

# VTrans EPSC Protocol

(Revised February 2024)

## **Introduction and Background**

The VTrans EPSC Protocol established in February of 2007 was implemented to create a consistent and efficient process for the development of EPSC Plans for VTrans let construction projects. It is a guidance document based on the issuance of the ANR General Permit 3-9020 for Stormwater Runoff from Construction Sites. The Protocol was revised in 2019 to make designers aware that EPSC Plans for Non-Jurisdictional projects (i.e. projects with less than one acre of earth disturbance) are no longer required in the Contract Documents. Instead designers shall follow the process outlined below and the EPSC Plans will be developed by the Contractor. This update is to address changes related to the implementation of the new Construction General Permit 3-9020 that went into effect in May 2020.

## **Projects Less Than 1 Acre Threshold (Non-Jurisdictional)**

EPSC Plans for Non-Jurisdictional projects (i.e. projects with less than one acre of earth disturbance) are not required in the Contract Documents and shall instead be developed by the Contractor. Non-jurisdictional projects may fall into two categories as defined below.

### **Non-Jurisdictional Type I**

These projects have little or no construction-related earth disturbance (i.e. does not include maintenance related activities such as ditching for paving and reclaim projects) and have no work in the channel of a river. It may still be necessary, however, to maintain construction limits, protect resources, and establish turf. Examples of these projects would include but not be limited to membrane, deck rehabilitations, deck replacements, bridge painting, sign replacement, line striping, paving, reclaim, guardrail, etc.

No designer-generated EPSC plan or narrative will be provided in the Contract. Instead the contractor shall develop an EPSC Plan based on Section 105 of the Standard Specifications.

The designer shall include the following note as a General Note: *The Contractor shall provide Erosion Prevention and Sediment Control in accordance with subsections 105.23 thru 105.28 of the Standard Specifications for Construction.*

If appropriate, the designer shall show PDF fence on the Layout Sheet 10' outside of the project disturbance limits. Any required resource protection fence (i.e. barrier fence) shall also be shown on the Layout Sheet. Turf Establishment Items and any other EPSC Items shall be included as determined necessary by the designer.

The designer shall include the above information with the VPins Permitting Request submittal. Upon review, the Environmental Specialist will draft the Non-Jurisdictional EPSC Plan Acceptance Memo. The Memo will be filed in the project folder.

### **Non-Jurisdictional Type II**

These projects have earth disturbance that is less than one acre, but do pose a potential risk to water quality and thus require a site specific EPSC plan.

A designer-generated EPSC plan or narrative will not be provided in the contract documents, however an existing conditions sheet will be provided that shows sensitive resources and limits of earth disturbance (indicated with PDF and/ or BF) and includes a note with the total area of disturbance.

The following shall be included as a General Note: *The Contractor shall provide a site-specific Erosion Prevention and Sediment Control Plan in accordance with Section 653 of the Standard Specifications for Construction. Estimated quantities for EPSC work have been included in the Contract for bidding purposes. If the Contractor's EPSC plan requires items of work that are not included in the Plans it shall be paid for as part of item 653.05 Maintenance of EPSC Plan.*

The designer shall anticipate the EPSC items that will be used for this work and, for the purposes of establishing bid prices, include estimated quantities in the Contract. These items include, but are not limited to, the following:

- 651 Items (as required for turf establishment)
- 653.03 EPSC Plan (mandatory)
- 653.04 Monitoring EPSC Plan (mandatory)
- 653.05 Maintenance of EPSC Plan (N.A.B.I) (mandatory)
- 653.06 Project Demarcation Fence (mandatory)
- Other 653 Items (for EPSC as required by project)

The Existing Conditions Plan Sheet and EPSC details shall be included as part of the Preliminary Plans in the VPins Permitting Request submittal. Upon review, the Environmental Specialist will draft the Non-Jurisdictional EPSC Plan Acceptance Memo and will file the Memo in the project folder.

### **Projects Equal to or Greater Than 1 Acre Threshold (Jurisdictional)**

For projects disturbing one or more acres of earth, the Designer must complete the [\*Appendix A - Risk Evaluation and Soils Evaluation Tool\*](#). This will determine if the proposed activities constitute Low-Risk construction activities, Moderate-Risk construction activities, or construction activities that require an Individual Permit.

1. With the Preliminary Plan Submittal (or a minimum 70 days prior to Contract Plans Submittal) the Project Manager shall submit Project Impact Data (via *Project Impact Data Form* or VPins) and the Appendix A Risk Evaluation to the Environmental Specialist.

The EPSC Plans included in the Preliminary Plan Set shall be based on the information listed on the *EPSC Plan Designer Checklist* and the *EPSC Plan Narrative*.

2. The Environmental Specialist will review the submittal to determine if the EPSC Plans are in accordance with the Designer Checklist and Narrative and to ensure the CGP application information is consistent and accurate.

If the EPSC Plan is not in accordance with the Designer Checklist and Narrative or the CGP application is not accurate, the Environmental Specialist will provide recommendations. The Project Manager/ consultant will address the recommendations prior to a re-submittal.

3. For Moderate Risk and INDC applications, the Environmental Specialist will forward the application materials to the Green Infrastructure Engineer and Construction Environmental Engineer for a technical review, who will provide comments to the Project Manager and copy the Environmental Specialist.

4. The Environmental Specialist will submit the application via the ANR On-line Portal.

If no comments are received during the public comment period, ANR will issue an authorization for coverage. The Environmental Specialist will review and save the permit to the project folder.

Any changes to the Project after this point require consultation with the Environmental Specialist to ensure the determined risk remains valid.

5. The Environmental Specialist will ensure a copy of the ANR Authorization to Discharge is provided to Contract Administration for inclusion in the Contract Documents.