



2022 CONSTRUCTION GENERAL STORMWATER PERMIT

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*Order Number: 2022-0057-DWQ*

*Adopted: September 8, 2022*

*Effective Date: September 1, 2023*

*Regulatory Transition Period: September 1, 2025*

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**Background**

Projects that disturb  $\geq 1$  acre of soil (or projects that disturb  $<1$  acre but are part of a larger common plan of development that in total disturb  $\geq 1$  acre) are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (CGP). The CGP is periodically reissued by the State Water Board and was reissued in September 2022.

The 2022 CGP became effective September 1, 2023. Projects permitted after August 31, 2023, are required to follow the 2022 CGP. Projects permitted before September 1, 2023, have the option of continuing under the 2009 CGP until the end of the two-year regulatory transition permit (i.e., until September 1, 2025).

**Summary of Select Key Changes**

The 2022 CGP was significantly reorganized with many administrative and substantive changes. Some of the key changes are summarized below.

<b>Notices of Termination (NOT)</b>	Automatically approved within 30 days unless it is denied, returned, or accepted for review.
<b>Inactive Sites</b>	Establishes reduced requirements for stabilized inactive sites.
<b>Qualified SWPPP Developer and Practitioner (QSD and QSP) Responsibilities</b>	<ul style="list-style-type: none"> <li>• Mandates specific inspections to be performed by the QSD and QSP throughout the project that may not be delegated. See the Summary of QSD and QSP Required Inspections section.</li> <li>• Requires QSPs to train staff to whom they delegate responsibilities.</li> <li>• Establishes authority for State Water Board to suspend or revoke QSD and QSP credentials.</li> <li>• QSDs, QSPs, and QSP Delegates must be identified in the Stormwater Pollution Prevention Plan (SWPPP) and in the Stormwater Multiple Application and Report Tracking System (SMARTS).</li> </ul>
<b>Qualifying Precipitation Event (QPE)</b>	Defines a QPE as a forecast of 50% or greater Probability of Precipitation and a Quantitative Precipitation Forecast of 0.5 inches or more within a 24-hour period. (This definition is different than the Qualified Storm Event used in the 2009 CGP.)
<b>Sampling Frequency (Traditional Projects)</b>	Mandates collection of at least one sample from each discharge location every 24 hours of the QPE.
<b>Numeric Action Level (NAL) Exceedances</b>	Removes daily averaging of sample results. Each sample must be compared with the pH (6.5-8.5) and turbidity NALs (250 NTU).



<b>Post Construction Plans</b>	<ul style="list-style-type: none"> <li>Requires upload of the post construction stormwater plan with the Notice of Intent.</li> <li>Requires upload of post construction operations and maintenance plan/agreement with the NOT.</li> </ul>
<b>Road Maintenance Exemption</b>	<ul style="list-style-type: none"> <li><i>Routine maintenance</i> for road and highway projects is defined as the replacement of the structural section, but not when the activity exposes the underlying soil or erodible subgrade.</li> <li>Road maintenance projects that <i>expose ≥1 acre of subgrade</i> are subject to the CGP.</li> </ul>
<b>New Best Management Practices (BMPs)</b>	<ul style="list-style-type: none"> <li>Allows passive treatment subject to specific controls.</li> <li>Establishes controls for dewatering (stormwater, groundwater).</li> <li>Establishes BMPs for demolition activities where PCBs may be exposed.</li> <li>Requires surface water buffers and preservation of topsoil.</li> </ul>
<b>Total Maximum Daily Loads (TMDLs)</b>	<ul style="list-style-type: none"> <li>Adds requirements for 69 TMDLs.</li> <li><i>None of the TMDLs affect projects in Contra Costa County.</i></li> </ul>
<b>Removed Requirements</b>	<ul style="list-style-type: none"> <li>Bioassessment monitoring.</li> <li>Rain Event Action Plans.</li> </ul>

### QSD and QSP Required Inspections

QSD Required Inspections	QSP Required Inspections
<ul style="list-style-type: none"> <li>Within 30 days of the start of construction</li> <li>Within 30 days of a QSD change</li> <li>Twice annually, Aug-Oct; Jan-Mar</li> <li>Within 14 calendar days of NAL exceedance</li> <li>As requested by Water Board staff</li> </ul>	<ul style="list-style-type: none"> <li>Once per month</li> <li>Within 72 hours of a QPE</li> <li>Within 14 calendar days of NAL exceedance</li> <li>Prior to NOT submittal</li> <li>Prior to Change of Information submittal</li> </ul>

### Guidance and Support

The Construction General Permit Training Team developed and released virtual 2022 CGP Reissuance Review training for QSDs and QSPs. This training is also available free to the public through California Stormwater Quality Association [CASQA](#).

CASQA released the updated [Construction BMP Handbook](#) for the 2022 CGP to subscribers.

The State Water Board hosted a series of workshops on the CGP and the materials are posted on their [website](#).

### CGP Download

The 2022 CGP can be found on the State Water Board's Construction page [https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html).

### Questions

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