
REAL ESTATE STORMWATER COALITION

***Confidential Member Guidance Document for
Assistance Completing EPA's Information
Collection Request:***

**EPA Owner/Developer Long Questionnaire
Regarding Stormwater Discharges from Newly
Developed and Redeveloped Sites**

October 1, 2010

Prepared on Behalf of:

**The Building Owners and Managers Association International,
International Council of Shopping Centers, NAIOP – the Commercial
Real Estate Development Association, National Association of Real
Estate Investment Trusts, National Multi Housing Council, National
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EPA Stormwater Owner/Developer Questionnaire – Background

The Owner/Developer Questionnaire released by the U.S. Environmental Protection Agency (“EPA”) is intended to collect information from land owners and developers who own and operate “point sources,” as defined under the federal Clean Water Act. “Point Sources” are features which channelize stormwater – like a ditch, pipe, or culvert – and EPA has authority to require permits to control pollutants which may be discharged into waters of the United States from these points. EPA intends to use the results of the questionnaire to revise its current regulations, which are presently limited to controlling stormwater discharges at a site during *active* construction. EPA is now looking to create new regulations that would control run-off *after* the construction process ends. Hence, the Agency is collecting information through these questionnaires to get a better understanding of how it may impose post-construction stormwater controls on real estate developers and owners, and the costs and benefits associated with any prospective regulation.

Through correspondence with environmental groups and then as part of a judicial settlement relating to Chesapeake Bay litigation, EPA has committed to proposing post-construction stormwater regulations by September 30, 2011, and finalizing those regulations by November 19, 2012.

Guidance Document - Background

This guidance document was prepared by attorneys retained by the associations listed on the first page. This is not a guidance prepared by EPA or any other government agency. The associations prepared this guidance to assist our members that received EPA’s *Stormwater Discharges from Developed Sites Owner/Developer Questionnaire* (“respondents”). Nothing in this guidance document should be construed as creating an attorney-client relationship with any specific respondents that have received EPA’s questionnaire, or providing legal advice to any respondent. Real estate owners and developers who have received an EPA questionnaire might want to consider retaining their own counsel for one-on-one assistance in completing the questionnaire.

The guidance is intended to help clarify the intent of EPA’s questions, suggest considerations regarding issues raised in those questions, and explain how the information provided by respondents may be used by EPA in future rulemaking efforts. Within this document, specific guidance to assist respondents in answering the questions is shown in these BLUE boxes.

NOTE: Text *not* in blue boxes is from EPA’s original questionnaire.

EPA Supporting Statement

To facilitate your understanding of federal stormwater regulations, EPA has prepared a document, *Supporting Statement: Stormwater Management Including Discharges from Developed Sites Questionnaires, For Revised Questionnaires*, which can be accessed on the internet at:

http://www.reginfo.gov/public/do/PRAViewDocument?ref_nbr=201007-2040-003

EPA Webcast

EPA has scheduled a webcast on this owner/developer questionnaire for October 14, 2010 from 12:00 pm to 3:00 pm Eastern. The webcast will provide an opportunity to ask questions to EPA staff (Jesse Pritts, Todd Doley, Jan Matuszko, and Janet Goodwin). Any person can register for the webcast at the following link:

http://cfpub.epa.gov/npdes/courseinfo.cfm?program_id=0&outreach_id=555&schedule_id=1106

EPA Stormwater Monitoring Questionnaire Help Lines

EPA has hired a contractor, Eastern Research Group, Inc., to help answer questions about this questionnaire. The contractor may be reached as follows:

By telephone: Wash. DC area-703-633-1639 or toll-free-1-877-797-5643
Internet Electronic Mailing addresses (E-mail): ODSurveyHelp@erg.com

The Next Page Represents the Start of EPA's Questionnaire



Stormwater Discharges from Developed Sites Owner/Developer Long Questionnaire

EPA sent out *Long Questionnaires* to roughly 1,000 respondents and *Short Questionnaires* to roughly 2,000 respondents. The only difference between the questionnaires is that the Short Questionnaire does not include comprehensive project-specific questions found in the Long Questionnaire's Section D (Project Information, Part 2). In fact, Section D of the Short Questionnaire corresponds to Section E of the Long Questionnaire. Hence, this Guidance is equally applicable to both questionnaire versions and Short Questionnaire respondents need to recognize that their Section D (Project Information, Part 3) guidance can be found under Section E below.

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EPA's Certification Statement and the Instructions for Downloading, Completing and Returning the Questionnaire have been added to the back of this Guidance Document for your reference.

Detailed Instructions for Completing the Questionnaire

Complete the questionnaire considering the following instructions:

- Personnel most knowledgeable about the subject areas covered by a specific section should complete that section of the questionnaire.
- For all questions and sections, read all instructions and definitions carefully. Pay particular attention to the distinction between a business branch and parent company.
- Do not leave any entry blank. If the answer is zero, write "0" or "zero". If a question is not applicable, write "NA." See instructions below if data to answer a question is not readily available.
- Answer all of the questions in sequence unless you are directed to SKIP forward in the questionnaire. This is important since some questions and/or sections are only applicable to some respondents.
- Where practical, please use the units specified when responding to questions requesting measurement data (e.g., acres); this will facilitate EPA processing of the completed questionnaires and promote data accuracy. If you keep records in different units from those requested and conversion is not practical, or if units are not specified in the questions, PLEASE BE SURE TO INCLUDE THE UNITS IN YOUR RESPONSE.
- The period of interest for the questionnaire is calendar years 2005-2009 unless indicated otherwise.

The respondent may wish to add a "comment" (in the "Comments" section at the end of the questionnaire) that the period between 2005 and 2009 corresponds to a boom in construction activities that was followed for many by a significant decline. To the extent that the respondent is providing data in response to a particular question from "boom" years that are not "representative" of previous or subsequent years, the respondent may want to provide such a "comment." EPA will use technical and financial data to make assumptions about this industry, and it will assume responses are from "typical" economic conditions unless informed otherwise. If EPA were to rely on data from an economic "boom" without understanding that fact, it may conclude that certain investments in stormwater technologies are more "affordable" than current "real world" situations.

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- **Provide the requested information based on data you currently have readily available. EPA is not requesting or recommending that respondents collect new data to provide information for this questionnaire. However, you may need to contact other business establishments that you hired, such as engineering or architectural firms that prepared plans or designs for projects undertaken by your business, in order to answer some of the questions. You do not need to obtain data from other parties except where that data was specifically prepared on your behalf.**

EPA cannot require a respondent to obtain any new data/information or to provide any data/information that is not reasonably available to the respondent. The respondent is under no obligation to request a contractor to provide data requested in the questionnaire: (1) if the contractor would charge the respondent for the data (in that case the data are not the property of the respondent and the burden on the respondent of responding to the question would be outside the scope of the questionnaire); (2) if the contractor would have to generate new data (such data would be new information); or (3) if collecting the data from the contractor would otherwise prevent the respondent from responding to the questionnaire within EPA's 60-day deadline.

- **Some questions ask for approximations or estimations because EPA realizes you may not have data readily available to provide an exact response. For these questions, EPA is requesting you provide a response if you can make a reasonable estimate. If you are not able to provide an estimate, respond "Don't Know."**

Respondents are not obligated to guess or estimate if they do not know the answers or do not have sufficient data to provide an answer to any question. Where a respondent has no data to support a specific answer, a respondent may determine that he or she also has no basis to make a reasonable estimate. If that is the case, the respondent may wish to note that fact in the Comments Section. EPA will use information it collects to determine what it believes are appropriate stormwater controls for developed property, so it is important that any data provided are accurate and information is not mere guesswork. In addition, EPA's modeling process may attribute information provided for a single project to represent thousands of current or future projects, meaning that inaccuracies resulting from estimations or guesses could be compounded many times over.

Confidential Business Information

Regulations governing the confidentiality of business information are contained in the Code of Federal Regulations (CFR) at Title 40 Part 2, Subpart B. You may assert a business confidentiality claim covering part or all of the information you submit. Information that is publicly available should not be claimed confidential, as described in 40 CFR 2.203(b):

“(b) Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice complying language such as ‘trade secret,’ ‘proprietary,’ or ‘company confidential.’ Allegedly confidential portions of otherwise nonconfidential documents should be clearly identified by your business, and may be submitted

separately to facilitate identification and handling by EPA. If your business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.”

If no business confidentiality claim accompanies the information when it is received by EPA, EPA may make the information available to the public without further notice.

You may claim as confidential all information included in the response to a question by checking the CBI box next to the question number. Note that you may be asked to justify any claim of confidentiality at a later time, for example if someone requests access to your data. Note also that information claimed confidential cannot be accessed or used by the industry to evaluate data and analyses supporting the proposed regulations.

Information covered by a claim of confidentiality will be disclosed by EPA only to the extent of, and by means of, the procedures set forth in 40 CFR Part 2, Subpart B. In general, submitted information protected by a business confidentiality claim may be disclosed to other employees, officers, or authorized representatives of the United States concerned with implementing the Clean Water Act. The authorized representatives include employees of other executive branch agencies, who may review CBI during the course of reviewing draft regulations.

Information covered by a claim of confidentiality will be made available to EPA contractors to enable the contractors to perform the work required by their contracts with EPA. All EPA contracts provide that contractor employees use the information only for the purpose of performing the work required by their contracts and will not disclose any CBI to anyone other than EPA without prior written approval from each affected business or from EPA's legal office.

Confidential Business Information (CBI)

Respondents have a right to claim business information as “confidential” in accordance with 40 CFR part 2, subpart B, Section 2.203. The questionnaires provide instructions on the Confidential Business Information (CBI) procedures for making these claims.

A respondent may decide to make a confidentiality claim for certain business-related information (e.g., trade secrets, economic information), in order to retain competitive advantages or prevent harmful competitive effects resulting from disclosure of the CBI to other industry firms. Information that is already publicly available cannot be claimed as CBI.

Claiming Information as CBI

EPA will protect any information that a respondent identifies as CBI from disclosure as an initial matter. Please be aware that a third party (like a competitor, or an environmental group) could file a Freedom of Information Act (FOIA) request and asks EPA to disclose information that you have identified as CBI. If that circumstance should arise, EPA will then ask the respondent to justify the CBI claim as EPA determines how to respond to the FOIA request.

The electronic version of the questionnaire has a CBI box next to each question. This Guidance does not include those boxes. Instead, as appropriate, this Guidance suggests that the respondent consider whether a particular question might result in the release of CBI by the respondent. Please consult your own counsel, if unsure.

**Stormwater Discharges from Developed Sites
Owner/Developer Long Questionnaire
GENERAL DEFINITIONS**

Term	Definition
Alteration	Changes to existing structures that <i>do not</i> result in the replacement of the existing structure or a change in the project footprint.
Addition	For purposes of this questionnaire, a change to an existing land parcel that does not increase the footprint of the structure, parking areas or other impervious surfaces by more than 5,000 square feet. Please note the definition of “Impervious Surface” as set forth below.
Commercial/Institutional	A project that includes structures intended for use by retail, wholesale, office, hotel, or other service-providing facilities/businesses, including Federal, State, and local government facilities.
Builder	A person, business, or partnership that builds houses or other structures on properties they own during the building construction phase of the project. The builder may have also been the developer during the earlier project phases, or they may have purchased unfinished lots after the development phase has been completed. This definition does not include businesses that only build houses or other structures on a contractual basis and do not take ownership of the lots they build on. Please note that a “Builder” must also be an owner of the property under this definition. This definition excludes contract builders.
Building Construction Phase	The third of three project phases, following Land Acquisition and Land Development (see below). Construction of standing structure(s) occurs during this phase. Costs incurred during this phase can be divided into “hard costs” for activities like framing, plumbing, and electrical work and “soft costs” such as legal or marketing activities.

