

# **STORMWATER POLLUTION PREVENTION GUIDELINES FOR CONSTRUCTION AND REMEDATION ACTIVITIES ON TRIBAL LANDS WITHIN THE SOUTHERN UTE INDIAN RESERVATION**

The Southern Ute Indian Tribe's Water Quality and Remediation Division ("Division") requires that project proponents and Tribal Departments submit a Notice of Intent (NOI) form and a Stormwater Pollution Prevention Plan (SWPPP) when proposing any ground disturbing activities of one (1) acre or greater in area. Stormwater Pollution Prevention Plans and/or Stormwater Management Plans (SWMPs) must include the following:

**Potential Sources of Pollution:** All sources of pollution which have the potential to impact water quality from stormwater discharges associated with construction activity must be identified.

Each of the following elements must be evaluated for pollution potential from stormwater runoff:

- Vehicle and equipment maintenance and fueling areas
- Vehicle/equipment washing
- Areas for unloading/loading materials and storage
- Above-ground chemical containers
- Waste storage areas
- Soil stockpiles
- Covered and uncovered storage areas for chemicals and building materials
- Sanitation and toilet areas
- De-watering areas
- Soil disturbance areas

**Best Management Practices for Storm Water Pollution Prevention:** Project proponents on Tribal lands are required to utilize Best Management Practices (BMPs) to prevent pollution discharges, in accordance with the Division's published 401 Certification Procedures. Site-specific BMPs for construction activities must be described in detail. BMPs to avoid or minimize activities in wetlands and riparian areas during construction are mandatory.

**Construction Activity Narrative:** a site-specific narrative must describe the phasing and timing of construction activities, maintenance of BMPs for each phase, and their removal. Activity phasing and timing ensures that the actively disturbed area does not exceed 5 acres (this includes soil stabilization and re-vegetation (reclamation)).

**Site Map:** A georeferenced site map must provide all information included on the Notice of Intent form, as well as the following (where applicable):

- Construction site boundaries
- Vehicle and equipment ingress/egress
- Equipment and materials staging
- Soil stockpile and waste storage areas, and placement of containment features
- Sanitation areas

- Areas of soil disturbance
- Areas of cut and fill
- Location of structural and non-structural BMPs
- Outfall location(s) for storm water discharges (runoff)
- Location of any springs, and any other points of storm water run-on
- Locations of all potential receiving waters, including (but not limited to) natural drainages, ditches (including those used for irrigation), swales, ephemeral and intermittent streams, arroyos, creeks, rivers, lakes, and wetlands as well as tributaries to these waters, and structures defined as permanent Stormwater Control Measures (SCMs)

**Soil Descriptions:** Indicate the predominant natural soil type in the project location, as well as topsoil designated for set-aside and reclamation activities. Topsoil can only be imported to Tribal lands with prior written approval by the Division.

**Pre-Construction Drainage Patterns:** This submittal should describe the existing natural drainages and water flow patterns before commencement of construction activities.

**Post-Construction Drainage Patterns:** Describe the natural drainages and any new drainages that are anticipated after site grading.

**Pollution Prevention Team List:** Include the staff titles of team members, contact numbers, and responsibilities.

**Aquatic Resources and Vegetation Inventory:** Identify waterways, riparian areas, wetlands, and upland areas that have drainage to riparian areas or waterways.

**Materials Handling and Spill Prevention:** Describe and locate all practices implemented at the site to minimize impacts from procedures or potential pollutant sources that could contribute pollutants to runoff. Areas or procedures where potential spills can occur shall have spill prevention and response procedures identified in the SWPPP. SUI EPD may perform inspections of construction activities within the exterior SUI boundary to assess efficacy of SWPPP.

**Site Photos:** Color photos of the site prior to commencement of construction activities are necessary to determine whether successful reclamation has been achieved post-construction.

**Stormwater Inspection Report Template.** A Stormwater Site Inspection Report must include the following:

- **Photographic Documentation:** In addition to initial photos, the company or contractor will maintain photo points and photographic records of on-going progress of revegetation to be included in any required or requested monitoring reports. The photographic documentation will be submitted for finale stabilization and termination determinations.
- **Inspection and Maintenance Log:** A schedule of routine BMP inspections and inspection reports should be kept on site and completed every 30 days or following a rain event greater than 0.5 inches, as determined by the closest approved rain gauge. The inspection report should be signed by the project manager. Inspection of the site will continue until 70% revegetation is attained for the project site as detailed above.

Upon termination of construction activities, the project proponent must submit copies of all inspection reports. The Southern Ute Indian Tribe will review the submitted records and will issue a Notice of Termination (NOT).

**Site Reclamation/Restoration Plan:** The project proponent shall identify vegetation species for restoration and techniques for planting. The project proponent shall use identical native species or use salvaged plants removed during construction to the extent practicable. Non-native and invasive species shall not be used for restoration activities.

**Reclamation Monitoring Plan:** Reclamation monitoring success criteria must be described such that species regrowth is functionally equivalent to the pre-disturbed site or achieves a 70% vegetative cover. A monitoring protocol must be described and followed for at least three growing seasons or until replanted areas meet monitoring success criteria. The project proponent shall identify adaptive management measures to reestablish aquatic resource functions and values if restoration of the site does not meet monitoring success criteria.

**THE SOUTHERN UTE INDIAN TRIBE RESERVES THE RIGHT TO REVIEW AND INSPECT THE FOLLOWING:**

1. Construction Site and associated activities
2. Best Management Practices (BMP): BMPs must be proposed by the project proponent for the Division's review and approval during the NOI process. The Division reserves the right to change BMPs and require additional ones during an onsite inspection.
3. Stormwater Inspection Log and records
4. Site Reclamation/Restoration Plan and associated activities
5. Site Reclamation Monitoring Plan and associated Records

Please contact the Southern Ute Indian Tribe's Water Quality Program Manager with any questions at (970) 563-2805 or [wqs@southernute-nsn.gov](mailto:wqs@southernute-nsn.gov).