



# Construction Storm Water Notice of Intent (CSW-NOI)

Permit Number: CSW-201903475

## A. Project Description

**Project Name:** Evergreen Place 1st Addition  
**Physical Address:** Northwest Quarter of Section 11, Township 8 North, Range 8 East  
**County:** Lancaster

## B. Certification

The appropriate individuals must sign information submitted on this **CSW-NOI** form as required in **NPDES** General Permit NER160000 Part VI.D.6, and below or the application will not be authorized. If more than one certifying official, submit multiple copies of the following information.

All permit applications shall be signed as per Title 119, Chapter 13 *Applications; Signatories* as follows:

002.01 For a corporation. By a **Responsible Corporate Officer**, which means:

- A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
- The manager of one of more manufacturing, production, or operating facilities, provided by the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

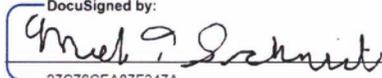
002.02 For a partnership or sole proprietorship: By a general partner or proprietor, respectively.

002.03 For a municipality, State, Federal, or other public agency.

- By either a principal executive officer of the agency, or
- A senior executive officer having responsibility for the operations of a principal geographic unit of the agency.

Certifying Official:

*"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."*

Certifying Official/Date:  \_\_\_\_\_  
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3/21/2019

Department of Environmental Quality  
P.O. Box 98922  
1200 N Street, Suite 400  
Lincoln, Nebraska 68509-8922  
Mark Schmidt

deq.ne.gov

Jim Macy, Director  
office 402-471-2186 fax 402-471-2909  
ndeq.moreinfo@nebraska.gov

**Certifying Official, Company Name, Address, Email and Phone Number:**

Mark Schmidt

First and Last Name

402-429-4000

Work Phone

402-429-4000

Cell Phone

2625 SW 12th

Mailing Address

Owner

Company Name/Applicant

Owner

Title

mts9j@yahoo.com

Email

Lincoln, NE 68522

City, State, Zip Code

**Certifying Official #2, Company Name, Address, Email, and Phone Number:**

First and Last Name

Company Name/Applicant

Work Phone

Title

Cell Phone

Email

Mailing Address

0

City, State, Zip Code

**Authorized Representative, Company Name, Address, Email and Phone Number:**

First and Last Name

Company Name/Applicant

Work Phone

Title

Cell Phone

Email

Mailing Address

0

City, State, Zip Code

**Project Proponent, Company Name, Address, Email and Phone Number:**

First and Last Name

Company Name/Applicant

Work Phone

Title

Cell Phone

Email

Mailing Address

0

City, State, Zip Code

**Readiness to Apply**

Does a reasonable potential exist for permit authorization to be limited?  YES  NO

**Storm Water Pollution Prevention Plan (SWPPP) Part III**

- a. Has a **Storm Water Pollution Prevention Plan** been developed for this project?  YES  NO
- b. Has a qualified individual [Part III A] prepared the **SWPPP**?  YES  NO

**Has the following been incorporated into the SWPPP?**

- c. Site and activity descriptions as per Part III B;  YES  NO
- d. Sediment and pollution control measures and record keeping as per Part III C;  YES  NO
- e. **Erosion prevention** measures and record keeping as per Part III C;  YES  NO
- f. Inspections, maintenance of BMPs and associated record keeping as per Part III E, I-J;  YES  NO
- g. **Final stabilization** addressed as per Part III M;  YES  NO
- h. Does the SWPPP include documentation supporting a determination of permit eligibility with regards to endangered and threatened species and critical habitat?  YES  NO