Business	<p>A business is an on-going and legally recognized commercial organization that provides goods and/or services to consumers. For the purpose of this survey, businesses may be understood to typically operate in a single location or area of operation, such as a metropolitan area. Businesses may undertake a business venture (such as a construction project) on their own or in a partnership with other businesses. Businesses are distinct from these business ventures in that the businesses are ongoing entities and do not end after the venture, such as a construction project, has been completed.</p> <div data-bbox="643 594 1357 1255" style="border: 1px solid black; padding: 10px;"> <p>Please note that under this definition a “Business” is a legally recognized commercial organization.</p> <p>While the definition recognizes that a business may form partnerships or other business ventures, Respondents should only respond for the specific business entity that received the questionnaire, not on behalf of some other “business venture” that is a different legal identity.</p> <p>For example, the business that received the questionnaire may also be a member of a separate, legally distinct partnership. The business is only obligated to respond to the questionnaire for itself, and not for that separate partnership.</p> <p>Similarly, if a partnership receives a questionnaire, the partnership is obligated to provide responses that pertain to the activities of the partnership only, not the activities of the legally distinct entities that may be members of the partnership.</p> </div>
Developer	<p>A person, business, or partnership that controls project design and/or land development activities associated with a project. The developer may make improvements to land parcel(s) owned by the developer or on behalf of a separate owner-entity (e.g., the developer may be the land owner’s agent). The developer is typically associated with the land acquisition and land development phases, but may also act as a builder in the building construction phase. This definition does not include businesses that only build houses on a contractual basis.</p> <div data-bbox="643 1707 1357 1892" style="border: 1px solid black; padding: 10px;"> <p>Please note that a “Developer” is defined as a person, business or partnership – three separate categories. EPA excludes from this definition contractors that build homes but do not have a “Financial Stake” (as defined below) in the building project. Thus, for the purpose of this questionnaire,</p> </div>

	<p>to meet EPA’s definition of developer, the Developer must have a “Financial Stake” in the project.</p>
Disturbed Land	<p>Area of land within a project where soil is disturbed due to activities such as clearing and grubbing, mass grading, site preparation (i.e., excavating, cutting and filling) and final grading with the intention of installing buildings, roads, parking lots or other structures or making other improvements to the landscape. Land disturbance typically begins during the second phase of development and is completed during the final phase.</p> <p>This definition is important because only Respondents who have disturbed land over certain threshold acres must complete the questionnaire. See question A-3.</p>
Final Project Value	<p>The value of the project at the time of completion.(See Project Completion) This value could be the project’s sales value or the recorded asset value of the project when it has been completed. Final project value does not include the expected value of any construction that was initially planned but never completed.</p>
Financial Stake	<p>An individual business is said to have a financial stake in a project if the business’s earnings from that project depend on the financial performance of the project overall (i.e., project net income), even though the business may not be defined legally as a project owner. Owners, by definition, have a financial stake in projects they own. Developers, as defined above, might have a financial stake in a project if they have entered into a partnership or agreement with the owner that bases at least part of their earnings on the project’s financial performance. General contractors, contractual builders, and subcontractors typically do not have a financial stake in the project performance overall.</p>
Heavy and Civil Engineering Construction	<p>Heavy and civil engineering construction projects (excluding highway, road, bridge, and distribution line construction) include the following types of projects:</p> <ul style="list-style-type: none"> • mass transit (train, subway, monorail, street car, etc.) • outdoor recreation (golf course, parks play grounds, sports field, outdoor ice rinks, etc.) • marine structures (harbors, ports, piers, docks, canals, etc.) • dams (dams, berms, levees, dikes, etc.) • hydroelectric generating facility construction

Impervious Surface	Low-permeability materials that include, but are not limited to, roads, rooftops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, or other surfaces which similarly impede infiltration of storm water.
Industrial	A project that includes structures designed for industrial purposes including producing, processing, or assembling goods (for example, manufacturing, agricultural, and mining structures).
Land Acquisition Phase	<p>The first of three project phases, preceding Land Development and Building Construction. In this stage, financing is assembled to purchase raw, vacant, un-zoned land parcel(s). This phase may also include initial project design and planning elements using, e.g., architectural services. For redevelopment projects the land has previously been developed and zoned. However, the property may need to be rezoned for a new purpose, and the project will require designing and planning as well.</p> <div data-bbox="643 831 1357 995" style="border: 1px solid black; padding: 5px; background-color: #e0f0ff;"> <p>Activities in the “Land Acquisition Phase” are outside of EPA’s regulatory authority under the Clean Water Act. If the respondent’s involvement in all projects occurs only during this phase, they need not complete the entire questionnaire. See question A-3.</p> </div>
Land Development Phase	<p>The second of three project phases, following Land Acquisition and preceding Building Construction. During this phase, raw land is converted into permitted, buildable lot(s). This phase typically requires designing, planning, site approvals, hearings, etc. This process can take months to years, and can involve dividing the initial parcel into multiple parcels, often referred to as land subdivision. Costs incurred during this phase may include “soft” costs for architectural and engineering services, legal work, permits, fees, and testing; and “hard” costs, such as land clearing, installing utilities and roads, and preparing foundations or pads.</p> <div data-bbox="643 1453 1357 1705" style="border: 1px solid black; padding: 5px; background-color: #e0f0ff;"> <p>Some activities in the “Land Development Phase” do not disturb land and are accordingly outside of EPA’s regulatory authority under the Clean Water Act. So, if the respondent’s involvement in a project only concerns activities that don’t disturb land – like site designing, planning, site approvals, and pre-construction hearings then there is no obligation to complete this questionnaire. See question A-3.</p> </div>

Land Subdivision	<p>The act of dividing a parcel of land into smaller parcels that is easier to sell or otherwise develop. Land subdivision often includes site-improvement activities, such as road building and utility line installation.</p> <p>Land subdivision most often refers to the dividing of the land for a single-family residential project into individual parcels or “plats”. These residential projects are often referred to as “residential subdivisions”. However, very large tracts of land can be subdivided into multiple tracts which are then developed separately as individual projects. For example, an owner/developer divides a single tract into three separate tracts. They develop a residential project on one, an office park on another, and sell the third tract to a different developer who develops their own residential project on a completely independent time schedule.</p>
Mixed Use Project	<p>A project that is intended for more than one land use category. For example, a project that includes both Single-Family Housing and Multi-Family housing, or a project including Commercial and Industrial properties.</p>
Multi-Family Residential	<p>A project where multiple separate housing units for residential occupancy are or will be contained within one building; also known as multi-dwelling unit. Does not include attached single-family homes, such as townhouses.</p>
NAICS 236115, New Single-Family Housing Construction (except Operative Builders)	<p>Small Business Administration (SBA) small business definition cut-off: \$33.5 million annual revenue. This U.S. industry comprises general contractor establishments primarily responsible for the entire construction of new single-family housing, such as single-family detached houses and town houses or row houses where each housing unit (1) is separated from its neighbors by a ground-to-roof wall and (2) has no housing units constructed above or below. This industry includes general contractors responsible for the on-site assembly of modular and prefabricated houses. Single-family housing design-build firms and single-family construction management firms acting as general contractors are included in this industry.</p>
NAICS 236116, New Multi-Family Housing Construction (except Operative Builders)	<p>SBA small business definition cut-off: \$33.5 million annual revenue. This U.S. industry comprises general contractor establishments responsible for the construction of new multifamily residential housing units (e.g., high-rise, garden, and town house apartments and condominiums where each unit is not separated from its neighbors by a ground-to-roof wall). Multifamily design-build firms and multifamily housing construction management firms acting as general contractors are included in this industry.</p>

<p>NAICS 236117, New Housing Operative Builders</p>	<p>SBA small business definition cut-off: \$33.5 million annual revenue. This U.S. industry comprises operative builders primarily responsible for the entire construction of new houses and other residential buildings, single-family and multifamily, on their own account for sale. Operative builders are also known as speculative or merchant builders.</p>
<p>NAICS 236210, Industrial Building Construction</p>	<p>SBA small business definition cut-off: \$33.5 million annual revenue. This industry comprises establishments primarily responsible for the construction (including new work, additions, alterations, maintenance, and repairs) of industrial buildings (except warehouses). The construction of selected additional structures, whose production processes are similar to those for industrial buildings (e.g., incinerators, cement plants, blast furnaces, and similar nonbuilding structures), is included in this industry. Included in this industry are industrial building general contractors, industrial building operative builders, industrial building design-build firms, and industrial building construction management firms.</p>
<p>NAICS 236220, Commercial Building Construction</p>	<p>SBA small business definition cut-off: \$33.5 million annual revenue. This industry comprises establishments primarily responsible for the construction (including new work, additions, alterations, maintenance, and repairs) of commercial and institutional buildings and related structures, such as stadiums, grain elevators, and indoor swimming pools. This industry includes establishments responsible for the on-site assembly of modular or prefabricated commercial and institutional buildings. Included in this industry are commercial and institutional building general contractors, commercial and institutional building operative builders, commercial and institutional building design-build firms, and commercial and institutional building project construction management firms.</p>
<p>NAICS 237210, Land Subdivision</p>	<p>SBA business definition cut-off: \$7.0 million annual revenue. This industry comprises establishments primarily engaged in servicing land and subdividing real property into lots, for subsequent sale to builders. Servicing of land may include excavation work for the installation of roads and utility lines. The extent of work may vary from project to project. Land subdivision precedes building activity and the subsequent building is often residential, but may also be commercial tracts and industrial parks. These establishments may do all the work themselves or subcontract the work to others. Establishments that perform only the legal subdivision of land are not included in this industry.</p>

<p>NAICS 237310, Highway, Street, and Bridge Construction</p>	<p>SBA small business definition cut-off: \$33.5 million annual revenue. This industry comprises establishments primarily engaged in the construction of highways (including elevated), streets, roads, airport runways, public sidewalks, or bridges. The work performed may include new work, reconstruction, rehabilitation, and repairs. Specialty trade contractors are included in this group if they are engaged in activities primarily related to highway, street, and bridge construction (e.g., installing guardrails on highways).</p>
<p>NAICS 237990, Other Heavy and Civil Engineering Construction</p>	<p>SBA small business definition cut-off: \$33.5 million annual revenue. This industry comprises establishments primarily engaged in heavy and engineering construction projects (excluding highway, street, bridge, and distribution line construction). The work performed may include new work, reconstruction, rehabilitation, and repairs. Specialty trade contractors are included in this group if they are engaged in activities primarily related to engineering construction projects (excluding highway, street, bridge, distribution line, oil and gas structure, and utilities building and structure construction within NAICS categories 237110, 237120, 237130 and 237310). Construction projects involving water resources (e.g., dredging and land drainage), development of marine facilities, and projects involving open space improvement (e.g., parks and trails) are included in this industry.</p>
<p>NAICS 237110, Water and Sewer Line and Related Structures Construction</p>	<p>SBA small business definition cut-off: \$33.5 million annual revenue. This industry comprises establishments primarily engaged in the construction of water and sewer lines, mains, pumping stations, treatment plants, and storage tanks. The work performed may include new work, reconstruction, rehabilitation, and repairs. Specialty trade contractors are included in this group if they are engaged in activities primarily related to water, sewer line, and related structures construction. All structures (including buildings) that are integral parts of water and sewer networks (e.g., storage tanks, pumping stations, water treatment plants, and sewage treatment plants) are included in this industry.</p>
<p>NAICS 237120, Oil and Gas Pipeline and Related Structures Construction</p>	<p>SBA small business definition cut-off: \$33.5 million annual revenue. This industry comprises establishments primarily engaged in the construction of oil and gas lines, mains, refineries, and storage tanks. The work performed may include new work, reconstruction, rehabilitation, and repairs. Specialty trade contractors are included in this group if they are engaged in activities primarily related to oil and gas pipeline and related structures construction. All structures (including buildings) that are integral parts of oil and gas networks (e.g., storage tanks, pumping stations, and refineries) are included in this industry.</p>

<p>NAICS 237130, Power and Communication Line and Related Structures Construction</p>	<p>SBA small business definition cut-off: \$33.5 million annual revenue. This industry comprises establishments primarily engaged in the construction of power lines and towers, power plants, and radio, television, and telecommunications transmitting/receiving towers. The work performed may include new work, reconstruction, rehabilitation, and repairs. Specialty trade contractors are included in this group if they are engaged in activities primarily related to power and communication line and related structures construction. All structures (including buildings) that are integral parts of power and communication networks (e.g., transmitting towers, substations, and power plants) are included.</p>
<p>NAICS 531110, Lessors of Residential Buildings and Dwellings</p>	<p>SBA small business definition cut-off: \$7.0 million annual revenue. This industry comprises establishments primarily engaged in acting as lessors of buildings used as residences or dwellings, such as single-family homes, apartment buildings, and town homes. Included in this industry are owner-lessors and establishments renting real estate and then acting as lessors in subleasing it to others. The establishments in this industry may manage the property themselves or have another establishment manage it for them.</p>
<p>NAICS 531120, Lessors of Nonresidential Buildings (except Miniwarehouses)</p>	<p>SBA small business definition cut-off: \$7.0 million annual revenue. This industry comprises establishments primarily engaged in acting as lessors of buildings (except miniwarehouses and self-storage units) that are not used as residences or dwellings. Included in this industry are: (1) owner-lessors of nonresidential buildings; (2) establishments renting real estate and then acting as lessors in subleasing it to others; and (3) establishments providing full service office space, whether on a lease or service contract basis. The establishments in this industry may manage the property themselves or have another establishment manage it for them.</p>
<p>New Development</p>	<p>Development that occurs or occurred on land where generally no or minimal structures or other impervious surfaces, such as buildings, parking lots, and roads exist. New development includes development that occurs on agricultural, forested, and open/barren land. This is commonly referred to as Greenfield development.</p>

