

**ENCROACHMENT PERMIT SPECIAL PROVISIONS**

---

**Middle Mile Broadband Network (MMBN) Infrastructure Projects - Stormwater Permit Requirements**

MMBN – 0457 (New 11/2025)

In addition to the attached Encroachment Permit General Provisions (TR-0045), the following special provisions are also applicable to projects that construct subsurface infrastructure:

**1. GENERAL:** Expiration of the 2009 Construction General Permit coverage for Middle Mile Broadband Network Projects. Projects that were originally permitted under the 2009 Construction General Permit (CGP), Order 2009-009-DWQ, amended by 2010-0014-DWQ and 2012-0060-DWQ, are covered by the Common Stormwater Pollution Prevention Plan (SWPPP) for Caltrans Middle-Mile Broadband Network (MMBN) Programmatic Reporting with LUP Risk Types 1, 2 and 3 (MMBN Common SWPPP), dated December 2, 2022, which is identified with statewide Waste Discharge Identification (WDID) Number SWBPP000001. Coverage under this MMBN Common SWPPP and the 2009 CGP will expire on August 31, 2025.

**2. APPLICABILITY:** New MMBN projects with a construction start date or ongoing projects with a notice of termination date of July 1, 2025, or later, must obtain permit coverage under the 2022 CGP. These projects will be covered by the new MMBN Common SWPPP associated with WDID SWBPP000002 and they should use the LCAN and site-specific plan template for the 2022 CGP.

Prepare and submit a new LCAN and site-specific plan that complies with the 2022 CGP and associated MMBN Common SWPPP with WDID SWBPP000002. The LCAN and site-specific plan must be reviewed and signed by the state representative and LCAN-qualified SWPPP developer. Upload documents to the Stormwater Multiple Application and Report Tracking System (SMARTS).

**3. REVISED STANDARD SPECIFICATION SECTION 13-1:** The 2018 Standard Specification Section 13-1 must be revised based on the 2022 Construction General Permit:

**Replace section 13-1 with:**

**13-1 GENERAL**

**13-1.01 GENERAL**

**13-1.01A Summary**

Section 13-1 includes general specifications for preventing, controlling, and abating water pollution within waters of the State.

Information on forms, reports, and other documents is in the following Department manuals:

1. Field Guide to Construction Site Dewatering
2. Stormwater Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual
3. Construction Site Best Management Practices (BMPs) Manual
4. Construction Site Monitoring Program Guidance Manual

These manuals are available for review at the Stormwater and Water Pollution Control Information link at the Department's Division of Construction website.

A WPCP and a SWPPP must (1) comply with the Department's Stormwater Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual and (2) be prepared using the latest template posted on the Construction stormwater website.

**Add to the end of section 13-1.01A:**

Comply with the Department's middle mile broadband network (MMBN) Common SWPPP and linear construction activity notifications (LCAN) for each permit. An MMBN LCAN includes the LCAN application and Site Specific Plan. The Common SWPPP and LCAN templates are available at the Department's Division of Construction website.

**13-1.01B Definitions**

**active area:** Area where soil-disturbing work activities have occurred at least once within 15 days.

**construction phase:** Phase that includes (1) the highway construction phase for building roads and structures, (2) the plant establishment, permanent erosion control establishment, and maintenance phase for placing vegetation for final stabilization, and (3) the suspension phase for suspension of work activities or a winter shutdown. The construction phase starts at the start of job site activities and ends at Contract acceptance.

**inactive area:** Area where soil-disturbing work activities have not occurred within 15 days.

**inactive project:** Project where all construction activities are fully stabilized and will be suspended for 30 days or more.

**run-on:** Water that originates off-site and flows onto the job site.

**storm event:** Any weather pattern that is forecast to have a 50 percent chance or greater probability of precipitation and a quantitative precipitation forecast of 0.5 inches or more within a 24-hour period. The event begins with the 24-hour period when 0.5 inches has been forecast and continues on subsequent 24-hour periods when 0.25 inches of precipitation or more is forecast.