**C. Construction Site Description**

- a. **Project Name:** Evergreen Place 1st Addition
- b. **Physical Address:** Northwest Quarter of Section 11, Township 8 North, Range 8 East  
**County:** Lancaster
- c. **Project Type:** Residential
- d. **Project Size: Total Area** 16.5 **Area to be disturbed** 12.1  
**(acres):** **(acres):**
- e. **Identify surface waters within 1/2 mile of project boundary that will receive storm water or discharge from permanent storm water management system.**  
None
- f. **Name of Receiving Waters:** Tributary to Little Nemaha River
- g. **Waterbody Type** Ditch
- h. **Legal Description: Quarter of the Quarter, Section, Township N, Range**  
Northwest Quarter, Section 11, Township 8 North, Range 8 East
- i. **SWPPP Designer, Company, Address and Phone Number:**  
Anthony Duever  
CES Group Inc.  
1102 Braodway  
785-562-5148 tduever@cesengineering.com
- j. **SWPPP Location:** Owners Vehicle
- k. **Project Start Date** (approximate): 4/1/2019 **l. Project End Date** (estimated): 12/1/2020
- m. For sites previously authorized under a Construction Storm Water (CSW) permit **and** undergoing a transfer of **owner and/or certifying official.**  
List the previous NPDES CSW Permit Number:



3/22/2019

Mark Schmidt  
Owner  
2625 SW 12th  
Lincoln, NE 68522

RE: PERMIT TRACKING NUMBER: CSW-201903475  
Issuance of storm water discharge authorization for the Evergreen Place 1st Addition construction project located at Northwest Quarter of Section 11, Township 8 North, Range 8 East in Lancaster, NE.

Dear Mark Schmidt:

This is to acknowledge receipt of the CSW-NOI form on 3/21/2019, for the project referenced above. This project has authorization to discharge storm water under the terms and conditions of NPDES General Permit NER160000. Please review the entire permit to ensure compliance.

When final stabilization (Part III.M of the permit) has been completed, login and access the storm water portal to submit Notice of Termination form.

Local jurisdiction requirements may apply.

For Lincoln, contact Ben Higgins with the City of Lincoln Watershed Management Division at (402) 441-7589 or go to [lincoln.ne.gov](http://lincoln.ne.gov) and reference keyword "mud".  
For Omaha, contact James Kee at (402) 444-3915 for grading permit requirements.

Portal can be located at: [NDEQ Website](#)

If you have any questions concerning this NPDES storm water discharge authorization, please contact our office at (402) 471-8330.

Sincerely,

Ryan Joe  
Water Quality Division

**From:** NDEE.CSW@nebraska.gov  
**Sent:** Wed, 1 Dec 2021 11:37:19 +0000  
**To:** mts9j@yahoo.com  
**Cc:** tduever@cesengineering.com  
**Subject:** CSW-201903475 - Waiting on NOI Re-Application - Evergreen Place 1st Addition  
**Importance:** Normal

Your Construction Storm Water Notice of Intent application for Evergreen Place 1st Addition was approved under General Permit NER16000. You are receiving this notice because you are, or were, previously authorized under the CSW General Permit NER16000, which expired on October 31st, 2021. The Department of Environment and Energy has issued the National Pollutant Discharge Elimination System (NPDES) Construction Storm Water (CSW) general permit NER210000. The permit became effective December 1, 2021 and expires November 30, 2026. The deadline to renew coverage is May 31, 2022. The permit and electronic Notice of Intent can be found at the NDEE website at:

<http://dee.ne.gov/Publica.nsf/PubsForm.xsp?documentId=ADE18FDDF3A3AC14862568740061D860&action=openDocument>

[Click here to access General Permit NER21000](#)

**Mark Schmidt** should receive an email from DocuSign with a link to a newly created NOI for Evergreen Place 1st Addition that will need to be electronically signed. If **Mark Schmidt** does not see the email in their inbox, please check the junk mail box and do a search for DocuSign. Coverage will be granted only after the application has been electronically signed.

If your project is expected to finish before May 31, 2022, you will not need to submit the NOI. Please submit the Notice of Termination (NOT) electronically before that date. If you have a different certifying official, please submit a new NOI.