<p>Owner</p>	<p>The firm, individual, or institutions for which the construction project is/was undertaken. Projects may have multiple owners, and ownership of part or all of the project may change as the project transitions from one phase to the next. The owner may also act as the developer for a project, or may hire or partner with a separate developer. Businesses that purchase unfinished lots and build upon them are also considered to be owners.</p> <div data-bbox="643 520 1357 1117" style="border: 1px solid black; padding: 5px;"> <p>We have confirmed with EPA that its existing definition of “Owner or operator” (found in regulations at 40 CFR § 122.2) applies to this questionnaire.</p> <p>40 CFR § 122.2: Owner or operator means the owner or operator of any “facility or activity” subject to regulation under the NPDES program.</p> <p>The “facility or activity” term in 40 CFR § 122.2 means the “construction project” in the glossary’s “Owner” definition. To trigger a response obligation under the questionnaire, the construction project must be one that has been required to obtain a permit under the National Pollutant Discharge Elimination System (NPDES) program. Question A-3 is intended to help determine whether the project that you own is, in fact, regulated under the NPDES program.</p> </div>
<p>Ultimate Parent Company</p> <div data-bbox="269 1453 461 1621" style="border: 1px solid black; padding: 5px;"> <p><i>This definition is out of alphabetical order.</i></p> </div>	<p>A business organization that owns more than 50 % of one or more other domestic businesses, and is not a subsidiary to another domestic business organization. Subsidiary business organizations to the ultimate parent can include “headquarters” business organizations. A “headquarters” is a business that has branches or divisions reporting to it. For this survey, these branch or division locations would be Businesses, as defined above. Branches or divisions can also report directly to the Ultimate Parent Company. In this case, the Ultimate Parent Company is also a headquarters organization. The Ultimate Parent Company typically resides in a different physical locations than their subsidiary headquarters, or division/branch locations.</p> <div data-bbox="643 1680 1357 1848" style="border: 1px solid black; padding: 5px;"> <p>Please note if the respondent is a different legal entity from the Ultimate Parent Company, then the respondent may be limited in its ability to answer (and certify to) questions related to the ultimate parent company.</p> </div>

<p>Participation</p>	<p>Participation in a project refers to being either an owner, developer, or builder for a project. The business can be the sole participant or they can be in a partnership with other businesses. This does not include work as a contractual builder.</p> <div data-bbox="643 392 1357 957" style="border: 2px solid black; padding: 10px;"> <p>Reading this definition of “Participation” in conjunction with earlier definitions, respondents should bear in mind that: (1) An owner must own a regulated construction project; (2) A developer must have a financial stake in the construction project; and (3) A builder must own the land on which the project is being constructed. Accordingly, a respondent’s business can “participate” in a project in any of these capacities.</p> <p>In addition, a respondent can be a sole proprietorship, a corporation, a partnership, or reflect some other legally valid corporate form. The legal form of the business that receives the questionnaire does not affect whether or not the business is participating in the project. However, as noted above, you are only obligated to respond for the entity that received the questionnaire.</p> </div>
<p>Project</p>	<p>New development or redevelopment of buildings or other real estate improvements on a site, which may be undertaken by a single business or partnership/team of businesses. A project generally consists of three phases: Land Acquisition, Land Development, and Building Construction. It is possible that each business or partnership actively involved in a project might only control one or two of these three project phases, while another entity or partnership may control the other project phase(s). A single land parcel may include multiple projects. For example, under a common plan of development, a large parcel of land may be developed in several separate projects often referred to as residential subdivisions. Each subdivision in this configuration would be considered an individual project.</p> <div data-bbox="643 1503 1357 1822" style="border: 2px solid black; padding: 10px;"> <p>Please note two aspects of this definition. First, a project may cover less acreage than an entire site or entire common plan of development. Second, in subsequent questions, when the respondent is asked about his or her participation in a project as an owner, developer, or builder, EPA is seeking information about the respondent’s participation only, not about the entire project (if the respondent’s participation did not include all phases or all time periods).</p> </div>

Project Completion	<p>For the purpose of this survey, a project can be considered completed when building construction has stopped and no additional building construction on the site is scheduled to begin within a year of construction ending. This definition is meant to include as “complete” those projects where construction ceases for a substantial period prior to all of the initially planned buildings have been completed. For example, suppose 75 housing units are constructed within a planned 100-unit residential subdivision, but the construction of the remaining 25 units is deferred due to changing market conditions. This project would be considered complete for the purposes of this survey if construction is not expected to resume within one year of the stoppage of active construction activity.</p> <div data-bbox="643 720 1357 980" style="border: 2px solid black; padding: 5px; background-color: #e0f0ff;"> <p>Under this definition, a project is “completed” before a certificate of occupancy is issued for the structure – i.e., before a tenant or home owner actually moves in to the space. “Project Completion” here depends on cessation of construction activity – not subsequent leasing, sales, or financing related to the real estate which might bring a project to ultimate closure.</p> </div>
Remodeling	<p>Remodeling refers to alterations to the interior of a structure, and does not involve the installation of any new impervious surface.</p>
Redevelopment	<p>Development of sites where existing structures or impervious surfaces are replaced with new structures and impervious areas. For example, removing an existing warehouse to build a multi-family housing building on the same site would fall within the definition of redevelopment. Redevelopment also includes additions to existing structures and/or impervious areas that result in more than 5,000 square feet of new impervious surface.</p> <div data-bbox="643 1451 1357 1556" style="border: 2px solid black; padding: 5px; background-color: #e0f0ff;"> <p>A brownfields redevelopment project meets this the definition of “Redevelopment” if new impervious areas are added.</p> </div>
Single-Family Residential	<p>A project in which housing units are built for occupancy by only one family. This includes both attached and detached single-family homes.</p>

<p>Post Construction Stormwater Controls and Practices</p> <div data-bbox="269 394 461 562" style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <p><i>This definition is out of alphabetical order.</i></p> </div>	<p>Practices/Controls that are installed and maintained to control post construction stormwater discharges.</p> <div data-bbox="643 369 1357 596" style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <p>Please note that controls that are put into place to control runoff during construction and are later removed do not meet this definition. This definition covers only controls and practices that remain in effect after construction is complete and that are designed to control runoff from the completed project.</p> </div>
<p>Transportation</p>	<p>A project that includes uses such as highways, roads, and bridges. Transportation does not include the construction of streets that are within a larger plan of development, such as a single-family residential project.</p>
<p>Utility</p>	<p>A project that includes uses such as water and/or gas pipelines, sewer lines, or electricity transmission lines.</p>

**Stormwater Discharges from Developed Sites
Owner/Developer Long Questionnaire
STORMWATER CONTROL DEFINITIONS**

Term	Definition
Bioretention	A stormwater management practice that consists of an excavated area that is filled with a mixture of soil and organic matter and that is planted with vegetation that is tolerant of inundation and saturated soil conditions. Bioretention includes rain gardens, sidewalk planters, curb extensions and other plant or soil systems designed to filter, infiltrate or evapotranspire stormwater.
Cistern	Large storage devices that are often built below ground, at ground level, or on rooftops, for storing captured stormwater and can be integrated with more sophisticated pumping devices. For example, some cisterns collect stormwater that is subsequently used for non-potable plumbing, such as flushing of toilets, or irrigation applications.
Constructed Wetlands	A man-made basin or channel that typically contains water, a substrate (soil, gravel, rock, organic materials, etc.) and plants (vascular and non-vascular), similar to those usually found in natural wetlands and is used to treat stormwater runoff.
Detention Basin	Practice which hold stormwater temporarily and discharge the stormwater over an extended period of time (hours to days) generally by controlling the size of the discharge volume and flow rate. A detention basin may have a permanent pool of water (wet detention) or may empty completely between storm events (dry detention).
Green Roof	A vegetative system installed on top of and in addition to the traditional roof system. A green roof includes engineered soil layers (e.g., a waterproof membrane, drainage, high inorganic growing media), and appropriate plant species. Green roofs reduce surface runoff from the rooftop by absorbing stormwater and slowing stormwater flow rates, and provide ancillary benefits such as summer cooling, lowered urban heat island effect, and improved air quality.
Infiltration Basin/Trench	A shallow rock-filled trench, basin or depression intended to infiltrate stormwater into the underlying soil.
Low Impact Development (LID)	Development that is designed to be hydrologically functional by mimicking pre-development hydrology or hydraulic conditions. This is achieved by using design techniques that infiltrate, filter, evaporate, and store runoff close to its source (e.g. bioretention, rain gardens, cisterns, green roofs). <div style="border: 2px solid black; background-color: #e0f0ff; padding: 5px; text-align: center;"> <p>EPA's LID is very narrow. Practices that are not designed to mimic pre-development hydrology (yet still limit runoff) will not meet this definition.</p> </div>

Manufactured Device	Manufactured devices include a variety of proprietary and non-proprietary stormwater management practices that are available from various suppliers and vendors and are designed to remove pollutants through a combination of filtration, gravity separation, flotation and hydrodynamic processes. Examples include catch basin inserts, filtration units, vaults and separators.
Media Filter	Filters that stormwater passes through for removal of solids. Filters can be made out of sand, peat, or other suitable material.
Pervious Paving	Pavement composed of a permeable pavement material, which allows distributed infiltration into a sub-base or the underlying soil. There may also be an underlying stone reservoir that temporarily stores the surface runoff before it infiltrates into the underlying soil. Examples include; porous asphalt, permeable concrete, and permeable modular block pavers
Retention Basin	A retention basin is an impoundment that is designed to retain stormwater on-site and generally does not discharge stormwater except during very large storm events.
Retention Practices	Stormwater techniques that manage stormwater on-site through infiltration, evapotranspiration or harvesting.
Swale	A swale, sometimes called a biofilter, is a grass-lined channel that is designed to convey stormwater in shallow flow. Pollutant removal is accomplished through filtration through the vegetation and swales are frequently designed to allow for infiltration of stormwater.
Tree Box	Stormwater controls that direct stormwater discharges to a treebox, where it can be filtered by the soil and vegetation. Some tree boxes may drain to a pipe below, which conveys stormwater to the selected collection system.
Underground Detention	Underground vaults, storage cells, or water piping systems used for stormwater flow rate and volume control. This is an alternative to storage above ground (e.g., pond).
Underground Infiltration	Underground infiltration includes a variety of proprietary and non-proprietary practices that are usually placed under parking lots and streets that temporarily store and infiltrate stormwater. Common materials include corrugated metal pipe, pre-cast concrete and polyvinyl chloride (PVC).

Water Body	<p>For purposes of this survey, any natural surface water such as a stream, river, lake, estuary, bay or ocean. This includes both perennial streams and intermittent streams.</p> <div data-bbox="643 394 1357 621" style="border: 2px solid black; background-color: #e0f0ff; padding: 5px;"><p>This definition is broader than “waters of the United States” which define the extent of EPA’s jurisdiction under the Clean Water Act. This is because the “Water Body” definition applies to “any” natural surface water. Also note that “Water Body” does <i>not</i> apply to subterranean ground water supplies (such as an aquifer).</p></div>
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Section: A

Section Title: General Information

Instructions:

Throughout Section A (Questions A-1 to A-6), provide the general information requested. Please provide all numeric and text answers in the yellow highlighted areas. Red words/terms are defined in the Definitions Tab. To help facilitate your review of these terms we have provided their definitions in the red boxes to the left of the questions. Scroll over the red boxes to see the definitions.

A-1 Provide contact information for your business.

Business's Full Legal Name

Address

Phone/Fax Number

Email

A-2. Provide contact information for the person to whom EPA should direct follow up calls concerning your responses to this questionnaire if necessary.

Name

Email

Title

Best Time to Contact

Phone/Fax Number

This questionnaire will ask a series of questions about your business operations and the projects in which your business participated during 2005 – 2009. Prior to completing the questionnaire, please carefully review the Definitions Tabs for applicable definitions. You may wish to refer back to the Definitions as you answer individual questions.

Answers to this section determine how much of the questionnaire you must complete!

The next four questions are meant to determine if the respondent's business performs work that is relevant for this questionnaire. Please read each question carefully before answering and refer to the General Definitions as needed.

A-3. During calendar years 2005-2009 was your business an owner or operator of at least one construction project that (1) disturbed 1 or more acres of land, or (2) disturbed less than one acre of land that was a part of a larger common plan of development or sale that disturbed one or more acres of land, or (3) was covered by a local or state NPDES permit for construction site stormwater discharge? *(Note: Projects meeting criteria 1 and 2 are required to obtain NPDES permit coverage for stormwater discharges, or would be required to do so in the absence of a project specific waiver. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15). Criterion 3 addresses projects required to obtain NPDES stormwater permit coverage under potentially more stringent state and local criteria.)*

THIS IS A CRITICAL QUESTION. IF A RESPONDENT ANSWERS “NO” TO THIS QUESTION, THEN THERE IS NO NEED TO COMPLETE THE REST OF THE QUESTIONNAIRE (OTHER THAN THE CERTIFICATION AT THE END).

