

CONSTRUCTION NOTICE OF TERMINATION (NOT)

(**Please Note:** Photographs and notices of acceptance by your local building department for the site(s) are **now mandatory** for processing of the NOT)

We prefer you submit the NOT (pdf of scanned signed copy) and photo documentation (jpg or pdf) electronically to centralcoast@waterboards.ca.gov, if possible. Otherwise, all information should be directed to the San Luis Obispo office (address below).

The NOT form can be found at the following link:

http://www.swrcb.ca.gov/water_issues/programs/stormwater/gen_const.shtml

In the middle of the page you see "Construction Notice of Termination for Order No. 99-08-DWQ" on the right you have the option of viewing the form in either Microsoft Word or Adobe Acrobat PDF formats. Both formats are "Read Only" when viewed from the website, but if you download (Save) the Word formatted version you can enter and save data from the computer. The Adobe version must be printed and filled in by hand or type-written.

Please send the completed and signed form (with photos and local approval notices) to:

Central Coast Regional Water Quality Control Board
Stormwater Unit
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906.

You may alternatively submit the NOT and documentation scanned/attached in an email (centralcoast@waterboards.ca.gov) or by fax (805-543-0397, forms only - need photos as original image). Once the NOT is received by the Central Coast Water Board staff, the project is put on billing hold. Staff will review your Post-Construction BMPs, extent of vegetation (needs to equal or exceed 70% of neighboring natural vegetation), residual or potential pollutants (e.g., left over silt fence, concrete washout), and consult with the municipality's construction and grading inspectors. If the conditions for termination are acceptable, staff will approve the NOT and record the project's termination in the General Permit database.

After Central Coast Water Board staff terminates the NOT, the Owner (or contact person identified on the NOT) will receive an approval letter at the owner's address listed on the NOT. If you wish additional copies sent to others, please include a note with the NOT. If State Board Fee Unit records show that all invoices for this project are paid (NOT submitted and subsequently approved within a 90-day grace period for your annual invoicing cycle), you should have no difficulties terminating coverage under the General Permit. This process can take several weeks, especially if staff needs to make a site visit to inspect the Post-construction erosion control measures.

If the conditions at the project site are not appropriate for termination of permit coverage, Central Coast Water Board staff will send an explanation to the Owner identified on the NOT. Generally, Water Board staff will contact the owner prior to denying a NOT with the

goal fix minor discrepancies or explain reasoning behind the denial. NOTs submitted without photographs, however, may be returned without verbal contact.

Please use the following information to help you understand our process to evaluate your site as required by the Construction Stormwater General Permit.

NOTICE OF TERMINATION (NOT) EVALUATION

When Central Coast Water Board staff evaluates a construction project to approve the request for termination from the General Permit

(<http://www.waterboards.ca.gov/stormwtr/docs/finalconstpermit.pdf>)

we follow these sections of the General Permit [page numbers from the on-line pdf version]:

NOTIFICATION REQUIREMENTS [pdf page 7]

“When construction is complete or ownership has been transferred, dischargers shall file a Notice of Termination with the RWQCB certifying that all State and local requirements have been met in accordance with Special Provisions for Construction Activity, C.7, of the General Permit.

C. SPECIAL PROVISIONS FOR CONSTRUCTION ACTIVITY [pdf page 67]:

7. “The discharger may terminate coverage for a portion of the project under this General Permit when ownership of a portion of this project has been transferred or when a phase within this multi-phase project has been completed. When ownership has transferred, the discharger must submit to its RWQCB a Change of Information Form (COI) Attachment 4 with revised site map and the name, address and telephone number of the new owner(s). Upon transfer of title, the discharger should notify the new owner(s) of the need to obtain coverage under this General Permit. The new owner must comply with provisions of Sections A.2. (c) and B. 2. (b) of this General Permit. To terminate coverage for a portion of the project when a phase has been completed, the discharger must submit to its RWQCB a COI with a revised map that identifies the newly delineated site”.

[Please refer to additional Ownership Transfer of Sale requirements described on pdf pages 71, 81, and 104].

8. “The discharger may terminate coverage under this General Permit for a complete project by submitting to its RWQCB a Notice of Termination Form (NOT), and the post-construction BMPs plan according to Section A.10 of this General Permit. Note that a construction project is considered complete only when all portions of the site have been transferred to a new owner; or the following conditions have been met:
 - a. There is no potential for construction related storm water pollution,
 - b. All elements of the SWPPP have been completed,
 - c. Construction materials and waste have been disposed of properly,
 - d. The site is in compliance with all local storm water management requirements, and
 - e. A post-construction storm water management plan is in place as described in the site’s SWPPP”.

SECTION A: STORM WATER POLLUTION PREVENTION PLAN

6. Erosion Control [pdf page 75]

“Erosion control, also referred to as “soil stabilization,” is the most effective way to retain soil and sediment on the construction site. The most efficient way to address erosion control is to preserve existing vegetation where feasible, to limit disturbance, and to stabilize and revegetate disturbed areas as soon as possible after grading or construction. Particular attention must be paid to large mass-graded sites where the potential for soil exposure to the erosive effects of rainfall and wind is great. Mass graded construction sites may be exposed for several years while the project is being built out. Thus, there is potential for significant sediment discharge from the site to surface waters.

“At a minimum, the discharger/operator must implement an effective combination of erosion and sediment control on all disturbed areas during the rainy season. These disturbed areas include rough graded roadways, slopes, and building pads. Until permanent vegetation is established, soil cover is the most cost-effective and expeditious method to protect soil particles from detachment and transport by rainfall. Temporary soil stabilization can be the single-most important factor in reducing erosion at construction sites. The discharger shall consider measures such as: covering with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, permanent seeding, and a variety of other measures”.

7. Stabilization [pdf page 76]

(1) All disturbed areas of the construction site must be stabilized. Final stabilization for the purposes of submitting a NOT is satisfied when:

-All soil disturbing activities are completed AND EITHER OF THE TWO FOLLOWING CRITERIA ARE MET:

- -A uniform vegetative cover with 70 percent coverage has been established OR:
- -equivalent stabilization measures have been employed. These measures include the use of such BMPs as blankets, reinforced channel liners, soil cement, fiber matrices, geotextiles, or other erosion resistant soil coverings or treatments.

(2) Where background native vegetation covers less than 100 percent of the surface, such as in arid areas, the 70 percent coverage criteria is adjusted as follows: If the native vegetation covers 50 percent of the ground surface, 70 percent of 50 percent ($.70 \times .50 = .35$) would require 35 percent total uniform surface coverage.

For more information in the following areas, please contact:

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