**13-1.01C Submittals**

**13-1.01C(1) General**

Within 24 hours after a nonstormwater discharge, or within 48 hours after (1) the end of a storm event resulting in a discharge or (2) receiving a written notice or an order from the RWQCB or another regulatory agency, submit the following information:

1. Date, time, location, and nature of the activity and the cause of the discharge, notice, or order
2. Type and quantity of the discharge
3. WPC practices in use before the discharge or before receiving the notice or order
4. Description of WPC practices and corrective actions taken to manage the discharge or cause of the notice

Submittals for additional or new WPC practices to manage run-on, run-off, and stormwater conveyance must:

1. Describe the activities, processes, equipment, and materials that will be used to manage the run-on, run-off, and stormwater conveyance through the job site
2. Show the locations of the management practices

3. Include a time-scaled logic diagram displaying the sequence and duration of the management practices for each stage of work
4. Be sealed and signed by an engineer who is registered as a civil engineer in the State

### **13-1.01C(2) Training Records**

For all employees and subcontractors who will be working at the job site, submit WPC training records as informational submittals. The records must include the training subjects and dates for the initial training, ongoing training, and tailgate meetings. Submit records for:

1. Existing employees within 5 business days of obtaining the LCAN, SWPPP or WPCP authorization
2. New employees within 5 business days of receiving the training
3. Subcontractors' employees at least 5 business days before a subcontractor starts work

### **13-1.01C(3) Contractor-Support Facilities**

At least 5 business days before operating any Contractor-support facility, submit:

1. Plan showing the location and associated WPC practices.
2. Copy of the notice of intent approved by the RWQCB and the WPCP or SWPPP approved by the RWQCB if you will be operating a batch plant or a crushing plant under the Industrial General Permit.
3. Copy of the plans for an offsite drying facility if you will be drying liquid residue from concrete grooving or grinding activities before disposal. The facility may include temporary lined ponds or other measures to prevent the liquid residue from infiltrating the soil. The plans must be sealed and signed by an engineer who is registered as a civil engineer in the State.

### **13-1.01C(4) Disposal Documentation**

At least 15 days before starting concrete grooving or grinding activities, submit a copy of one of the following documents from the disposal facility that will receive the grooving or grinding residue:

1. RWQCB permit allowing the facility to manage and dispose of the residue
2. Written approval from the RWQCB authorizing the facility to receive the residue
3. Local, state, or federal permits if the facility is located outside the State

Within 5 business days of completing concrete grooving or grinding activities, submit the disposal receipts and weight tickets as informational submittals.

For partial listing of disposal facilities and their waste acceptance list, go to SWRCB website.

### **13-1.01C(5) Stormwater Site Inspection**

Reserved

### **13-1.01C(6)–13-1.01C(8) Reserved**

### **13-1.01D Quality Assurance**

#### **13-1.01D(1) General**

Reserved

#### **13-1.01D(2) Regulatory Requirements**

Comply with the Department's general permit order issued by the SWRCB for NPDES No. CAS000003, National Pollutant Discharge Elimination System Statewide Stormwater Permit and Waste Discharge Requirements for State of California, Department of Transportation. The Department's general permit governs stormwater and nonstormwater discharges from the Department's properties, facilities, and activities. For the Department's general permit, go to the Caltrans Program link on the Municipal Stormwater Program page of the SWRCB website.

Discharges from manufacturing facilities, such as batch plants and crushing plants, must comply with the discharge requirements in the NPDES General Permit for Storm Water Discharges Associated with Industrial Activities Order; CAS000001 (Industrial General Permit), issued by the SWRCB. For the

Industrial General Permit, go to the SWRCB website.

For a batch plant and crushing plant outside a job site or within a job site that serves one or more contracts, obtain coverage under an Industrial General Permit before operating a batch plant to manufacture concrete, HMA, or other material or a crushing plant to produce rock or aggregate.

### **13-1.01D(3) Training**

Employees must receive initial WPC training before starting work at the job site.

For project managers, supervisory personnel, subcontractors, and employees involved in WPC work:

1. Provide stormwater training in the following subjects:
  - 1.1. WPC rules and regulations
  - 1.2. Implementation and maintenance of:
    - 1.2.1. Temporary soil stabilization
    - 1.2.2. Temporary sediment control
    - 1.2.3. Tracking control
    - 1.2.4. Wind erosion control
    - 1.2.5. Material pollution prevention and control
    - 1.2.6. Waste management
    - 1.2.7. Nonstormwater management
2. Conduct weekly training meetings covering:
  - 2.1. Deficiencies and corrective actions for WPC practices
  - 2.2. WPC practices required for work activities during the week
  - 2.3. Spill prevention and control
  - 2.4. Material delivery, storage, usage, and disposal
  - 2.5. Waste management
  - 2.6. Nonstormwater management procedures

Training for assistant WPC managers who inspect, repair, and maintain WPC practices, collect water quality samples, and record water quality data must include:

1. Review of the sampling and analysis plan and the *Construction Site Monitoring Program Guidance Manual*
2. Health and safety review
3. Sampling simulations

The training for assistant WPC managers must comply with the requirements described under "WPC Manager Training," and includes:

1. Obtaining a certificate by completing the 8-hour WPC manager training
2. Reviewing updates, revisions, and amendments to the training

For training requirements, go to the Construction Storm Water and Water Pollution Control website

### **13-1.01D(4) Water Pollution Control Manager**

#### **13-1.01D(4)(a) General**

Assign a WPC manager to implement the LKAN, WPCP or SWPPP. Assign an alternate WPC manager to perform the responsibilities of the WPC manager in the manager's absence. The alternate WPC manager must have the same qualifications as the WPC manager. An assistant WPC manager may be assigned to act under the supervision of the WPC manager to inspect, repair, and maintain WPC practices, collect water quality samples, and record water quality data. You may have more than one assistant WPC manager.

#### **13-1.01D(4)(b) Qualifications**

The WPC manager must:

1. Comply with the requirements provided in the Construction General Permit for QSP
2. Comply with the requirements described under "WPC Manager Training," including:
  - 2.1. Obtaining a certificate by completing the 8-hour training
  - 2.2. Reviewing updates, revisions, and amendments to the training

For the requirements, go to the Construction Storm Water and Water Pollution Control website.

### **13-1.01D(4)(c) Responsibilities**

The WPC manager must:

1. Be the primary contact responsible for WPC work
2. Oversee WPC work, including:
  - 2.1. Maintenance of WPC practices
  - 2.2. Inspections of WPC practices identified in the LCAN, SWPPP or WPCP
  - 2.3. Inspections and reports for visual monitoring
  - 2.4. Sampling and analysis
  - 2.5. Preparation and submittal of:
    - 2.5.1. NAL exceedance reports
    - 2.5.2. Violation reports for the receiving water monitoring trigger
    - 2.5.3. Annual reports
    - 2.5.4. Stormwater Site Inspection Reports
3. Oversee and enforce hazardous waste management practices under section 14-11, including spill prevention and control measures
4. Have the authority to:
  - 4.1. Mobilize crews to make immediate repairs to WPC practices
  - 4.2. Stop construction activities damaging WPC practices or causing water pollution
5. Ensure that all employees have current WPC training and provide training if collecting water quality samples is delegated
6. Implement the authorized LCAN, SWPPP or WPCP
7. Revise the WPCP or recommend changes to the LCAN or SWPPP
8. Be at the job site within 2 hours of being contacted

### **13-1.01D(5)–13-1.01D(8) Reserved**

### **13-1.02 MATERIALS**

Not Used

### **13-1.03 CONSTRUCTION**

#### **13-1.03A General**

Monitor the National Weather Service's forecast daily at its website.

Install facilities and devices used for WPC practices before performing other job site activities. Install soil stabilization and sediment control materials for WPC practices in all active areas or before any storm event.

Repair or replace facilities and devices used for WPC practices within 24 hours of discovering any damage.

You may request or the Engineer may order changes to the WPC work. Changes may include additional or new WPC practices. Additional WPC work is change order work except when the additional WPC practices are a result of your means and methods.

Retain a current copy of the authorized LCAN, WPCP or SWPPP at the job site. Maps must be printed in full size. The remainder of the LCAN, WPCP or SWPPP may be in electronic format.

### **13-1.03B Contractor-Support Facilities**

Use WPC practices to protect stormwater systems or receiving waters from the discharge of potential pollutants from any Contractor-support facility.

Contractor-support facilities include:

1. Staging areas
2. Storage yards for equipment and materials
3. Mobile operations
4. Batch plants for concrete and HMA
5. Crushing plants for rock and aggregate
6. Other facilities installed for your convenience, such as haul roads
7. Offsite drying facilities for drying wastes before disposal

If material is obtained or disposed of at a noncommercially operated borrow or disposal site, (1) prevent water pollution due to erosion at the site during and after completion of your activities, and (2) leave the site in a condition such that water will not collect or stand in it.

### **13-1.03C Inspections**

Use the Stormwater Site Inspection Report form for documenting inspections.

Inspect WPC practices identified in the LCAN, SWPPP or WPCP:

1. Before a forecasted storm event
2. After a storm event that produces runoff
3. At 24-hour intervals during extended storm events
4. On a predetermined schedule of at least once a week

Inspect the following work activities and areas daily:

1. Storage areas for hazardous materials and waste as specified in section 14-11
2. Hazardous waste disposal and transporting activities as specified in section 14-11
3. Hazardous material delivery and storage activities
4. Demolition sites

Inspect vehicles and equipment at the job site daily for leaks and spills. Verify that operators are inspecting vehicles and equipment each day of use.