“Owner” is defined in the General Definitions above. The term “operator” is not defined in the questionnaire. However, for purposes of this question, EPA’s current definition of “owner or operator” in its NPDES regulations will control. An entity must be an “owner or operator,” as defined in EPA regulations before the Agency can legally require that entity to respond further to this questionnaire.

EPA’s NPDES permitting regulations define “owner or operator” to mean *the owner or operator of any “facility or activity” subject to regulation under the NPDES program.* 40 CFR § 122.2.

Please note that for the purpose of this question, the respondent’s business must have been the owner or operator at the time the land disturbance activity took place. This means that your business was required to obtain coverage under an NPDES permit (such as a Construction General Permit administered by a state agency) for construction sites that were generally 1 acre or larger.

If the respondent’s business was involved in a project only before or after land disturbance activity – and not during any site construction – then the answer to this question is “No.”

On the other hand, if the respondent’s business or a contractor on its behalf filed for coverage under a NPDES stormwater discharge permit – for a construction site that was 1 acre or larger – then the answer to this question is “Yes” and additional questions must be answered.

Yes

No *(In this case, you have completed the survey. Thank you for your input. Sign the certification statement and return to the address indicated.)*

If respondent’s business did not engage in any construction activity or land development during calendar years 2005-2009 then the correct answer to question A-3 should be “No” and it is not necessary to proceed to question A-4.

A-4. During calendar years 2005 – 2009, indicate if your business engaged in any of the following activities (check all that apply):

In the list below, please note the definition of “Land Development” in the General Definitions includes activities that do not disturb land and, therefore, that definition is broader than the scope of question A-3. A respondent may have been engaged in land development during 2005-2009, but if it did not own or operate any project that disturbed land, the appropriate response for question A-3 should have been “no” and there is no need to proceed to question A-4.

- Land Development (including land subdivision)
- Single-Family Residential Construction
- New Multifamily Residential Construction
- Commercial and Institutional Construction
- Transportation (Highway, Road, or Bridge) Construction
- Industrial Construction
- Pipelines (e.g., water, sewer, oil or gas) *(If this is the only type of construction activity your business engaged in during calendar years 2005 – 2009, you have completed the survey. Thank you for your input. Sign the certification statement and return to the address indicated.)*
- Underground or Overhead Utilities (e.g., telecommunications, electric transmission cables) *(If this is the only type of construction activity your business engaged in during calendar years 2005 – 2009, you have completed the survey. Thank you for your input. Sign the certification statement and return to the address indicated.)*
- Other Construction Not Identified Above (specify _____) *(If this is the only type of construction activity your business engaged in during calendar years 2005 – 2009, please contact EPA before proceeding with the remainder of this questionnaire.)*
- My business did not engage in any construction or land development during calendar years 2005-2009 *(In this case, you have completed the survey. Thank you for your input. Sign the certification statement and return to the address indicated.)*

A-5. During calendar years 2005 – 2009, was your business an owner, developer, or builder of at least one project during either its land development phase or its building construction phase (either as the sole responsible party or as a participant in a joint venture or other multiple party structure)?

Please consult the General Definitions for definitions of “Owner,” “Developer,” and “Builder,” discussed above.

Owner is defined as the entity for which the construction project is undertaken. To be an owner, a business must own a project that is regulated under the NPDES permitting program as described in question A-3 above.

Developer is defined as the entity that controls project design and/or land development. However, because contract builders are excluded from the definition, a developer must have a financial stake in the project for purposes of this questionnaire.

Builder is defined as the entity that carries out the construction on land that the builder owns. Thus, a builder must also be the owner of the property.

If respondent's business does not meet any of these definitions for any project during 2005 to 2009, then the answer to this question is "no."

Please note that the parenthetical embedded in question A-5, regarding joint ventures or multiple party structures, does not require a response on behalf of legally separate entities. A response is only required on behalf of the respondent's business.

If the business that received the questionnaire is a sole proprietor, and that sole proprietor did not participate in any projects during 2005 to 2009, then the answer to this question is "no." This is the case even if the business "participated" in a project during this time period as part of a separate partnership, joint venture, or other legal entity apart from the business that received the questionnaire.

If the business that received the questionnaire is a partnership, and that partnership did not participate in any projects during 2005 to 2009, then the answer to this question is "no." This is the case even if members of the partnership participated in separate projects during this time period on their own, outside the scope of the partnership.

If the business that received the questionnaire only participated in projects during 2005 to 2009 as part of a joint venture, that business should consult with legal counsel to determine if the joint venture is a distinct legal entity from the business that received the questionnaire.

Yes

No (*In this case, you have completed the survey. Thank you for your input. Sign the certification statement return to the address indicated.*)

A-6. During calendar years 2005 – 2009, was your business an owner, developer, or builder of at least one project during either its land development phase or its building construction phase (either as the sole responsible party or as a participant in a joint venture or other multiple party structure) that resulted in the installation of 5,000 square feet or more of new impervious surfaces (roads, roofs, parking lots, etc.)?

This question merely sets a minimum impervious surface threshold – 5,000 square feet -- for those entities that responded "yes" to question A-5. The comments provided for A-5, above, are applicable here as well.

Yes

No (*In this case, you have completed the survey. Thank you for your input. Sign the certification statement and return to the address indicated.*)

Section: B**Section Title: Business Financial Information****Instructions:**

Throughout Section B (Questions B-1 to B-5), provide the information requested. Please provide all typed answers in the yellow highlighted areas. Red words/terms are defined in the Definitions Tab. To help facilitate your review of these terms we have provided their definitions in the red boxes to the left of the questions. Scroll over the red boxes to see the definitions.

“Business” is defined as a legally recognized commercial organization. Please respond for the business that received the questionnaire and not for any legally distinct entities.

B-1a. Many of the following questions will ask for information for each year that you were in business during 2005 – 2009. Unless specified otherwise, EPA is requesting information for calendar years 2005-2009. However, for the financial questions only (e.g., revenue, project value), you may respond for the calendar year or your business’s fiscal year. Please indicate whether you are reporting financial information for the calendar year or fiscal year by checking one box below.

- Calendar year (Skip to Question B-2)
- Fiscal year

B-1b. If you checked “Fiscal Year”, please indicate the first month of your business’s fiscal year.

<input type="checkbox"/> January	<input type="checkbox"/> July
<input type="checkbox"/> February	<input type="checkbox"/> August
<input type="checkbox"/> March	<input type="checkbox"/> September
<input type="checkbox"/> April	<input type="checkbox"/> October
<input type="checkbox"/> May	<input type="checkbox"/> November
<input type="checkbox"/> June	<input type="checkbox"/> December

B-2. Indicate the state(s)/territories where your business has participated in projects at any time during calendar year 2005 through 2009 (check all that apply).

“Business” is defined in the General Definitions as a legally recognized commercial organization. Please respond only for the business that received the questionnaire and not for any legally distinct entities.

<input type="checkbox"/> AL	<input type="checkbox"/> CO	<input type="checkbox"/> GA	<input type="checkbox"/> IN	<input type="checkbox"/> MD	<input type="checkbox"/> MO	<input type="checkbox"/> NC	<input type="checkbox"/> NY	<input type="checkbox"/> RI	<input type="checkbox"/> VA
<input type="checkbox"/> AK	<input type="checkbox"/> CT	<input type="checkbox"/> HI	<input type="checkbox"/> KS	<input type="checkbox"/> ME	<input type="checkbox"/> MT	<input type="checkbox"/> ND	<input type="checkbox"/> OH	<input type="checkbox"/> SD	<input type="checkbox"/> VT
<input type="checkbox"/> AR	<input type="checkbox"/> DE	<input type="checkbox"/> IA	<input type="checkbox"/> KY	<input type="checkbox"/> MI	<input type="checkbox"/> NM	<input type="checkbox"/> NH	<input type="checkbox"/> OK	<input type="checkbox"/> TN	<input type="checkbox"/> WA
<input type="checkbox"/> AZ	<input type="checkbox"/> DC	<input type="checkbox"/> ID	<input type="checkbox"/> LA	<input type="checkbox"/> MN	<input type="checkbox"/> SC	<input type="checkbox"/> NJ	<input type="checkbox"/> OR	<input type="checkbox"/> TX	<input type="checkbox"/> WI
<input type="checkbox"/> CA	<input type="checkbox"/> FL	<input type="checkbox"/> IL	<input type="checkbox"/> MA	<input type="checkbox"/> MS	<input type="checkbox"/> NE	<input type="checkbox"/> NV	<input type="checkbox"/> PA	<input type="checkbox"/> UT	<input type="checkbox"/> WV
						<input type="checkbox"/> Puerto Rico	<input type="checkbox"/> Other U.S. Territory (specify):		<input type="checkbox"/> WY

B-3. Is your business publicly traded?

- Yes
- No

B-4. Indicate the type of business organization.

Please note that you are responding for the “business” that received the questionnaire, not any separate business that may be affiliated with you.

- Sole proprietorship
- Partnership
- Corporation (standard, “C” corporation)
- Subchapter S Corporation
- Limited Liability Corporation
- Other: _____

B-5. What is your business’s primary source of revenue (check only one answer)?

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- Single-family Residential Construction
- Multi-family Residential Construction
- Commercial/ Institutional Construction
- Industrial Construction
- Transportation Construction (Highway, Street, or Bridge)
- Heavy and Civil Engineering Construction
- Land Development (including land subdivision)
- Renting or Leasing Real Estate
- Other

Section: C.1**Section Title: Project Information: Part 1 Summary Project Information****Instructions:**

Throughout Section C.1 (Questions C-1 to C-2), provide the information requested. Please provide all typed responses in the yellow highlighted areas. Red words/terms are defined in the Definitions Tab. To help facilitate your review of these terms we have provided their definitions in the red boxes to the left of the questions. Scroll over the red boxes to see the definitions.

C-1. If your business did not have a financial stake in any projects during this time period, check the box below and skip to Question C-5.

Please note that the recipient should only respond for the business that received the questionnaire, not for any separate business that may be affiliated with the recipient business. "Financial stake" results from ownership or an agreement with the owner that bases "your business's" earnings on the project's financial performance. Please see the definition for "Financial Stake" in the General Definitions.

- Did not have a financial stake in any projects in 2005-2009 (Skip to Question C-5)

Questions C-2 to C-4 gather basic information on projects that your business completed in which you had a *financial* stake during calendar years 2005-2009. A financial stake includes owning all or a portion of the project during the development phase, the building construction phase, or both phases. Businesses that are not owners, but whose earning from the project depend on the financial performance of the project overall (i.e., project net income) are considered to have a financial stake in the project, as well. This does not include contractual work for a fixed price, independent of the projects financial performance. Your business is considered to have completed a project if you completed your portion of the project, even if your portion was part of a larger project that was not fully completed during the 2005-2009 timeframe.

Please note that the instructions above provide a different definition of project completion than the definition provided in the General Definitions. In the Glossary, Project Completion is defined as the end of construction (or the cessation of construction for a year). However, in questions C-2 to C-4 a project is considered completed if the respondent's involvement in the project is completed, even if additional construction is ongoing.

C-2. Complete the table below with your business's annual revenue allocated into two categories for each year from 2005 through 2009:

Please note that the response to this question might be CBI.

- **Revenue from Project Sales and Leases.** Sales and lease revenue your business received from projects completed between 2005 and 2009 that resulted in the installation of 5,000 square feet or more of new impervious surfaces, and in which your business had a financial stake. (Note exclusions under All Other Revenue below.) Business ownership

includes owning all or a portion of the project during the development phase, the building construction phase, or both phases. If your business continues to own and occupy all or a portion of the project after its completion, only provide the revenues from those portions of the project that were sold or leased after completion.

- **All Other Revenue.** All revenue earned by your business in the indicated year that is not counted in the above category. This would include:
 - revenue from sources not related to construction or development activity,
 - revenue from projects in which your business did not have a financial stake,
 - revenue from leasing properties that your business completed prior to 2005,
 - revenue from projects that resulted in less than 5,000 square feet of new impervious surface (including alteration or remodeling work on an existing structure and projects where disturbed land was reclaimed such as pipelines, underground utilities, or overhead utility projects).

- **Total Revenue.** Your business's total annual revenue in the indicated year. **Revenue from Project Sales and Leases** as well as **All Other Revenue** should sum to the **Total Revenue** value.

Business Revenue (dollars; may round to nearest thousand)					
Year					
Revenue Type	2005	2006	2007	2008	2009
Revenue from Project Sales and Leases					
All Other Revenue					
Total Revenue					

Section: C.2

Section Title: Project Information: Part 1 Summary Project Information

Instructions:

Throughout Section C.2 (Question C-3), provide the information requested. Please provide all typed responses in the yellow highlighted areas. Red words/terms are defined in the Definitions Tab. To help facilitate your review of these terms we have provided their definitions in the red boxes to the left of the questions. Scroll over the red boxes to see the definitions.

