

# Memorandum

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a California Way of Life.*

To: DEPUTY DISTRICT DIRECTORS, Construction  
DEPUTY DIVISION CHIEF, Structure Construction  
CONSTRUCTION MANAGERS  
SENIOR CONSTRUCTION ENGINEERS  
RESIDENT ENGINEERS

Date: May 12, 2025

File: Division of Construction  
CPD 25-1



From: RAMON HOPKINS, Chief  
Division of Construction

Subject: **FULL TRANSITION TO THE 2022 CONSTRUCTION GENERAL PERMIT**

This directive provides guidance to resident engineers on fully transitioning ongoing construction projects to comply with the 2022 Construction General Permit (CGP), Order WQ 2022-0057-DWQ, which became effective on September 1, 2023. All remaining projects previously permitted under the 2009 CGP must fully transition to meet the 2022 CGP requirements because the 2009 CGP will be administratively terminated by the State Water Resources Control Board (SWRCB) on August 31, 2025. All construction activities occurring on or after September 1, 2025, must obtain permit coverage under the 2022 CGP.

## 1. Identification of Affected Projects

Resident engineers must review all ongoing construction projects with a waste discharge identification number issued under the 2009 CGP to determine if construction activities will continue after August 31, 2025. These projects will need to transition to the 2022 CGP.

### Affected Projects:

- Ongoing construction projects permitted under the 2009 CGP that will not have received a Notice of Termination (NOT) before August 31, 2025.
- Projects with Stormwater Pollution Prevention Plan (SWPPP) bid items written using the 2022 (or earlier) *Standard Specifications*.
- Projects written using the 2022 *Standard Specifications* and the transitional special provisions under CPD 24-5, "Compliance with the 2022 Construction General Permit," which are identified with a 2009 CGP waste discharge identification number.

Projects Not Affected:

- Projects with Water Pollution Control Program bid items unless the project has a previously issued change order to meet the 2009 CGP requirements because of an increase of disturbed soil area during the construction phase.
- Projects permitted under the 2022 CGP.
- Projects using the 2023 (or later) *Standard Specifications*.
- Projects under alternative CGPs as identified in the special provisions.
- Projects located on federal or tribal lands or within the Lake Tahoe Hydrologic Basin under a different CGP jurisdiction.

## 2. Permit Transition Requirements

Projects not receiving a notice of termination (NOT) by August 31, 2025, must transition to the 2022 CGP. Resident engineers must:

- Generate a change order using Special Provision SS\_13\_N03-11-2025.
- Contact the project design team for risk level determination (R-factor calculations).
- Require the contractor to submit a new SWPPP as soon as possible, using the February 2024 Caltrans SWPPP Template.
- Review and approve the updated SWPPP in coordination with the district Construction stormwater coordinator.
- Submit a new notice of intent (NOI) under the 2022 CGP through the Storm Water Multi Application and Report Tracking System (SMARTS), by August 1, 2025.
- Make sure the contractor updates onsite best management practices to comply with the 2022 CGP.

## 3. Contract Change Order Guidance

Resident engineers must process a contract change order to incorporate updated Section 13, "Water Pollution Control," of the *Standard Specifications* using the 2024 standard special provision templates and Special Provision SS\_13\_N03-11-2025. Use the table in Attachment 5, which shows the affected bid items from the 2022 *Standard Specifications* and replacement bid items based on SS\_13\_N03-10-2025.

## 4. Resources (review Attachment 4)

## 5. Compliance Monitoring and Training

- All SWPPP implementation staff must complete training that meets 2022 CGP requirements.
- Qualified SWPPP developers (QSD) and qualified SWPPP practitioners (QSP) must maintain certification and be familiar with updated reporting, inspection, and documentation standards.

- Resident engineers must make sure inspection protocols and permit reporting are followed and correctly documented.

## **6. Recordkeeping and Documentation**

All SWPPP updates, NOI submissions, inspection logs, training certifications, and permit compliance records must be retained in the project files and be available for audits and regulatory review.

## **7. List of Active Projects with 2009 CGP Coverage**

Attachment 6 shows a list of 128 active construction projects that are currently covered under the 2009 CGP, based on the initial data set from SMARTS. The status of the 128 projects is further compiled from Contract Administration System (CAS) and provided herewith for reference.

The projects with a Construction end date before August 31, 2025, could benefit from submittal of an NOT and they may not need to transition to the 2022 CGP coverage.

## **8. Implementation**

District Construction engineers must distribute this directive to all resident engineers and Construction personnel. Resident engineers are responsible for ensuring permit compliance, timely SWPPP updates, and NOI submissions.

Attached are a sample change order and memorandum. This directive serves as a delegation of authority from the Division of Construction for change order approval, except when the change order language is altered.

If you have questions or comments, contact Andrew Bui, Division of Construction, at [Andrew.A.Bui@dot.ca.gov](mailto:Andrew.A.Bui@dot.ca.gov) or (916) 529-0119.

Attachments:

1. Sample Form CEM-4903, "Change Order Memorandum," 2022 CGP Compliance
2. Sample Form CEM-4900, "Change Order," 2022 CGP Compliance
3. Special Provision SS\_13\_N03-10-2025
4. Resources
5. Bid items table
6. List of Active Construction Projects with 2009 CGP Coverage
7. CPD 24-5, "Compliance With the 2022 Construction General Permit"