Inspect the following work activities and areas daily if the activity occurs daily or weekly if the activity occurs weekly:

1. Vehicle and equipment cleaning facilities
2. Vehicle and equipment maintenance and fueling areas
3. Pile driving areas for leaks and spills
4. Temporary concrete washouts
5. Paved roads at job site access points for street sweeping
6. Dewatering work
7. Temporary ATS
8. Work over water

### **13-1.03D Deficiencies**

If a deficiency in the implementation of the authorized LCAN, WPCP or SWPPP is identified, immediately correct the deficiency unless a later date is authorized, but before precipitation occurs.

The Department may correct the deficiency if you fail to correct it immediately, by the agreed date, or before the onset of precipitation. The cost of this work is deducted.

**13-1.03E–13-1.03H Reserved**

**13-1.04 PAYMENT**

Not Used

**4. REVISED STANDARD SPECIFICATION SECTION 13-3:** For any project that uses a SWPPP, the 2018 Standard Specification must be revised based on the 2022 Construction General Permit:

**Replace section 13-3 with:**

**13-3 STORMWATER POLLUTION PREVENTION PLAN**

**13-3.01 GENERAL**

**13-3.01A Summary**

Section 13-3 includes specifications for a stormwater pollution prevention plan for projects that will disturb 1 ac or more of soil.

Stormwater pollution prevention plan includes developing and implementing the plan, providing a WPC manager, conducting WPC training, and monitoring, inspecting, and correcting WPC practices.

Except for projects in the Lake Tahoe Hydrologic Unit or on federal or tribal lands, the Department establishes an environmental risk level for each project. The project's risk level is specified in the special provisions.

**13-3.01B Definitions**

**surface water buffer:** 50-foot undisturbed natural buffer from the edge of disturbed soil areas to receiving water's top of bank.

**total maximum daily load:** The sum of the maximum amount of a pollutant that a waterbody can receive per day and still meet state water quality standards. It is the sum of the individual waste load allocations for point sources, the load allocations for nonpoint and natural background sources, and the margin of safety.

**13-3.01C Submittals**

**13-3.01C(1) General**

Submit the documents shown with an X in the following table:

### Submittal Requirements

Document	Risk level 1	Risk level 2	Risk level 3	EPA
SWPPP	X	X	X	X
Construction Site Monitoring Program	X	X	X	X
Job site monitoring reports	X	X	X	X
Sampling and analysis plan	X	X	X	X
Sampling and analysis plan for nonvisible pollutants	X	X	X	X
Sampling and analysis plan for pH and turbidity	--	X	X	--
NAL/NEL reports	--	X	X	--
Receiving water monitoring trigger reports	--	--	X	--
Stormwater Site Inspection Report	X	X	X	X
Pre-Storm Event Inspection	X	X	X	--
During- and Post-Storm Event Inspection	X	X	X	X
Stormwater Annual Report	X	X	X	X
Notice of Termination Inspection Report	X	X	X	

#### 13-3.01C(2) Stormwater Pollution Prevention Plan

##### 13-3.01C(2)(a) General

Submit your SWPPP within 15 days of Contract approval.

A QSD must be assigned to develop and revise the SWPPP.

The SWPPP must:

1. Describe the work involved in the installation, maintenance, repair, and removal of temporary and permanent WPC practices.
2. Include maps showing:
  - 2.1. Locations of disturbed-soil areas
  - 2.2. Water bodies and conveyances
  - 2.3. Locations and types of WPC practices that will be used for each Contractor-support facility
  - 2.4. Locations and types of temporary WPC practices that will be used in the work for each construction phase
  - 2.5. Locations and types of WPC practices that will be installed permanently under the Contract
  - 2.6. Water quality sampling locations
  - 2.7. Locations planned for the storage and use of potential nonvisible pollutants
  - 2.8. Receiving-water sampling locations
  - 2.9. Locations of surface water buffers
3. Include a Construction Site Monitoring Program or Construction Site Monitoring and Reporting Program as applicable.
4. Include a schedule showing when:
  - 4.1. Work activities that could cause the discharge of pollutants into stormwater will be performed
  - 4.2. WPC practices, including soil stabilization and sediment control, that will be used in the work for whichever has the longest duration in the first:
    - 4.2.1. 60 days
    - 4.2.2. Construction phase

5. Include a copy of each permit obtained by the Department, such as the Department of Fish and Wildlife permits, US Army Corps of Engineers permits, RWQCB 401 certifications, Docket No. ESPO-SMA 15/16-001 Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils with the DTSC (ADL Agreement), ADL Agreement notification, and RWQCB waste discharge requirements for aerially deposited lead reuse.
6. Include training records for project personnel.
7. Include contact information of all personnel responsible for WPC practices.
8. Include sediment load calculations for surface water buffer when required by the Permit. Calculate sediment load of surface water buffer and equivalent sediment load reductions achieved with WPC practices when a 50-foot undisturbed buffer cannot be maintained using RUSLE2 or other approved method.