Please enter the number of completed projects in which your business had a financial stake in each Type category below. Proceed down the worksheet to enter data separately for each year from 2005 to 2009. Once you enter a value for a project category (e.g., Single-family Residential), you will then be prompted to break this number out into additional categories of New Development and Redevelopment. Within each of these categories, you will be prompted to break the projects into categories indicating if they were primarily For Sale or For Lease. Please enter zero in any yellow cells in which you did not complete any projects in a category during that year.

Stormwater Discharges from Developed Sites: Industry Long Questionnaire
 Project Information Part 1 - Number of Projects by Type Categories

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

C-3 Instructions: Please enter the number of completed projects in which your business had a financial stake in each Type category below. Proceed down the worksheet to enter data separately for each year from 2005 to 2009. Once you enter a value for a project category (e.g., Single-Family Residential), you will then be prompted to break this number out into additional categories of New Development and Redevelopment. Within each of these categories, you will be prompted to break the projects into categories indicating if they were primarily For Sale or For Lease. Please enter zero in any yellow cells in which you did not complete any projects in a category during that year.						
For Year	Project Type	# of Projects by Type	How many of these are New Development Projects for Sale	How many of these are New Development Projects for Lease	How many of these are Redevelopment Projects for Sale	How many of these are Redevelopment Projects for Lease
2005	Single-Family Residential					
2005	Multi-Family Residential					
2005	Commercial/ Institutional					
2005	Industrial					
2005	Transportation (Including Road and Highway)					
2005	Mixed Residential (single-family and multi-family)					

2005	Mixed Residential and Commercial/Institutional					
2005	Mixed Commercial/Institutional and Industrial					
2005	Other Mixed Use					
2005	Other Project Types					
For Year	Project Type	# of Projects by Type	How many of these are New Development Projects for Sale	How many of these are New Development Projects for Lease	How many of these are Redevelopment Projects for Sale	How many of these are Redevelopment Projects for Lease
2006	Single-Family Residential					
2006	Multi-Family Residential					
2006	Commercial/ Institutional					
2006	Industrial					
2006	Transportation (Including Road and Highway)					
2006	Mixed Residential (single-family and multi-family)					
2006	Mixed Residential and Commercial/Institutional					
2006	Mixed Commercial/Institutional and Industrial					
2006	Other Mixed Use					
2006	Other Project Types					
For Year	Project Type	# of Projects by Type	How many of these are New Development Projects for Sale	How many of these are New Development Projects for Lease	How many of these are Redevelopment Projects for Sale	How many of these are Redevelopment Projects for Lease
2007	Single-Family Residential					
2007	Multi-Family Residential					
2007	Commercial/ Institutional					
2007	Industrial					
2007	Transportation (Including Road and Highway)					

2007	Mixed Residential (single-family and multi-family)					
2007	Mixed Residential and Commercial/Institutional					
2007	Mixed Commercial/Institutional and Industrial					
2007	Other Mixed Use					
2007	Other Project Types					
For Year	Project Type	# of Projects by Type	How many of these are New Development Projects for Sale	How many of these are New Development Projects for Lease	How many of these are Redevelopment Projects for Sale	How many of these are Redevelopment Projects for Lease
2008	Single-Family Residential					
2008	Multi-Family Residential					
2008	Commercial/ Institutional					
2008	Industrial					
2008	Transportation (Including Road and Highway)					
2008	Mixed Residential (single-family and multi-family)					
2008	Mixed Residential and Commercial/Institutional					
2008	Mixed Commercial/Institutional and Industrial					
2008	Other Mixed Use					
2008	Other Project Types					
For Year	Project Type	# of Projects by Type	How many of these are New Development Projects for Sale	How many of these are New Development Projects for Lease	How many of these are Redevelopment Projects for Sale	How many of these are Redevelopment Projects for Lease
2009	Single-Family Residential					
2009	Multi-Family Residential					
2009	Commercial/ Institutional					
2009	Industrial					

2009	Transportation (Including Road and Highway)					
2009	Mixed Residential (single-family and multi-family)					
2009	Mixed Residential and Commercial/Institutional					
2009	Mixed Commercial/Institutional and Industrial					
2009	Other Mixed Use					
2009	Other Project Types					

Section: C.3

Section Title: Project Information: Part 1 Summary Project Information

Instructions:

Throughout Section C.3 (Questions C-4 to C-6), provide the information requested. Please provide all typed responses in the yellow highlighted areas. Red words/terms are defined in the Definitions Tab. To help facilitate your review of these terms we have provided their definitions in the red boxes to the left of the questions. Scroll over the red boxes to see the definitions.

C-4 Fill out the following table indicating the total number of projects your business completed during calendar years 2005 – 2009 in which your business had a financial stake. These are the same groups of projects associated with the first row of Question C-3 above, broken out by the indicated size and type categories (and not by year).

The chart below equates “total site size” with Project Size.” However, the definition of “Project” in the General Definitions makes it clear that a site may have multiple projects. For example, a subdivision is a separate project even if it is on a large parcel with other projects. The response to this question should be based on the project in which you had a “Financial Stake” (as defined in the General Definitions) if that project’s size is smaller than the total site.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

Number of Projects Completed in Calendar Years 2005 – 2009						
Type of Project	Project Size Ranges (Size below refers to total site size)					
	Less than 1 Acre	1 – 9.9 Acres	10 – 24.9 Acres	25 – 49.9 Acres	>50 – 99.9 Acres	100 Acres or More
Single-Family Residential Only						
Multi-Family Residential Only						
Commercial/ Institutional						
Industrial						
Transportation (Including Road and Highway)						
Mixed Residential (single-family and multi-family)						
Mixed Residential and Commercial/Institutional						
Mixed Commercial/Institutional and Industrial						
Other Mixed Use						
Other Project Types						
Total						

The next two questions (Questions C-5 - C-6) gather additional information on projects that your business *participated* in during calendar years 2005 – 2009. This includes all projects you participated in as an owner, developer, or builder, regardless of whether you had a financial stake (see Definitions tabs for relevant definitions). Do not include projects for which your only involvement was as a contract builder. For these questions, also include projects that resulted in construction of less than 5,000 square feet of impervious surfaces.

Please note: the respondent may consider the answer to the next two questions to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

Please review the definition of “Participation” in the General Definitions and our comments on that definition.

C-5 Indicate the types of construction or land development activities your business participated in during calendar years 2005 – 2009. (Check all that apply)

- Develop lots and sell those lots to other entities
- Develop lots and build on those lots
- Build on lots developed by another entity
- Other

C-6a. How many projects that have commenced construction (where land disturbance has begun) was your business participating in on the last day of 2009? _____

C-6b. How many of these projects have disturbed or will likely disturb one or more acres of land? _____

C-6c. How many of these projects include or will likely include 5,000 square feet or more of impervious surfaces? _____

C-6d. Do any of these projects incorporate or will any of these projects likely incorporate low impact development (LID) practices?

For C-6d – e: Please review the General Definition of “low impact development” and our comments on that definition. EPA’s definition is very narrow.

- Yes
 - No (skip to question E-1)
 - Don’t Know (skip to question E-1)

C-6e. Approximately how many of these projects incorporated or will likely incorporate LID practices? For this question, you can base this answer only on readily available information. If this information is not readily available, you need not consult third parties, review project plans or records, or take other measures to obtain this information.

- # of Projects _____
- Don’t Know

Section: D**Section Title: Project Information: Part 2 Detailed Project Information on Current and Recently Completed Projects****Instructions:**

NOTE: The Short Questionnaire does not include this section of the Long Questionnaire. If you received the Short Questionnaire, please proceed to the next section in the Guidance (Section E guidance for this Long Questionnaire is the same as Section D for the Short Questionnaire).

Throughout Section D (Questions D-1 to D-30), provide the information requested. Please provide all typed responses in the yellow highlighted areas. Red words/terms are defined in the Definitions Tab. To help facilitate your review of these terms we have provided their definitions in the red boxes to the left of the questions. Scroll over the red boxes to see the definitions.

This section gathers technical and economic information on current projects and projects recently completed that your business has participated in as an owner, developer, or builder. Complete one copy of this section (covering Questions D-1-D-30) for five projects your business is currently working on that have commenced construction (disturbed land). If your business is currently working on more than five projects, select the five most recent projects that your business is participating in that have commenced construction. If your business is currently working on less than five projects, provide information on all of your business's current projects that have commenced construction as well as the projects most recently completed that your business participated in, for a total of five projects. Only provide information on five total projects and only provide information for projects that resulted in or will likely result in the construction of 5,000 square feet or more of impervious surfaces. Do not provide information on any projects completed prior to December 31, 2004. If your business has been a participant in less than five projects since December 31, 2004, then only provide information on those projects that your business has participated in since December 31, 2004.

Please indicate the number of projects from which data will be provided:

- None
- 1 Project
- 2 Projects
- 3 Projects
- 4 Projects
- 5 Projects

Respondents should read the instructions for both Sections D and E of the Long Questionnaire before gathering information for their responses to that questionnaire. While the "projects" selected as the basis for providing project-specific information covered by these two sections cannot overlap, it may be more efficient to collect the information for both sections at the same time.

Please Complete This Section for Project Number 1

In this Guidance, we have re-printed Section D only once. In EPA's version, this section is repeated five times to provide space to respond for up to five projects. Responses for Section D apply to the respondent's five most recent projects (or all projects if that total number is fewer than five).

Also, please note that Section D's instructions only include projects that were completed after December 31, 2004, and that resulted in 5,000 square feet or more of impervious surface. Thus, if a respondent completed five projects but only three of them resulted in 5,000 square feet or more of impervious surface, only respond for those three projects.

Please include all impervious surfaces, including roofs, in your calculation. "Impervious Surface" is defined in the General Definitions as: "Low-permeability materials that include, but are not limited to, roads, rooftops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, or other surfaces which similarly impede infiltration of stormwater."

Finally, please review the definition of "Owner," "Developer," and "Builder" because projects in which the respondent did not take on one of these roles are outside the scope of Section D.

D-1. Project Name or other identifier your business uses to describe this project:

D-2 Was/is your business the owner and/or developer for this project, or a phase/portion of this project? (As stated in the Glossary, a developer is a business that controls project design and/or land development activities associated with a project; it may nor may not be the owner of the project. The term does not include contractors that work for the owner or developer.)

The Respondent must be an Owner, Developer or Builder for each project included in the response to Section D. Thus, if the answer to D-2 is "no" then the respondent must be the builder or the project is not within the scope of Section D. However, please note that to be a builder for the purpose of this questionnaire, the respondent must own the property that is being built upon and not act as a contract builder.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- Yes.
- No. (Skip to D-7)

D-3. Indicate if your business conducted (or intends to conduct) any of the following activities for this project (check all that apply):

For D-3 and following questions, consider:

“Business” is defined in the General Definitions as a legally recognized commercial organization. Please respond for the business that received the questionnaire and not for any legally distinct entities. The respondent should consider whether its “business” conducted the above activities.

With regard to the phrase “intends to conduct”: To the extent that one’s “intent” is not memorialized and is instead comparable to an “estimate” or prediction of future activity, the respondent should consider deferring from answering questions based on “speculative intent.”

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- Developed and/or subdivided a lot (or lots) and sold that lot (or lots) to other entities
- Developed lots and built on those lots
- Built on already developed lots purchased by your business

D-4. Was your business the owner and/or developer for the entire duration of the project or just a phase/portion of the project?

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- Owner and/or developer for the entire duration of the project.
- Owner and/or developer for only a portion of the project.
- Unknown because the project is not yet complete.

D-5 Indicate what activities your business conducted, or intends to conduct, for this project. Check all that apply.

Recognize that these activities would most likely result in the need to apply for NPDES stormwater permit coverage for sites with active construction that disturbs at least 1 acre of land, or is part of a common plan of development to disturb 1 or more acres of land.

As used below, the term “Development” is defined in the General Definitions to include more than active construction – like site planning and design. These kinds of site planning activities, to the extent they occur before land disturbing construction activities commence, may not require NPDES permit coverage.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

-
- General Site Clearing/Grubbing
 - Grading
 - Infrastructure (roads, utilities, etc.) installation
 - Lot Development
 - Construction of structures
 - None of the above

D-6 Did your business hire, or does your business intend to hire, a contractor or subcontractor to conduct any of the following activities?

While D-5 may imply that the respondent would obtain a NPDES construction stormwater permit, D-6 reflects a condition in which a general contractor, hired by the respondent, generally assumes responsibility for obtaining the NPDES construction stormwater permit.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

General Site Clearing/Grubbing

- Yes
- No

Grading

- Yes
- No

Infrastructure (roads, utilities, etc.) Installation

- Yes
- No

Lot Development

- Yes
- No

Construction of Structures

- Yes
- No

D-7 If you were not the owner and/or developer for this project, did you build, or do you anticipate building, on a lot or lots developed by another entity?