Construction Storm Water Portal located [Here](#)

If you have questions, please contact:

Nebraska Department of Environment and Energy  
NPDES and State Permits – Storm Water  
PO Box 98922  
Lincoln, NE 68509  
(402) 471-4220



Mark Schmidt  
Owner  
2625 SW 12th  
Lincoln, NE 68522

RE: PERMIT TRACKING NUMBER: CSW-201903475  
Expired coverage of storm water discharge authorization for Evergreen Place 1st Addition located at Northwest Quarter of Section 11, Township 8 North, Range 8 East in Lancaster, NE.

Dear Mark Schmidt:

Your Construction Storm Water permit authorizing discharges to State Waters expired **June 1, 2022**. Part II.C.2.a. of the General Construction Storm Water Permit states that to continue to be permitted to discharge, the application shall be completed and submitted 180 days of the issuance date of the new general permit. On December 1, 2021, a renewal notification letter and a renewal Notice of Intent DocuSign was sent requesting the signed NOI application for coverage under the NER210000 permit be submitted by **May 31, 2022**. Please submit a new application immediately in order to continue your authorization to discharge. Currently, any discharge from the facility to State Waters is a violation of Title 40 of the Code of Federal Regulations (CFR) enforced by the EPA and will be until an application has been received. The Construction Storm Water NOI application along with the NER210000 General Permit can be found at the link below:

<http://dee.ne.gov/Publica.nsf/pages/WAT012>

Your current permit authorization has been administratively terminated. Any questions you may have regarding discharges or your permit can be answered by the Compliance Specialist for your county.

If you have any questions regarding the application, contact Alicia Boss at [alicia.boss@nebraska.gov](mailto:alicia.boss@nebraska.gov) or at 402-471-2867.

Thank you,

Shelley Schneider  
Permitting and Engineering Division Administrator

**Bird, Kate**

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**From:** Bird, Kate  
**Sent:** Tuesday, February 21, 2023 12:52 PM  
**To:** MARK SCHMIDT  
**Cc:** Ducey, Patrick  
**Subject:** RE: CSW - 201903475 Evergreen Place 1st Addition  
**Attachments:** CSW-202207390 - DEE CSW NOI Approval Letter -.pdf

Hi Mark,

Thank you for updating the documents and resubmitting. We approved the CSW-NOI for Evergreen Place 1<sup>st</sup> Addition this morning. I have attached the NOI Approval Letter for your convenience.

Please let us know if you have any questions.

Thanks,  
Kate

**Kate Bird**  
Environmental Specialist – NPDES and State Permits

**Nebraska Department of Environment and Energy**  
P.O. Box 98922  
Lincoln, NE 68509-8922  
DIRECT: (402) 471-8832 | MAIN OFFICE: (402) 471-2186  
<http://dee.ne.gov>

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**From:** MARK SCHMIDT <mts9j@yahoo.com>  
**Sent:** Monday, February 20, 2023 10:38 AM  
**To:** Bird, Kate <Kate.Bird@nebraska.gov>  
**Cc:** Ducey, Patrick <patrick.ducey@nebraska.gov>  
**Subject:** Re: CSW - 201903475 Evergreen Place 1st Addition

i think i got update loaded. Let me no if you need anything. Thanks Mark

On Thursday, February 16, 2023 at 02:52:43 PM CST, Bird, Kate <[kate.bird@nebraska.gov](mailto:kate.bird@nebraska.gov)> wrote:

Hi Mr. Schmidt,

Anthony Candelas forwarded me and Patrick Ducey (cc'd) your recent emails regarding the Evergreen Place project and construction storm water coverage. Anthony has changed units at NDEE and is no longer working with NPDES permits, so please send any future emails regarding to construction storm water to me and Patrick.

Thank you for sending the updated documents. In order to obtain construction storm water discharge authorization under NDEE construction storm water general permit NER210000, you must apply with the NDEE online application system. In December, you had submitted a new CSW-NOI for the Evergreen Place project using the online system: CSW-



202207390. This NOI was returned to you for revision. Specifically, the inspection schedule provided in the SWPPP attached to the NOI did not meet the minimum requirements of NER210000.