If revisions are required, the Engineer notifies you of the date when the review stopped and provides comments. Submit a revised SWPPP within 15 days of receiving the comments. The Department's review resumes when a complete SWPPP has been resubmitted.

If the RWQCB requires review of the authorized SWPPP, the Engineer submits it to the RWQCB for review and comment. If the Engineer orders changes to the SWPPP based on the RWQCB's comments, submit a revised SWPPP within 10 days.

Do not start job site activities until (1) the SWPPP is authorized and (2) a waste discharge ID number is issued.

Submit a revised SWPPP annually before September 15th and any time:

1. Changes in work activities could affect the discharge of pollutants
2. WPC practices are added as change order work
3. WPC practices are added at your discretion
4. Changes in the quantity of disturbed soil are substantial
5. Objectives for reducing or eliminating pollutants in stormwater discharges have not been achieved
6. You receive a written notice of a permit violation for the project from the RWQCB or any other regulatory agency
7. Changes are made to dewatering discharge WPC practices
8. Changes are made to WPC manager, alternate WPC manager, or assistant WPC manager assignments or delegated functions
9. Changes are made to the project inactive status

Revise the SWPPP through amendment. The annual SWPPP amendment must include an annual winterization plan.

The annual winterization plan must describe the preparation for the upcoming rainy season including:

1. Updated schedule
2. Materials and labor
3. Management of stormwater through the job site including:
  - 3.1. Run-on
  - 3.2. Run-off
  - 3.3. Conveyance downslope
4. Management of areas within the job site including:
  - 4.1. Areas where work is suspended
  - 4.2. Areas of soil stabilization
  - 4.3. New disturbed soil areas
5. Changes to monitoring locations
6. Slope stabilization
7. Management of dewatering discharges

Prepare an inactive project plan when beginning or ending inactive project status. The inactive project plan must include:

1. Updated schedule
2. Site stabilization measures
3. Construction activity status
4. Revised site map with current site conditions
5. Include photographs showing stabilization WPC practices
6. Changes to WPC management and inspections

### **13-3.01C(2)(b) Construction Site Monitoring Program**

#### **13-3.01C(2)(b)(i) General**

Submit a construction site monitoring program with your SWPPP. The program must be prepared by a QSD.

For all projects, submit:

1. Visual monitoring procedures
2. Sampling and analysis plan for nonvisible pollutants
3. Sampling and analysis plan for nonstormwater discharges
4. Sampling and analysis plan for monitoring required by the RWQCB

For projects with dewatering activities, also submit a sampling and analysis plan for pH and turbidity.

For a risk level 2 project, also submit a sampling and analysis plan for pH and turbidity.

For a risk level 3 project, also submit:

1. Sampling and analysis plan for pH and turbidity
2. Sampling and analysis plan for receiving-water monitoring
3. Sampling and analysis plan for any temporary ATS

Change the program as needed to reflect the current job site activities.

#### **13-3.01C(2)(b)(ii) Site Inspection Reports**

Submit a Stormwater Site Inspection Report as an informational submittal within 24 hours of completing an inspection. The WPC manager must oversee the preparation of this report. The report must include the location and quantity of installed WPC practices and disturbed soil.

The following site inspection reports must be performed by the QSD:

1. One within 30 days of construction activities starting
2. One within 30 days of a new site QSD
3. Once between August 1 and October 31 of each year
4. Once between January 1 and March 31 of each year
5. Within 14 calendar days after a NAL exceedance
6. Within 14 calendar days of an inactive project status
7. As requested by Water Board staff

The following site inspection reports must be performed by the QSP:

1. Once every calendar month
2. Once within 72 hours of each forecasted storm event
3. Within 14 days after a NAL exceedance
4. Before the final Notice of Termination or Change of Information of all or part of the site

An assistant WPC manager cannot perform the above listed QSD and QSP inspection reports.