If the respondent did not participate in a project as the owner, developer or builder, then that project is not within the scope of Section D.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- Yes
- No
- Not Applicable

D-8 After project completion who is the intended owner? Select the answer that best describes.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- Single property sold to a third party.
- Project divided into multiple properties that are sold to multiple third parties.
- Project owner retains ownership and leases the property or properties.
- Project owner retains ownership and occupies the entire property to conduct business
- Project divided into multiple properties where the project owner retains ownership and occupies one or more of the properties to conduct business, and the remaining properties are either sold or leased to third parties.

D-9 Provide the location of the project.

Street Name & Address:

Town/City:

State:

ZIP Code:

Latitude (of project centroid):

Longitude (of project centroid):

D-10 Did your business file for coverage under a local, state or federal construction general permit for construction stormwater management for this project?

The answer is “yes” if the respondent’s business is named on the NPDES permit application or Notice of Intent for construction general permit coverage. This determination is related to the answers to questions in Section A and in question D-5 and D-6 above, in which the site owner or operator must file for NPDES construction stormwater discharge permit coverage for projects that disturb one acre or greater of land..

If the answer to this question is “no” because the project was very small and did not disturb one acre or more of land and was also not part of a larger plan of construction that disturbed one acre or more of land, the respondent may wish to add a note in the Comments Section explaining this fact.

If the answer is “no” because the contractor obtained the required permit, respondent may wish to add a note in the Comments Section explaining this fact.

- Yes
- No (Skip to D-12)

D-11 What was the permit number assigned to the project by the local government, the state or EPA? If multiple permits were maintained, provide only the primary permit number assigned before the initial land disturbance.

- _____
- None Assigned
 - Don't Know

D-12 What were the actual dates that construction started and ended? If the project has not ended, enter NA for end date.

Start Date _____ End Date _____
(MM/DD/YYYY) (MM/DD/YYYY)

The start date should be recorded on the NPDES permit Notice of Intent or application. Note also that when construction activities end and the land is restabilized, the NPDES permittee is obligated to file a Notice of Termination. Failure to perform these actions can be violations of the Clean Water Act.

Please note: the respondent may consider the answers to the remaining questions in this section to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

D-13 What were the dates that your business's participation in the project started and ended? If your business's involvement is ongoing, enter NA for the end date.

Start Date _____ End Date _____
(MM/DD/YYYY) (MM/DD/YYYY)

D-14a The following gathers information on the project size. What is the total size (in acres) of the project?

Size (acres) _____ Don't Know _____

This question asks for *total* project size -- even though the respondent's business may have only been involved as an owner, developer, or builder, for *part* of the project. If this is the case, respondent may wish to add a note in the Comments Section explaining this fact.

D-14b The following gathers information on the project size. What is the size of your portion of the project?

Size (acres) _____

"Your portion" is the part of the project that respondent participated in as an owner, developer or builder.

D-15 Indicate the number of acres of the total project site as well as of your portion of the project site that were disturbed (if a completed project) or will likely be disturbed (if the project is not yet complete)?

If the area of disturbance for the total project was one or more acres, coverage under a NPDES stormwater permit was required.

Total site disturbed area (acres) _____ Don't Know _____
Your portion of the site disturbed acres _____ Don't Know _____

D-16 Is this project a new development (i.e., greenfield) or redevelopment project?

- New Development
- Redevelopment
- Both New Development and Redevelopment

D-17 Indicate the developed area categories that were constructed or will be constructed for this project (check all that apply). For each developed area type that you check, provide the percentage of the project area that it covers (or will likely cover, based on project plans). If you only participated in one portion of a larger project, only provide information on the portion of the project that you participated in. If the project included both new development (i.e., greenfield) and redevelopment areas, provide the percentages of development area broken out into these two categories.

Please note the following with regard to the following table:

The term "Transportation" is defined to include highways, roads, and bridges but "Transportation" does not include the construction of streets that are within a larger plan of development, such as a single-family residential project. Thus, the area covered by parking lots and driveways, as well as subdivision streets, should not be included in the "Transportation" box. These areas will fall into another appropriate category, such as Residential, Commercial, Industrial, etc.

The Non-Building category will include setbacks and other areas where no construction occurs. It may also encompass any area that not included in one of the other categories (so that the total adds to 100% of the project area or 100% of that part of the project in which the respondent participated). The respondent may wish to note in the comments section the types of areas included in the Non-Building category.

If this information is not available to respondent, then "Don't Know" is an appropriate response. If this is the case, respondent may wish to add a comment at the end of the questionnaire explaining that it does not possess the requested information and does not have a reasonable basis for an estimate.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

Developed Area Type		Percentage of Project Area
Newly Developed Area		
Single-Family Residential detached	<input type="checkbox"/>	
Single-Family Residential attached	<input type="checkbox"/>	
Multifamily Residential	<input type="checkbox"/>	
Commercial	<input type="checkbox"/>	
Industrial	<input type="checkbox"/>	
Institutional	<input type="checkbox"/>	
Transportation	<input type="checkbox"/>	
Non-Building	<input type="checkbox"/>	
Other (<i>specify</i> _____)	<input type="checkbox"/>	
Redeveloped Area		
Single-Family Residential detached	<input type="checkbox"/>	
Single-Family Residential attached	<input type="checkbox"/>	
Multifamily Residential	<input type="checkbox"/>	
Commercial	<input type="checkbox"/>	
Industrial	<input type="checkbox"/>	
Institutional	<input type="checkbox"/>	
Transportation	<input type="checkbox"/>	
Non-Building	<input type="checkbox"/>	
Other (<i>specify</i> _____)	<input type="checkbox"/>	
Total should add to 100%		100%

D-18 How many single-family residential buildings or single-family units in multifamily buildings were constructed or are planned for construction as a part of your portion of this project? (If the project is entirely non-residential construction enter zero. If you don't know, enter "DK.")

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

Preexisting Land Cover

D-19 Indicate what the land cover of the project was prior to your business's land development or building construction activity. In the event that your business was only responsible for a portion of the project, indicate what the land use was for your portion of the project when your business began that activity. Check all that apply.

Please be aware that answering "Don't Know" in the "Other Developed" category can be an appropriate response if the respondent does not have the information being requested. If that is the case, the respondent may wish to add a note in the Comments Section explaining that it does not possess the requested information and a did not have a reasonable basis for an estimate.

Please note that more than one box might be checked for each project (such as mixed-use, master planned community, etc).

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- Developed (includes buildings, roads, parking lots, etc.). Specify the types of developed areas present below.
 - Residential
 - Commercial
 - Industrial
 - Institutional
 - Parking Lot
 - Finished Lots
 - Other Developed (*specify* _____)
- Brownfield Area

A brownfield is defined as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. If respondent checks this box, it is likely that the box for "Developed" property immediately above should also be checked.

- Undeveloped/Greenfield. Specify the types of land areas present.
 - Barren/Open
 - Forested/Woods
 - Shrubland
 - Grassland
 - Pasture
 - Desert
 - Cropland/Farm
 - Other Undeveloped (*specify* _____)
- Wetlands

Whether or not an area is a wetland has regulatory significance. If the respondent checks the "Wetlands" box he or she may wish to confirm the response is consistent with any determination that was made at the time construction began.

- Other (*Specify* _____)
- Don't Know

POST-Construction Land Cover

Questions D-20a-c seek estimated answers. Respondents are not obligated to provide estimated answers to the questionnaire. See introduction for more explanation. Therefore, "Don't Know" might be an appropriate answer. If the respondent answers "Don't Know," then the respondent may wish to add a note in the Comment Section explaining that it does not possess the requested information and does not have a reasonable basis for an estimate.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

D-20a. Estimate the total percent imperviousness of the project (or what the expected percent imperviousness will be at project completion, based on project plans, if the project is not yet complete). If you were only involved in a portion of the project and don't have a reasonable estimate for the entire project, enter "DK" for don't know.

_____ acres

D-20b. Estimate the total percent imperviousness of your portion of the project

_____ acres

D-20c. Estimate the area occupied by each of the following site components, broken out by impervious areas and pervious areas. Under the "Impervious Site Components" grouping, do not include rooftop area that has a green roof or roads, driveways or parking areas which are constructed of pervious pavers or other pervious materials (such as permeable pavers, permeable concrete and porous asphalt). Rather, include these areas under the "Pervious Site Components" heading. If you participated in one portion of a larger project, only provide information on the portion of the project that you participated in. If the project is not yet complete, provide estimates based on what the expected project characteristics will be when the project is complete. If information is not available or unknown for a particular site component, please provide your best estimate or indicate "DK" for Don't Know.

Area Covered by Impervious Site Components	
Site Component	% of Total Project Area
<i>Impervious Site Components</i>	
Building Areas/ Rooftops (house, garage, storage structure etc.)	
Streets/Roads	
Driveways	
Parking areas	
Other Impervious Area, Specify: _____	
<i>Pervious Site Components</i>	
Pervious paving (includes porous asphalt, pervious concrete, porous pavers or similar practices)	
Green roofs	
Grass lawns, turf grass or other open green space	
Cropland/Pasture	
Natural vegetation and undisturbed areas (forest, shrubland, grassland, etc)	
Buffers and other open space	

Other pervious area, specify: _____	
Water Bodies	
Totals should add to 100%	

D-21. Did your business install (or plan to install) or hire (or plan to hire) a contractor or subcontractor to install any post construction stormwater controls or practices at this project site?

Questions D-21 to D-27 are asking about post construction stormwater controls that may have been imposed in the project by municipalities. Municipalities that are required to obtain stormwater permits under the NPDES Phase II stormwater regulations are required to enforce a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre of land (including projects that are part of a larger plan of development that disturbs one or more acres). EPA’s municipal NPDES permit program must include a combination of structural and/or nonstructural best management practices (BMPs) ordinances or other regulations to address post-construction runoff, and must ensure long-term operation and maintenance of BMPs.

Please note that construction stormwater controls are controls that are put into place to control runoff during construction and are later removed. In contrast, post-construction stormwater controls are controls and practices that remain in effect after construction is complete, and that are designed to control runoff from the completed project.

Such post-construction controls, if applicable to the project, were likely incorporated into the building permit for the project. If respondent is unable to distinguish between BMPs required to control storm runoff from active construction sites and post-construction stormwater controls required by a municipality as necessary to obtain a local building permit, then “Don’t Know” might be an appropriate response to this question. A respondent may wish to explain a “don’t know” answer in the Comments Section.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

Yes No (Skip to Question D-28)

D-22. Indicate which specific or numeric post-construction stormwater performance standards and/or design criteria requirements apply to this project, or your portion of the project if you do not know the answer for the project generally. (Check all that apply.) Do not include stormwater performance standards that apply to the active phase of construction only.

The following controls may be specified in the building permit for the project. The respondent should review that permit before responding to this question.

If the information is not in the building permit and the respondent does not have the information requested, he or she is not required to go back to the contractor to try to obtain these answers: (1) if the contractor would charge the respondent for the data (in that case the data are not the property of the respondent and the burden on the respondent of responding to the question would be outside the scope of the questionnaire); (2) if the contractor would have to generate new data (such data would be new information); or (3) if collecting the data from the contractor would otherwise prevent the respondent from responding to the questionnaire within EPA's 60-day deadline.

Alternatively, the respondent may only know part of an answer. For example, the respondent may know that detention was required but may not know the specified volume. In that case, the respondent can check the box and write "don't know" in the "specify" box.

If the respondent does not know the answer to any of these questions, "Don't Know" is provided below as an option for responding globally to question D-22.

The respondent should not provide any estimates because the question requests "specific or numeric" performance standards or design criteria.

- Post-development peak runoff/discharge rate must match pre-development peak runoff/discharge rate for a specified storm return interval or intervals.
 - 1 year
 - 2 year
 - 5 year
 - 10 year
 - 25 year
 - 100 year
 - Other (*Specify*) _____
- Detention of a specified storm depth or volume (such as 0.5 inch per acre or 1 inch per impervious acre).
(*Specify*) _____
- Detention of a specified storm volume (such as 1,800 cubic feet per acre or 3,600 cubic feet per impervious acre).
(*Specify*) _____
- Detention of a specified percentile storm event (such as the 80th percentile storm).
(*Specify*) _____
- Retention of a specified storm depth or volume (such as 0.5 inch per acre or 1 inch per impervious acre).
(*Specify*) _____
- Retention of a specified storm volume (such as 1,800 cubic feet per acre or 3,600 cubic feet per impervious acre).
(*Specify*) _____
- Retention of a specified percentile storm event (such as the 80th percentile storm).
(*Specify*) _____
- Pollutant reduction requirement (for example, stormwater control practices must be installed to remove 80% of the post-construction TSS loading and 40% of the post-construction nitrogen loading)
(*Specify*) _____
- Channel protection measures (such as a maximum allowable discharge velocity or other metric)
(*Specify*) _____

-
- Infiltration/groundwater recharge requirement (for example, maintain predevelopment groundwater recharge levels or infiltrate the first 0.5 inch of runoff)
(Specify) _____
 - Limits for effluent concentrations of specific pollutants
(Specify) _____
 - Requirements for control of temperature
(Specify) _____
 - Flood control requirements other than the peak discharge rate control and on-site detention/retention requirements specified above.
(Specify) _____
 - Stream buffer requirements (for example, a 50 foot vegetated buffer must be maintained/implemented adjacent to waters of the state)
(Specify) _____
 - Limits on the maximum percent imperviousness for the site, or maximum directly connected impervious surface or other limits on impervious surfaces.
(Specify) _____
 - Other Standards Not Identified Above, Specify: _____
 - Don't Know
 - No Standards Required

D-23. Did your business perform a cost comparison between traditional stormwater post construction controls (i.e. detention basins) and stormwater post construction controls that retain stormwater onsite (also known as low impact development practices which include bioretention, rain gardens, etc.) for this project (or your portion of the project)?