In order to obtain construction storm water coverage under NER210000 for the Evergreen Place 1<sup>st</sup> Addition project, please follow the following steps:

1. Attach the revised SWPPP with the updated inspection schedule to CSW-202207390 in the online NDEE CSW portal.
2. Attach the December 2022 CERT to CSW-202207390 in the online NDEE CSW portal.
3. Resubmit CSW-202207390 through the online NDEE CSW portal system.

NDEE will then review CSW-202207390 and the updated materials.

Here is the link to the NDEE CSW online portal: <https://ecmp.nebraska.gov/DEQ-CSW/Account/Login?ReturnUrl=%2fDEQ-csw>. You can access CSW-202207390 using the log-in credentials you used to create the NOI.

Please let us know if you have any questions.

Thanks,

Kate

**Kate Bird**

Environmental Specialist – NPDES and State Permits

**Nebraska Department of Environment and Energy**

**P.O. Box 98922**

**Lincoln, NE 68509-8922**

DIRECT: (402) 471-8832 | MAIN OFFICE: (402) 471-2186

<http://dee.ne.gov>

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**From:** MARK SCHMIDT <[mts9j@yahoo.com](mailto:mts9j@yahoo.com)>

**Sent:** Tuesday, February 14, 2023 4:45 PM

To: Candelas, Anthony <[Anthony.Candelas@nebraska.gov](mailto:Anthony.Candelas@nebraska.gov)>  
Subject: Re: CSW - 201903475 Evergreen Place 1st Addition

Sent from Yahoo Mail on Android

On Tue, Feb 14, 2023 at 3:22 PM, MARK SCHMIDT

<[mts9j@yahoo.com](mailto:mts9j@yahoo.com)> wrote:

will scan Game and Parks cert.

On Tuesday, February 14, 2023 at 03:20:28 PM CST, MARK SCHMIDT <[mts9j@yahoo.com](mailto:mts9j@yahoo.com)> wrote:

On Friday, December 2, 2022 at 05:06:05 PM CST, MARK SCHMIDT <[mts9j@yahoo.com](mailto:mts9j@yahoo.com)> wrote:

Sent from Yahoo Mail on Android

On Fri, Dec 2, 2022 at 8:34 AM, Candelas, Anthony  
<[Anthony.Candelas@nebraska.gov](mailto:Anthony.Candelas@nebraska.gov)> wrote:

Hello Mark,

Please see the following for your convenience:

1. Your SWPPP Inspection schedules should match throughout your SWPPP which are applicable to state requirements. See sections 2.2-2.3 and update these sections to reflect what is given in section 3.1.2 of your SWPPP.
2. Please fill out all fields of the certification statement on Page 14 of your SWPPP.
3. Submit a new Environmental Review CERT document done by the Nebraska Game and Parks (NG&P) by visiting their website [cert.outdoornebraska.gov](http://cert.outdoornebraska.gov); ensure to answer any questions and sign the document.
4. Visit the NDEE Stormwater portal and fill out a new Construction Stormwater Notice of Intent (CSW NOI) via the link provided <https://ecmp.nebraska.gov/DEQ-CSW/Account/Login?ReturnUrl=%2fDEQ-CSW> and attach the documents necessary for NOI completion.

These are the steps which need completed. Once the submission of a new CSW NOI has been done, the Department will review your NOI and process it accordingly. If any issues should arise, the Department will reach out to with a list of items needed such as the list I provided above.

Final stabilization has not yet occurred as photos you shared did not signify completion of final stabilization requirements, since your previous NOI is no longer active, you will need to submit a new CSW NOI under the terms and conditions of the CSW General Permit NER210000. Please the CSW General Permit NER210000 for information about specific requirements. Please feel free to reach out to me or one of the other members of the NPDES and State Permit Section Staff and we will assist you. My contact information can be found below in the handle.