The site inspection report for the final Notice of Termination must include site photos to document final

site conditions and a final site map with the following:

1. Project boundaries and adjacent lands with labeled key features such as roadways and waterbodies
2. Developed drainage basin boundaries and discharge location points
3. Features related to the project that may be used as a reference, such as site entrance and exists, lot boundaries, roads, and structures
4. Permanent WPC practices using hatch patterns, symbols or shading unique to each WPC practice
5. Location and orientation of site photographs used to document final site conditions
6. Areas of the site being transferred to new ownership with the name and contact information of the owner

### **13-3.01C(2)(b)(iii) Visual Monitoring Reports**

#### **13-3.01C(2)(b)(iii)(A) General**

Submit a copy of the visual monitoring report on a Stormwater Site Inspection Report form for each storm event inspection and nonstormwater discharges. The visual monitoring report must include:

1. Name of personnel performing the inspection, inspection date, and date the inspection report is completed
2. Storm and weather conditions
3. Location of any of the following:
  - 3.1. Floating and suspended material, sheen on the surface, discoloration, turbidity, odor, and source of observed pollutants for flowing and contained stormwater systems
  - 3.2. Nonstormwater discharges and their sources
4. Photographs of WPC practices and QSP's description of problem areas
5. Corrective action taken

Visual observations are not required (1) during dangerous weather conditions, such as flooding or electrical storms, or (2) outside of normal working hours.

Retain a copy of the visual monitoring reports at the job site as part of the SWPPP.

#### **13-3.01C(2)(b)(iii)(B) Pre-Storm Event Inspection Report**

Submit a pre-storm event inspection report within 2 business days before the predicted storm event. The report must include:

1. Date and time
2. Visual observations:
  - 2.1. Spills, leaks, or uncontrolled pollutants in drainage areas
  - 2.2. Proper implementation of WPC practices
  - 2.3. Leaks and adequate freeboard in storage areas
3. A copy of the detailed forecast table for the project location from the National Weather Service

#### **13-3.01C(2)(b)(iii)(C) During- and Post-Storm Event Inspection Report**

Each during- and post-storm event inspection report must include:

1. Date, time, and rain gauge reading
2. Visual observations:
  - 2.1. Every 24 hours during the storm event for:
    - 2.1.1. Effectiveness of WPC practices
    - 2.1.2. WPC practices needing maintenance and repair
  - 2.2. Within 2 business days after a storm event for:
    - 2.2.1. Stormwater discharge locations
    - 2.2.2. Evaluation of design, implementation, effectiveness, and locations of WPC practices, including locations where additional WPC practices may be needed

- 2.2.3. Evidence of non-visible pollutant discharges due to a failure to implement WPC practices, a container spill or leak, or a WPC practice breach, failure, or malfunction

### 3. Sampling results

#### **13-3.01C(2)(b)(iv) Sampling and Analysis Plan**

Submit a sampling and analysis plan that complies with the Department's Construction Site Monitoring Program Guidance Manual.

The sampling and analysis plan must describe:

1. Sampling equipment and sample containers.
2. Preparation of samples.
3. Collection and holding times.
4. Field measurement methods.
5. Analytical methods.
6. Quality assurance and quality control.
7. Sample preservation and labeling.
8. Collection documentation, including the names of personnel collecting samples and their training.
9. Shipment of samples.
10. Chain of custody.
11. Data management and reporting.
12. Precautions from the construction site health and safety plan, including procedures for collecting samples during precipitation. List the conditions under which you are not required to collect samples, such as:
  - 12.1. Dangerous weather
  - 12.2. Flooding or electrical storms
  - 12.3. Times outside of normal working hours
13. Procedures for collecting and analyzing 1 sample from each discharge location for each day of each storm event for a risk level 2 or risk level 3 project.
14. Procedures for collecting effluent samples at all locations where the stormwater is discharged off the job site.

The sampling and analysis plan must identify the State-certified laboratory that will perform the analyses. For a list of State-certified laboratories, go to the SWRCB's website.

Submit a revised plan if discharges or sampling locations change because of changed work activities or knowledge of site conditions.

#### **13-3.01C(2)(b)(v) Sampling and Analysis Plan for Nonvisible Pollutants**

Submit a sampling and analysis plan for monitoring nonvisible pollutants.

