LINEAR UNDERGROUND/OVERHEAD PROJECT FLOWCHARTS
Chart Number I
Determining if your project qualifies for coverage
SWRCB Order ______ - DWQ

Start

Are the activities to be conducted associated with a construction project that will result in land disturbances?

No

STOP
Permit coverage may not be required. Contact your RWQCB if necessary.

Yes

Is the project associated with a linear type construction activity?*

No

STOP
This project may Not be subject to this Attachment. It may be subject to traditional construction requirements or an individual NPDES permit.

Yes

Is this project owned or operated by an entity currently permitted by an MS4 permit?

No

The construction project may be subject to a construction permit.

Yes

Is the MS4 permit a Phase II permit?

No

Is the MS4 permit a Phase I permit?

No

Does the MS4 permit regulate construction activities in Lieu of a separate NPDES permit?

No

Don’t know

Contact your RWQCB

Yes

STOP
You do not need a separate permit.

*See Definition of Terms

MS4 = Municipal Separate Storm Sewer System
RWQCB = Regional Water Quality Control Board
NPDES = National Pollutant Discharge Elimination System
Determining if your project qualifies for coverage

Chart Number II

A

B

C

D

E

F

G

H

I

J

K

L

M

N

O

P

Q

R

S

T

U

V

W

X

Y

Z

*See Definition of Terms

CGP = Construction General Permit
LUP = Linear Underground/Overhead Project
NPDES = National Pollutant Discharge Elimination System
SW = Storm Water
SWRCB Order ______ - DWQ

The State of CA does not have authority to permit discharges on sovereign lands - you should contact the tribal EPA or USEPA.
Chart Number III
Determining if your project qualifies for coverage
SWRCB Order ______ - DWQ

B

Is the New Development or Redevelopment* Project SD < 1 acre?

Yes

A construction SW NPDES Permit may be required for the linear activities.

No

Is the developer** covering all of the linear activities under the CGP?

No

Is the developer** covering only the linear activities inside the development under the CGP?

No

The developer** is covering none of the linear activities under the CGP

Yes

Coverage under the CGP is required for the linear activities conducted outside the development boundary.

Is the developer** covering only the linear activities inside the development under the CGP?

Yes

Coverage under the CGP is required for all the linear activities.

No

Determine the area of soil disturbance for the linear activities to be conducted by the LUP discharger.

Yes

Coverage under the CGP may be required for the linear activities conducted outside the development boundary.

No

These linear activities do not require coverage under the CGP.

Is the soil disturbance from these linear activities ≥ 1 acre?

No

Coverage under the CGP is required; this Appendix may be used.

Yes

Determine the area of soil disturbance for the linear activities to be conducted by the LUP discharger.

* See Attachment No. 1 – Definition of Terms
** Note: The “developer” is associated with the New Development Project or Redevelopment Project* and the CGP is the Construction General Permit issued by the State Water Board.

CGP = Construction General Permit
LUP = Linear Underground/Overhead Project
NPDES = National Pollutant Discharge Elimination System
SD = Soil Disturbance
SW = Storm Water
Chart Number IV
Determining if your project qualifies for coverage
SWRCB Order ______ - DWQ

Linear Only Projects
and
Relocations Prior to New Development Projects or
Redevelopment Projects*

C

Is the soil disturbance from these linear activities ≥ 1 acre?

Yes
Coverage under the CGP is required

No
These linear activities do not require coverage under the CGP.

* See Definition of Terms

CGP = Construction General Permit
NPDES = National Pollutant Discharge Elimination System
SW = Storm Water
1. **Emergency Activities** – These are activities associated with responding to emergencies to protect public health and safety and restoration of public services after natural or manmade disasters.

2. **Linear Construction Activity** – Linear construction activity consists of underground/overhead facilities that typically include, but are not limited to, any conveyance, pipe or pipeline for the transportation of any gaseous, liquid (including water, wastewater for domestic municipal services), liquefied, or slurry substance; any cable line or wire for the transmission of electrical energy; any cable line or wire for communications (e.g., telephone, telegraph, radio or television messages); and associated ancillary facilities. Construction activities associated with LUPs include, but are not limited to, underground utility mark-out, potholing, concrete and asphalt cutting and removal, trenching, excavation, boring and drilling, access road and pole/tower pad and cable/wire pull station, substation construction, substructure installation, construction of tower footings and/or foundations, pole and tower installations, pipeline installations, welding, concrete and/or pavement repair or replacement, and stockpile/borrow locations.

3. **Planning/Designing Activities** – These are field activities associated with the planning and design of a project (e.g., activities associated with route selection). These could include, but are not limited to, potholing, sediment coring, and limited excavations to verify conflicts or contaminated soils.

4. **Pre-Development Activities** – These are construction activities associated with LUPs conducted by a discharger or its authorized representative to remove and/or relocate lines and facilities prior to the start of construction for new development and redevelopment projects that are owned or operated by third parties or municipal agencies. Soil disturbances from preconstruction projects are considered separately from the development or redevelopment projects for the purposes of determining if they meet minimum threshold requirements for areas of soil disturbance that would require coverage by a construction storm water permit.

5. **Redevelopment Projects** – Involve construction activities associated with LUPs constructed by the discharger to relocate lines or convert facilities from overhead to underground as a result of a redevelopment project owned or operated by a third party or municipal agency.

6. **Routine Maintenance Activities** – Activities associated with operations and maintenance activities that are conducted on existing lines and facilities and within existing right-of-ways, easements, franchise agreements, or other legally binding agreements of the discharger. Routine maintenance projects include, but are not limited to projects conducted to:
   a. Maintain the original purpose of the facility or hydraulic capacity.
   b. Update existing lines\(^1\) and facilities to comply with applicable codes, standards, and regulations regardless if such projects result in increased capacity.

7. **Tie-in Activities** – Activities conducted immediately adjacent to "energized" or "pressurized" facilities by the discharger or their authorized representative and are not considered small construction activities where all other LUP construction activities associated with the tie-in are covered by an NOI and SWPPP of a third party or municipal agency.

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\(^1\) Update existing lines includes replacing existing lines with new materials or pipes.