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- Yes No Don't Know

D-24. Were LID practices considered for this project (or your portion of this project)?

Please review the General Definition of "low impact development" and our comments on that definition. EPA's definition is very narrow

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- Yes No Don't Know

D-25. Were LID practices implemented (or planned to be implemented) on this project (or your portion of this project)?

Please review the General Definition of “low impact development” and our comments on that definition. EPA’s definition is very narrow

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- Yes No Don’t Know

D-26. What, if any, challenges did your business encounter in installing LID practices? Or if LID was considered but not implemented, what prevented your business from implementing LID? Check all that apply.

Please review the General Definition of “low impact development” and our comments on that definition. EPA’s definition is very narrow

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

- No LID considered or installed
- State or local ordinances, building codes or other requirements, such as minimum street width or cul-de-sac radius for fire truck or refuse collection, prohibit, inhibit or discourage usage
- Expense
- Local stormwater regulations/permit requirements require traditional stormwater management practices, such as detention ponds
- Local regulators or city engineer not supportive or familiar with practices
- Additional time for permit review and/or approval
- Site limitations
- Financing requirements
- Lack of local providers with LID experience (site designers/engineers, architects, subcontractors and installation, etc.)
- Lack of desirability by site owner or other project participant
- Marketability of project
- Other _____
- Not Applicable
- None

D-27. Indicate which of the following stormwater post construction controls/practices have been installed (or are planned to be installed) for your portion of this project. Check all that apply.

For those practices installed (or that are planned to be installed), indicate the quantity of controls installed (i.e., for individual practices, such as basins, provide the number of individual controls. For controls such as pervious pavement, provide the total area (in square feet)

installed.) Also indicate the cost (including design and installation cost) for the individual controls. For buffers, curb and gutter, storm sewer and catch basins, indicate if the practice is present and the cost (if known), but do not provide any quantity information. If you don't know the quantity or cost of each control installed, check the corresponding box indicating not known.

Question D-27 only asks for information regarding “your portion of this project.”

If respondent does not know the answer and the electronic form does not allow that as an option, then “Don’t Know” might be an appropriate response in the comments section. If the respondent answers “don’t know” the respondent may wish to add a note in the Comments Section explaining that it does not possess the requested information and a did not have a reasonable basis for an estimate.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

Practice/Control Type	Check if Control Installed	# of Controls Installed	Check if Quantity Not Known	Control Cost (Design + Installation)	Check if Cost Not Known
Detention basins	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Retention basins	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Swales	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Constructed Wetlands	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Wetland Channels	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Underground Detention	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Underground Infiltration	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Tree Boxes	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Green Roofs	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Bioretention/Rain Gardens	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Infiltration basins	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Infiltration trenches	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Dry wells	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Sand filters or other types of media filters	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Cisterns	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Rain barrels	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Manufactured Devices, specify:					
_____	<input type="checkbox"/>	_____	<input type="checkbox"/>	_____	<input type="checkbox"/>
_____		_____		_____	
_____		_____		_____	
Other, specify					
_____	<input type="checkbox"/>	_____	<input type="checkbox"/>	_____	<input type="checkbox"/>
_____		_____		_____	
_____		_____		_____	
Practice/Control Type	Check if	Quantity of	Check if	Control Cost	Check if Cost

	Control Installed	Controls Installed (square feet)	Quantity Not Know	(Design + Installation)	Not Known
Porous asphalt	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Permeable concrete	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Permeable modular block pavers	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Vegetated Filter Strips	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Buffers	<input type="checkbox"/>				<input type="checkbox"/>
Curbs and Gutters	<input type="checkbox"/>				<input type="checkbox"/>
Storm Sewers	<input type="checkbox"/>				<input type="checkbox"/>
Catch Basins	<input type="checkbox"/>				<input type="checkbox"/>
None	<input type="checkbox"/>				<input type="checkbox"/>

D-28. Provide an estimate of the final value of the project, the total project cost and the estimated costs of designing and installing (including labor and capital costs) the stormwater post construction controls/practices associated with this project. The final value is the project's actual or anticipated sales value or the actual or anticipated recorded asset value at the time of project completion. Total project costs include costs in all three phases, and include land or other project acquisition costs, fees, project design/architectural costs, land development costs, construction costs, interest or other financing costs, marketing costs, and overhead. If the project is not completed, or your business's participation in the project ended prior to the completion of the building construction phase, provide your best approximation. If you only participated in one portion of a larger project and don't know the information for the entire project, enter DK for 'don't know' in the columns asking for information about total project costs and provide information only for your portion of the project. Do not include costs associated with erosion and sediment controls utilized during active construction in the stormwater costs (e.g., silt fences). Please consult with a project engineer to confirm cost estimates, if necessary.

Please note that project completion is defined in the General Definitions as the cessation of construction for at least one year, not the time the project is sold or leased or otherwise being used.

EPA will use this information to estimate the relationship of "total project costs" to post construction stormwater controls. This information will be used for EPA's economic analysis of the any post-construction stormwater regulation that it may propose.

If the respondent does not have these data, "don't know" is an appropriate response even though the response seeks estimated answers. If the respondent answers "don't know" the respondent may wish to add a note in the Comments Section explaining that it does not possess the requested information and a did not have a reasonable basis for an estimate.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

	Total Project	Your Portion of the Project
Project value (at time of project completion):	\$ _____	_____
Total Project Cost	\$ _____	_____

Stormwater Post Construction Design Costs \$ _____
 Stormwater Post Construction Installation Costs \$ _____
 (including labor and capital)

If costs of post construction stormwater controls are unknown, provide an estimate of the costs of post construction stormwater controls as a percentage of total construction costs for the entire project, or the costs of post construction stormwater controls on your portion of the project as a percentage of construction costs for your portion of the project (if the project is not yet complete, provide estimates based on project plans):

_____ % Total Don't Know

_____ % Your Portion Don't Know

D-29. Please complete the table below regarding your business's participation in the phases of this project.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

	Land Acquisition	Land Development	Building Construction
Check all phases in which your business participated (or is participating in, for project not yet completed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate your business's percent share of ownership in the project (%)	_____ %	_____ %	_____ %

D-30. What is the total revenue your business received or will receive, as sale revenue or average annual lease revenue, from all phases of this project in which you were a participant, as indicated above, regardless of the year in which the revenue was or will be received? Provide value in dollars; you may round to the nearest thousand dollars. If the lease component of the project is not fully leased at the time of this response, provide your best estimate of the annual lease revenue that will be received when the project is fully leased.

Sale Value \$ _____.

Annual Lease Revenues \$ _____.

If the respondent does not have these data, "don't know" is an appropriate response even though the response seeks estimated answers. If the respondent answers "don't know" the respondent may wish to add a comment in the comments section explaining that it does not possess the requested information and a did not have a reasonable basis for an estimate.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

Section: E

Section Title: Project Information: Part 3 General Project Information

Instructions:

If the respondent received the Short Questionnaire, this section of the Long Questionnaire is the same as Section D of the Short Questionnaire, so proceed with the guidance below for the Short Questionnaire Section D.

For Section E (Question E-1), provide the information requested. Please provide all typed responses in the yellow highlighted areas. Red words/terms are defined in the Definitions Tab. To help facilitate your review of these terms we have provided their definitions in the red boxes to the left of the questions. Scroll over the red boxes to see the definitions.

The next question is meant to help EPA to develop a profile of projects performed during the last five years. Rather than ask each respondent for information on all the projects your business participated in during the 2005-2009 time period, EPA has assigned each business a random year-long period during this time frame, and is asking businesses to describe the projects your business participated in that were completed during that time period.

E-1. Complete the table below with information on projects your business participated in, that resulted in more than 5,000 square feet of impervious surface, and that were completed between January 1 and December 31 for the year identified below.

Participation is defined in the General Definitions as participation as an owner, developer or builder. The respondent may wish to review those definitions.

(This is a randomly generated year that is only visible after your Survey ID has been entered in Section A. If the symbol "#N/A" appears, you have not entered your Survey ID in Section A or you have entered your Survey ID incorrectly.)

If the randomly generated year is not representative of respondent's business (for example it may be a "boom" year), it may be appropriate to note that fact in the Comments Section.

If your business participated in more than 5 projects completed during this period, only provide information on the first 5 projects completed. Do not include projects that you have already provided information on previously in Part 2 of the Project Information section.

Long Questionnaire: While Part 2 (Section D) asks for information about projects that are on-going or recently completed, Section E asks only about completed projects. Project Completion is defined in the General Definitions as the cessation of construction for at least a year. If you provided responses in Section D regarding a particular project, do not answer the questions in Section E for that project.

In the event that your business was not responsible for the entire project, provide answers for the phase/portions for which your business was directly involved and for project questions for which you know the answer.

In EPA's version of the questionnaire, a drop-down menu is provided for responses to "type," "new or redevelopment," and "final ownership" to correspond to the categories provided in the footnotes.

Please note that project completion is defined in the General Definitions as the cessation of construction for at least one year, not the time the project is sold or leased or otherwise being used.

EPA will use this information to estimate the relationship of "total project costs" to post construction stormwater controls. This information will be used for EPA's economic analysis of the any post-construction stormwater regulation that it may propose.

If the respondent does not have these data, "don't know" is an appropriate response even though the response seeks estimated answers. If the respondent answers "don't know" the respondent may wish to add a note in the Comments Section explaining that it does not possess the requested information and a did not have a reasonable basis for an estimate.

If the final ownership status is "intended" but not yet realized (because of the down-turn in the market for example) the respondent may wish to note that information in the Comments Section.

If the final project value has fluctuated with the market (for example if the project is completed but empty and has lost value), the respondent may wish to note that information in the Comments Section. For example, the final project value associated with the intended final ownership may not be known due to market conditions.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

Section: F

Section Title: Ultimate Parent Company Information

Instructions:

For Section F (Questions F-1-F-6), provide the information requested. Please provide all typed responses in the yellow highlighted areas. Red words/terms are defined in the Definitions Tab. To help facilitate your review of these terms we have provided their definitions in the red boxes to the left of the questions. Scroll over the red boxes to see the definitions.

F-1. Is your business owned, controlled, or managed by an ultimate parent company?
 Yes (continue to the next question)
 No (you have completed the questionnaire. Sign the Certification Statement and refer to instructions for mailing the questionnaire back to the United States Environmental Protection Agency)

F-2. Provide contact information for the ultimate parent company.

Ultimate Parent's Full Legal Name

Address

Phone/Fax Number

Email

F-3. In what state is the ultimate parent company organized as a legal entity?

F-4. Does your ultimate parent company have operations in foreign countries that are a source of international revenue?

A legally distinct subsidiary company may not be able to answer this question. If the respondent does not know the answer, the respondent may answer "don't know."

- Yes
 No

F-5. Is your ultimate parent company a small business? The Small Business Administration (SBA) defines businesses as “small” based on a revenue threshold that is specific to each NAICS code. Please see the Glossary for common NAICS codes and SBA small business definitions for the construction industry to help answer this question. If you are unable to locate your NAICS code in the Glossary, please consult the Small Business Administration’s web site: <http://www.sba.gov/contractingopportunities/officials/size/summaryofssi/index.html>. In determining whether your ultimate parent is a small business, consider only revenue from domestic sources. Base your determination on the most recent fiscal year for which revenue is available.

A legally distinct subsidiary company may not be able to answer this question. If the respondent does not know the answer, the respondent may answer “don’t know.”

- Yes (continue to the next question)
- No (you have completed the questionnaire. Sign the Certification Statement and refer to instructions for mailing the questionnaire back to the United States Environmental Protection Agency)

F-6. Complete the table below with the ultimate parent company’s total annual revenue for 2005-2009. Provide values in dollars and fill in all values; you may round values to the nearest thousand dollars. If the ultimate parent company was not in business for one or more of the years, enter “N/A” for those years. If the ultimate parent company is a multinational firm, limit revenue estimates to domestic sources.