The sampling and analysis plan must identify potential nonvisible pollutants present at the job site associated with any of the following:

1. Construction materials and wastes
2. Existing contamination due to historical site usage
3. Application of soil amendments, including soil stabilization materials, with the potential to change pH or contribute toxic pollutants to stormwater

The sampling and analysis plan for nonvisible pollutants must include sampling procedures for the following conditions if observed during a stormwater visual inspection. Include a procedure for collecting at least 1 sample at each discharge location associated with one of the following nonvisible pollutant triggering conditions:

1. Materials or wastes containing potential nonvisible pollutants not stored under watertight conditions

2. Materials or wastes containing potential nonvisible pollutants stored under watertight conditions at locations where a breach, leak, malfunction, or spill occurred and was not cleaned up before the precipitation
3. Chemical applications occurring within 24 hours before precipitation or during precipitation that could discharge pollutants to surface waters or drainage systems, including applications of fertilizer, pesticide, herbicide, methyl methacrylate concrete sealant, or nonpigmented curing compound
4. Applied soil amendments, including soil stabilization materials that could change pH levels or contribute toxic pollutants to stormwater runoff and discharge pollutants to surface waters or drainage systems, unless independent test data is available to indicate acceptable concentrations of nonvisible pollutants in the material
5. Stormwater runoff from an area contaminated by the historical usage of the site that could discharge pollutants to surface waters or drainage systems

The sampling and analysis plan for nonvisible pollutants must:

1. Include sampling procedures and a schedule for:
  - 1.1. Sample collection within 8 hours from each discharge location hydraulically down-gradient from the observed nonvisible pollutant triggering condition
  - 1.2. One sample per applicable discharge location for each 24-hour period that there is a discharge, until the necessary corrective actions are completed to control further discharge of the pollutant
  - 1.3. Each nonvisible pollutant source
  - 1.4. Uncontaminated control sample
2. Identify the locations for sampling downstream and collecting control samples and the reasons for selecting those locations. Select locations for control samples where the sample does not come in contact with materials, wastes, or areas associated with potential nonvisible pollutants or disturbed soil areas.

### **13-3.01C(2)(b)(vi) Sampling and Analysis Reports**

#### **13-3.01C(2)(b)(vi)(A) General**

Submit your water quality analysis results and the QC report within 48 hours of field sampling and within 30 days of laboratory analysis.

The QC report must include an evaluation of whether the downstream samples show levels of the tested parameter that are higher than the control sample. The evaluation must include:

1. Sample ID number
2. Contract number
3. Constituent
4. Reported value
5. Analytical method
6. Method detection limit
7. Reported limit

Retain a copy of the water quality sampling and analysis results with the SWPPP at the job site.

#### **13-3.01C(2)(b)(vi)(B) Numeric Action Level and Numeric Effluent Limit Exceedance Reports**

If a NAL or NEL is exceeded, immediately notify the Engineer. Submit a NAL exceedance report within 48 hours of the observed exceedance for pH or turbidity. Submit a NAL or NEL exceedance report within 48 hours of obtaining analytical results demonstrating a TMDL-related exceedance. The report must include:

1. Field sampling results and inspections, including:
  - 1.1. Analytical methods, reporting units, and detection limits
  - 1.2. Date, location, time of sampling, visual observations, and measurements
  - 1.3. Quantity of precipitation from the storm event

2. Description of WPC practices and corrective actions taken to manage exceedance of the NAL

### **13-3.01C(2)(b)(vi)(C) Receiving-Water Monitoring Trigger Reports**

If a receiving-water monitoring trigger is exceeded, notify the Engineer and submit a monitoring trigger report within 48 hours after the conclusion of a storm event. The report must include:

1. Field sampling results and inspections, including:
  - 1.1. Analytical methods, reporting units, and detection limits
  - 1.2. Date, location, time of sampling, visual observations, and measurements
  - 1.3. Quantity of precipitation from the storm event
2. Description of the WPC practices and corrective actions

**13-3.01C(2)(b)(vi)(D)–13-3.01C(2)(b)(vi)(F)** Reserved

**13-3.01C(2)(b)(vii)–13-3.01C(2)(b)(x)** Reserved

**13-3.01C(3)** Reserved

### **13-3.01C(4) Stormwater Annual Report**

Submit your stormwater annual report before July 15th for the preceding construction period from July 1st through June 30th or at least 30 days before Contract acceptance if construction ends before June 30th.

The stormwater annual report must include:

1. Project information, such as a description of the project and work locations
2. Stormwater monitoring information, including:
  - 2.1. Summary and evaluation of sampling and analysis results and laboratory reports
  - 2.2. Analytical methods, reporting units, and detections limits for analytical parameters
  - 2.3. Summary of the corrective actions taken
  - 2.4. Identification of the corrective actions taken and compliance activities not implemented
  - 2.5. Summary of violations
  - 2.6. Names of the individuals performing stormwater inspections and sampling
  - 2.7. Logistical information for inspections and sampling, including location, date, time, and precipitation
  - 2.8. Visual observations and sample collection records
3. Documentation of training for individuals responsible for:
  - 3.1. Permit compliance
  - 3.2. Installation, inspection, maintenance, and repair of WPC practices
  - 3.3. Development and revision of the SWPPP
4. WPC Manager's signature

Allow 10 days for review. If revisions are required, the Engineer notifies you of the date the review stopped and provides comments.

