



CONTRACT BULLETIN - CONSTRUCTION CONTRACTS

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Bulletin No. 2024 – 002

Bulletin Topic: **Construction General Storm Water Permit**

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GENERAL:

This Contract Bulletin revises the storm water provisions of the General Conditions of the Construction Contract and Specification Section 01575 of the General Requirements for Los Angeles Community College District (LACCD) construction projects. This bulletin affects active construction projects that currently have coverage (or are required to have coverage) under the State Water Resources Control Board (SWRCB) Construction General Permit Order 2022-0057-DWQ (NPDES No. CAS000002) or current SWRCB Construction General Permit, with a corresponding WDID (Waste Discharger Identification) number from the SWRCB

This bulletin should be read in conjunction with the SWRCB Construction General Permit Order 2022-0057-DWQ (NPDES No. CAS000002) or current SWRCB Construction General Permit.

https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html

BACKGROUND:

On September 8, 2022, the California State Water Resources Control Board (SWRCB) adopted the Statewide Construction General Permit, Order No. 2022-0057-DWQ (NPDES No. CAS000002) (CGP, or permit). The CGP replaced Order No. 2009- 0009-DWQ (As amended by 2010-0014-DWQ and 2012-006-DWQ), which expired in 2014, but was administratively extended. It was designed to provide increased water quality protection and also incorporates several new concepts to construction storm water permits.

Starting September 1, 2023, the CGP became effective and required that all new projects apply for coverage prior to the start of construction. Projects subject to the CGP shall obtain a Waste Discharge Identification (WDID) number prior to the commencement of construction activity.

The 2022 CGP can be downloaded at:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction/general_permit_reissuance.html

APPLICATION:

All construction projects that result in a disturbance of one (1) acre or more of land, or less than one acre if there are other construction projects subject to the CGP on the same LACCD campus as LACCD campuses have been identified by the SWRCB as a common plan of development, must apply for the CGP coverage. Please reference the Construction General Permit Order 2022-0057-DWQ (NPDES No. CAS000002) or current SWRCB Construction General Permit for all construction activities affected by the CGP to assure conformance.

Permit Registration Documents (PRD) must be electronically filed for all new projects using the Storm Water Multiple Application and Report Tracking System (SMARTS) and must include: Notice of Intent, Risk Assessment, Site Map, a Storm Water Pollution Prevention Plan (SWPPP), and Post-Construction calculations. All information submitted through SMARTS will be available to the public for review and comment, with the exception of documents restricted for public access by Homeland Security regulations. Upon completion of construction of the project a Notice of Termination (NOT) must be filed in SMARTS and must include a complete Notice of Termination; QSP-prepared final Notice of Termination inspection with the QSP name and valid QSP certificate number; a final site map; photos demonstrating final stabilization and the implementation of applicable post-construction BMPs and/or low impact development; and a long-term maintenance plan for the post-construction storm water runoff BMPs and/or low impact development features being implemented.

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SUMMARY

Summary of revisions are as follows:

- 1 - General Conditions of Construction Contract
- 2 - Specification Section 01575 - Storm Water Pollution Prevention Plan

CONTENT

- 1 - General Conditions of Construction Contract

- A. Replaces the basic definition **Storm Water Permit** with **Construction General Storm Water Permit** of the General Conditions with the following:

1.1 BASIC DEFINITIONS

Construction General Storm Water Permit means the State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction And Land Disturbance Activities [Order No. 2022-0057-DWQ (NPDES No. CAS000002)] or current SWRCB Construction General Permit issued by the State Water Resources Board for the State of California.

B. Replace article 3.23 of the General Conditions with the following:

3.23 STORMWATER PERMITTING

3.23.1 Contractor's Responsibility. If and to the extent storm water permitting, control, mitigation or discharge control is required by Applicable Laws, the Contractor shall (1) Perform a Risk Analysis for the site using the SWRCB methodology identified in Order No. 2022-0057-DWQ (NPDES No. CAS000002) or current SWRCB Construction General Permit, and prepare all Permit Registration Documents including but not limited to a Storm Water Pollution Prevention Plan (SWPPP) using the LACCD 2022 CGP SWPPP Template; (2) file the Notice of Intent on SMARTS and coordinate certification of the NOI by the Legally Responsible Person (LRP) and obtain a Waste Discharge Identification (WDID) number under the Construction General Storm Water Permit prior to beginning construction activities; (3) Pay CGP registration fees through SMARTS (4) furnish all notices required under the Construction General Storm Water Permit; and (5) take all necessary steps to monitor, inspect, report, enforce and otherwise implement and comply with the requirements of the Construction General Storm water Permit, the District Storm Water Management Plan, and the Storm Water Pollution Prevention Plan and all Applicable Laws pertaining to the elimination or mitigation of storm water pollutant discharge to separate storm sewer systems or other watercourses, including without limitation, applicable requirements of the State Water Resources Control Board and Los Angeles Region Water Quality Control Board; (6) Develop CGP Annual reports in SMARTS and notify the LRP no later than August 15th each year the project is active; 7) Once construction activity is complete develop a Notice of Termination (NOT) for the project and notify the LRP when it is ready for certification.

3.23.2 Copies of Reports. The Contractor shall provide copies of all reports, inspection records, and monitoring information to the District and the Legally Responsible Person (LRP) within one day of being developed.

3.23.3 Violations. The Contractor recognizes and understands that failure to comply with the requirements of the Construction General Storm Water Permit is a violation of federal and state law.

3.23.4 Condition of Payment. Compliance by the Contractor with the requirements of this Section 3.23 shall be a condition to the Contractor's right to payment under its Applications for Payment.

3.23.5 Costs of Compliance. The Contractor represents and warrants that it has included in its Bid all costs of compliance with the requirements of this Section 3.23.

Refer to Specification Section 01575 Storm Water Pollution Prevention Plan

END OF BULLETIN 2024 – 002