)

## **7.6 SOUTH CAROLINA**

- Legislation: [South Carolina Code of Laws Title 48, Chapter 1: Pollution Control Act](#)  
[South Carolina Code of Laws Title 48, Chapter 14: The Stormwater Management and Sediment Reduction Act](#)  
[South Carolina Code of Laws Title 49, Chapter 1: General Provisions](#)
- Regulation: [South Carolina Code Regulations 19-450: Permits for Construction in Navigable Waters: Section .0109](#)  
[South Carolina Code Regulations 61-9: Water Pollution Control Permits](#)  
[South Carolina Code of Regulations 61-101: Water Quality Certification](#)  
[South Carolina Code Regulations 72-300: Standards for Stormwater Management and Sediment Reduction](#)
- Agency: [South Carolina Department of Health and Environmental Control, Water Quality Division, Bureau of Water](#)  
[South Carolina Department of Health and Environmental Control, Ocean and Coastal Resource Management](#)  
[Public Service Commission of South Carolina](#)