**Thank You**

**Very Respectfully**  
**Anthony Candelas**  
**Environmental Specialist II – NPDES and State Permits Section**  
**Direct:** (402) 471 – 8330  
**e-mail:** [anthony.candelas@nebraska.gov](mailto:anthony.candelas@nebraska.gov)

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**From:** MARK SCHMIDT <[mts9j@yahoo.com](mailto:mts9j@yahoo.com)>  
**Sent:** Friday, December 2, 2022 7:31 AM  
**To:** Candelas, Anthony <[Anthony.Candelas@nebraska.gov](mailto:Anthony.Candelas@nebraska.gov)>  
**Cc:** Bird, Kate <[Kate.Bird@nebraska.gov](mailto:Kate.Bird@nebraska.gov)>; Ducey, Patrick <[patrick.ducey@nebraska.gov](mailto:patrick.ducey@nebraska.gov)>  
**Subject:** Re: CSW - 201903475 Evergreen Place 1st Addition

is there anything else you need ?

On Wednesday, November 30, 2022 at 03:55:45 PM CST, Candelas, Anthony <[anthony.candelas@nebraska.gov](mailto:anthony.candelas@nebraska.gov)> wrote:

Hello Mark,

Thank you for coming into NDEE and having a meeting with me regarding your project. Regarding our conversation and potential items needed and in light of information I have looked over the best course of action will be to submit a new CSW NOI in accordance to the CSW General Permit NER210000. Below are the items needed and I will attach the CSW General Permit NER210000 for your convenience to read over.

1. Submit a new CSW NOI and ensure that all parts are filled out in accordance to NDEE Title 119 and NPDES NER210000.
2. Submit a Stormwater Pollution Prevention Plan (SWPPP) in accordance to the CSW General Permit NER210000, please see the permit sections for more details.
3. Submit an Environmental Review CERT document done by the Nebraska Game and Parks (NG&P) by visiting their website [cert.outdoornebraska.gov](http://cert.outdoornebraska.gov); ensure to answer any questions and sign the document.
4. Submit a project map of the construction site; see Part IV.B.d of the CSW General Permit for specific requirements.

Let me know if you have any other questions or concerns, my contact information can be found in the handle below.

**Thank You**  
**Very Respectfully**  
**Anthony Candelas**  
**Environmental Specialist II – NPDES and State Permits Section**  
**Direct:** (402) 471 – 8330  
**e-mail:** [anthony.candelas@nebraska.gov](mailto:anthony.candelas@nebraska.gov)



Mark Schmidt  
Evergreen Development  
8500 Lincoln Street  
Lincoln, NE 68526

RE: PERMIT TRACKING NUMBER: CSW-202207390  
Issuance of storm water discharge authorization for the Evergreen Place 1st Addition construction project located at corner of Hackberry and Cottonwood Street in Bennet NE in Lancaster, NE.

Dear Mark Schmidt:

This is to acknowledge receipt of the CSW-NOI form on 2/20/2023, for the project referenced above. This project has authorization to discharge storm water under the terms and conditions of NPDES General Permit NER210000. Please review the entire permit to ensure compliance.

When final stabilization (Part I.C.5.d of the permit) has been completed, login and access the storm water portal to submit Notice of Termination form.

Local jurisdiction requirements may apply.

For Lincoln, contact the City of Lincoln Watershed Management Division via email at [NPDES@lincoln.ne.gov](mailto:NPDES@lincoln.ne.gov); by phone at (402) 309-5936, or go to [lincoln.ne.gov](http://lincoln.ne.gov) and reference keyword "NOI".  
For Omaha, contact James Kee at (402) 444-3915 for grading permit requirements.

Portal can be located at: [NDEE Website](#)

If you have any questions concerning this NPDES storm water discharge authorization, please contact our office at (402) 471-8330.

Sincerely,

Kate Bird, Environmental Specialist  
NPDES and State Permits Section  
Nebraska Department of Environment and Energy