Respondent is under no obligation to respond and provide this information for a different legal entity. An appropriate response might be to leave the answer to F-6 blank, and add a note in the Comments Section explaining that the parent company is a different legal entity from the respondent.

Please note: the respondent may consider the answer to this question to be Confidential Business Information (CBI). Please see above (p. 7) for guidance on CBI considerations.

Ultimate Parent Company Total Annual Revenue (Dollars; may round to nearest thousand)				
Year				
2005	2006	2007	2008	2009

Once you have completed the above table for ultimate parent company revenue, you have completed the questionnaire. Sign the Certification Statement and refer to instructions for mailing the questionnaire back to the United States Environmental Protection Agency. Thank you.

Section Title: Comments

Instructions: Cross reference your comments by question number and indicate the confidential status of your comment by checking the box next to “Yes” under "CBI?" (Confidential Business Information).

EPA has provided a section at the back of the electronic questionnaire for comments. Throughout, we have noted questions for which you may wish to make appropriate comments in this section.

Certification Statement

The individual responsible for directing or supervising the preparation of the enclosed *Stormwater Discharges from Developed Sites Owner/Developer Questionnaire* must read and sign the Certification Statement below before returning both documents to the U.S. Environmental Protection Agency. The certifying official must be a duly authorized representative. The Certification Statement must be completed and submitted in accordance with the requirements contained in the *Code of Federal Regulations* at 40. CFR 122.22.

I certify under penalty of law that the attached questionnaire was prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information submitted. The information submitted is, to the best of my knowledge and belief, accurate and complete. In those cases where we did not possess the requested information, we have provided best engineering and/or financial estimates or judgments where possible. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment as explained in Section 308 of the Clean Water Act (33 U.S.C., Section 1318).

Signature of Certifying Official

Date

Printed Name of Certifying Official

(_____)_____
Telephone Number

Title of Certifying Official

Survey ID

This certification statement is based upon NPDES permit regulations at 40 CFR § 122.22(d). Specifically, the certification in the regulations does not include the sentence: “In those cases where we did not possess the requested information, we have provided best engineering and/or financial estimates or judgments where possible.”

As noted above, the respondent is not required to provide estimates, much less the “best engineering and/or financial estimates.” By signing the certification the respondent would be certifying only that he or she provided the best estimates where possible, which may only be the case in which the respondent has absolute confidence in that estimate. Similarly, a respondent may not be able to provide “estimates” and also certify that the information provided is “accurate and complete.” Accordingly, the respondent must balance his or her ability to both provide estimates and to certify to the accuracy of his or her responses. If in doubt, the language “where possible” coupled with the NPDES language that does not contemplate estimating would tend to favor a process of providing accurate data when available and avoiding general estimations.

Finally, the instructions to the questionnaire ask for estimates only where the respondent has a basis for making a reasonable estimate. The respondent can determine that it does not have a reasonable basis for an estimate. If the respondent made that determination in responding to a question, the respondent may wish to note in the Comments Section that he or she did not have a reasonable basis for making an estimate to support this certification.

Before submitting the questionnaire, respondent MUST print out a copy for its records and for future reference.

The following instructions accompanied your questionnaire and are reproduced below for your convenience. This Guidance provides no comments on these instructions.

INSTRUCTIONS FOR DOWNLOADING, COMPLETING, AND RETURNING THE OWNER DEVELOPER STORMWATER MANAGEMENT QUESTIONNAIRES

Completion of the Questionnaire

Each section of the questionnaire should be completed by personnel knowledgeable about the information requested. All agencies must have the senior official or designee responsible for directing or supervising the response to the questionnaire sign the Certification Statement to verify and validate the information provided. Different people may complete each part of the questionnaire.

See the instructions below for completing the electronic questionnaire. **Keep a copy of the completed questionnaire, including attachments.** EPA will review the information submitted and may request your cooperation in answering follow-up questions, if necessary, to complete analyses.

Electronic Version of the Questionnaire

EPA has distributed the questionnaire in electronic format, and **respondents are required to submit the completed questionnaire to EPA in electronic format.** The electronic questionnaire is a Microsoft® Excel-based product that has been developed to meet the 1998 Government Paperwork Elimination Act (GPEA). For those who do not have Microsoft® Excel, free software, compatible with the questionnaire is available at www.openoffice.org.

EPA designed the questionnaire to include many burden-reducing features. The questionnaire was designed in modular fashion to reduce respondent burden by making it easier for them to separate and distribute questionnaire parts to various staff. The website that houses the questionnaire <http://app6.erg.com/stormwatersurvey/> includes both the electronic-fillable questionnaire and a pdf-file that can be printed out and used as a working copy. Copies of selected sections can be made when needed and selected sections of the working copy distributed to the appropriate staff.

Once the questionnaire is complete, save the file as a Microsoft® Excel workbook to a CD or DVD depending on the size required to hold your completed questionnaire and any additional supporting documents. EPA prefers that diagrams and reports or documents submitted with the questionnaire also be saved and submitted on the CD/DVD, if possible. Please save a pdf version of the signed certification statement, also available from <http://app6.erg.com/stormwatersurvey/> to the CD/DVD or return a hardcopy of the signed certification statement. The certification statement, questionnaire response, and supporting documents must be mailed to the address listed on page 5.

How to Navigate the Questionnaire

EPA formatted the electronic-fillable questionnaire in Microsoft® Excel. The questionnaire consists of multiple sections and subsections, which are each represented by separate tabs (or worksheets) in the workbook. Make sure to read through each section and **complete every tab**

in the questionnaire. Also make sure to completely scroll through every section so that **every relevant question is answered**. An example of the questionnaire format is located below:

1
2
3

The next two questions (Questions C-5-C-6) gather additional information on projects that your business participated in during calendar years 2005 – 2009. This includes all projects you participated in as an **owner**¹, **developer**², or **builder**³, regardless of whether you had a financial stake (see the Definitions Tabs for relevant definitions). Do not include projects for which your only involvement was as a contract builder. For these questions, also include projects that resulted in construction of less than 5,000 square feet of impervious surfaces.

CBI?
 Yes

C-5. Indicate the types of construction or land development activities your business participated in during calendar years 2005 – 2009. Check all that apply.

Develop lots and sell those lots to other entities
 Develop lots and build on those lots
 Build on lots developed by another entity
 Other, specify: _____

CBI?
 Yes

C-6a. How many projects that have commenced construction (where land disturbance has begun) was your business participating in on the last day of 2009?

CBI?
 Yes

C-6b. How many of these projects have disturbed or will likely disturb one or more acres of land?

CBI?
 Yes

C-6c. How many of these projects include or will likely include 5,000 square feet or more of impervious surfaces?

1 **CBI?**
 Yes

C-6d. Do any of these projects incorporate or will any of these projects likely incorporate **low impact development (LID)**¹ practices?

Yes
 No
 Don't know

[Skip to Question E-1](#)
[Skip to Question E-1](#)

Downloading the Electronic Questionnaire

1. Download the Microsoft® Excel file from the Internet site onto your computer's hard drive.
2. Launch Microsoft® Excel, then select Tools>Macro>Security. In the Security Level tab, select "Medium." (Note: This security level allows you to run essential macros contained in the electronic form.)
3. As you open the questionnaire, a security window should appear regarding macros. Select "Enable Macros" and the "OK." If the window does not appear, close the file and repeat step 2 above.

If you are using Windows 2007, you must complete the following steps to run essential macros contained in the electronic form:

1. Click the Office Button in top left corner of screen.
2. Click Excel Options in the bottom right corner of the pop-up menu that appears.
3. Click Trust Center in left side menu.
4. Click Trust Center Settings button in Trust Center menu.
5. Click Macro Settings in left side menu.
6. Select Enable All Macros and click OK.

Filling out the Electronic Questionnaire

Each respondent is assigned a unique survey ID that is listed on the cover letter you received. You will need to enter the survey ID in the "Survey ID" header field in Section A of the questionnaire, after which all header fields throughout the rest of the questionnaire will automatically populate. **You must enter your Survey ID to allow for proper tracking of the survey responses.**

The image below identifies where to enter your Survey ID in the questionnaires.

Owner/Developer Long Questionnaire

Survey ID:

Section: A
Section Title: General Information

Instructions: Throughout Section A (Questions A-1 to A-6), provide the general information requested. Please provide all numeric and text answers in the yellow highlighted areas. Red words/terms are defined in the Definitions Tab. To help facilitate your review of these terms we have provided their definitions in the red boxes to the left of the questions. Scroll over the red boxes to see the definitions.

1 **CBI?**
 Yes

A-1. Provide contact information for your **business**!

Business's Full Legal Name:

Street Address:

City:

State: Zip Code:

Telephone Number: () - ext.

Fax Number: () -

Email:

CBI?
 Yes

A-2. Provide contact information for the person to whom EPA should direct follow up calls concerning your responses to this questionnaire if necessary.

Contact Name:

Title:

Telephone Number: () - ext.

Fax Number: () -

Email:

Within the electronic questionnaire, yellow highlights indicate blank fields that you must complete. Use your mouse or Tab key to navigate between blanks. Type in your response, then move on to the next field.

Every question is formatted to collect the most consistent answers between each respondent. The format of every question is dictated by the type of information requested, summarized below:

-
- If a question requires a descriptive or variable response, the respondent must provide a written explanation in the highlighted yellow response box located directly below the question.
 - If a question instructs the respondent to “check all that apply,” the respondent must select all the square-shaped check boxes that correspond to the applicable response options.
 - If a question instructs the respondent to choose only one answer, the response options are formatted in one of two ways:
 - If a response is formatted as a drop-down box, click on the arrow and scroll down the list to find and select the most applicable option.
 - If a response is formatted as a list of options with corresponding circles, select the circle with the most applicable option.
 - If any question does not provide an applicable response option, select “other” and provide a written response in the highlighted yellow response box adjacent to the response options or on the comments page at the end of the questionnaire.

Confidential Business Information

Regulations governing the confidentiality of business information are contained in the Code of Federal Regulations (CFR) at Title 40 Part 2, Subpart B. You may assert a business confidentiality claim covering part or all of the information you submit. Information that is publicly available should not be claimed confidential, as described in 40 CFR 2.203(b):

“(b) Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice complying language such as ‘trade secret,’ ‘proprietary,’ or ‘company confidential.’ Allegedly confidential portions of otherwise nonconfidential documents should be clearly identified by your business, and may be submitted separately to facilitate identification and handling by EPA. If your business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.”

To facilitate claims of business confidentiality, we have provided Confidential Business Information (CBI) check boxes beside each question for which a claim of confidentiality may be made. You may claim as confidential all information included in the response to a question by checking the CBI box next to the question number. Note that you may be asked to justify any claim of confidentiality at a later time, for example if someone requests access to your data. Note also that information claimed confidential cannot be accessed or used by public commenters to evaluate data and analyses supporting the proposed regulations.

Information covered by a claim of confidentiality will be disclosed by EPA only to the extent of, and by means of, the procedures set forth in 40 CFR Part 2, Subpart B. In general, submitted information protected by a business confidentiality claim may be disclosed to other employees, officers, or authorized representatives of the United States concerned with implementing the Clean Water Act. The authorized representatives include employees of other executive branch agencies, who may review CBI during the course of reviewing draft regulations.

Information covered by a claim of confidentiality will be made available to EPA contractors to enable the contractors to perform the work required by their contracts with EPA. All EPA

contracts provide that contractor employees use the information only for the purpose of performing the work required by their contracts and will not disclose any CBI to anyone other than EPA without prior written approval from each affected business or from EPA's legal office.

If no business confidentiality claim accompanies the information when it is received by EPA, EPA may make the information available to the public without further notice.

Questionnaire Assistance

If you have any questions regarding the completion of this questionnaire, you can request assistance using EPA's e-mail and telephone helplines provided below.

EPA Stormwater Monitoring Questionnaire Help Lines

Eastern Research Group, Inc Local: 703-633-1639 or Toll-free: 1-877-797-5643
Internet Electronic Mailing addresses (E-mail): ODSurveyHelp@erg.com

When to Return the Questionnaire

The response to all portions of the questionnaire is due **60** days after receipt.

If you wish to request an extension, you must do so **in writing** no later than one week prior to the due date of the questionnaire. Written requests may be e-mailed to Ms. Jan Matuszko at matuszko.jan@epa.gov.

Submittal of an extension request does **not** alter the due date of your questionnaire unless and until EPA agrees to the extension and establishes a new date.

Where to Return the Questionnaire

Mail the completed **electronic questionnaire via CD/DVD and accompanying certification statement** to:

U.S. Environmental Protection Agency
Stormwater Owner/Developer Questionnaire
c/o Eastern Research Group, Inc.
14555 Avion Parkway, Suite 200
Chantilly, VA 20151-1102