Submit a revised report within 5 business days of receiving the comments. The Department's review resumes when a complete report has been resubmitted.

### **13-3.01D Quality Assurance**

#### **13-3.01D(1) General**

Reserved

#### **13-3.01D(2) Regulatory Requirements**

Except for a project in the Lake Tahoe Hydrologic Unit or on federal or tribal lands, discharges of stormwater from the project must comply with NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, NPDES No. CAS000002) referred to herein as Permit.

For a project in the Lake Tahoe Hydrologic Unit, discharges of stormwater from the project must comply with the NPDES General Permit for General Waste Discharge Requirements and National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction Activity in the Lake Tahoe Hydrologic Unit, Counties of Alpine, El Dorado, and Placer. You may view the General Permit for the Lake Tahoe Hydrologic Unit at the Storm Water Program page of the Lahontan RWQCB website.

A project on federal or tribal lands must comply with the permit issued by the US EPA for National Pollutant Discharge Elimination System General Permit for Discharges from Construction Activities. This permit governs stormwater and nonstormwater discharges from work activities at the job site. This permit may be viewed at the US EPA website.

**13-3.01D(3) Sampling**

**13-3.01D(3)(a) General**

Assign trained personnel to collect samples. The personnel must comply with the equipment manufacturer's instructions for the collection of samples, analytical methods, and equipment calibration.

Samples taken for laboratory analysis must comply with water quality sampling procedures and be analyzed by a State-certified laboratory under 40 CFR part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants.

For a risk level 2 or risk level 3 project, take samples for pH and turbidity from representative and accessible locations upstream and downstream of each discharge point. Sample run-on from surrounding areas if there is a reason to believe run-on may contribute to an NAL or NEL exceedance.

**13-3.01D(3)(b) Numeric Action Levels**

For a risk level 2 or risk level 3 project, test the sample at each discharge location. For projects with dewatering activities, test each dewatering discharge location within the first hour of discharge and daily for continuous dewatering discharges. The test methods and detection limits for the NALs are shown in the following table:

Quality characteristic	Test Method	Detection limit (min)	NAL
Turbidity (max, NTU)	Field test with calibrated portable instrument	1	250
pH	Field test with calibrated portable instrument	0.2	6.5–8.5

If dewatering discharge NALs are exceeded, cease dewatering discharges.

**13-3.01D(3)(c) Receiving-Water Monitoring Triggers**

For a risk level 3 project, test the receiving water under the test methods and at the detection limits for the monitoring triggers shown in the following table:

Quality characteristic	Test method	Detection limit (min)	Monitoring trigger
Turbidity (max, NTU)	Field test with calibrated portable instrument	1	500
pH	Field test with calibrated portable instrument	0.2	6.0–9.0

Collect a minimum of 1 upstream receiving water sample from an accessible and safe location that is representative of the receiving water, as close as possible to the discharge location, and upstream from the discharge location. Collect a minimum of 1 downstream receiving water sample from an accessible and safe location that is representative of the receiving water, as close as possible to the discharge location and downstream from the discharge location. Collect samples once every 24-hour period of the storm event at each discharge location where discharge has occurred. Analyze the sample for the parameter that triggered the receiving water monitoring, including either pH or turbidity, or both.

### **13-3.01D(3)(d) Numeric Effluent Limitations**

Projects with TMDL-related pollutants are specified in the special provisions.

### **13-3.01D(4) Water Quality Control**

Collect water samples:

1. During an observed nonvisible pollutant triggering condition for:
  - 1.1. Each nonvisible pollutant source at each hydraulically down-gradient discharge location
  - 1.2. A corresponding uncontaminated control sample
2. During a storm event for:
  - 2.1. Each nonvisible pollutant source and a corresponding uncontaminated control sample
  - 2.2. Turbidity, pH, and other constituents as required
  - 2.3. All discharge locations for risk level 2 or risk level 3 project

Collect samples for each 24-hour period of a storm event resulting in a discharge. Nonvisible pollutant sampling can end before the end of the storm event if corrective actions are completed prior to further discharge of the pollutant.

Collect samples during (1) normal working hours and (2) within 8 hours of each nonvisible pollutant triggering condition as listed in the Sampling and Analysis Plan for Nonvisible Pollutants section. Samples do not need to be collected during dangerous weather conditions, such as flooding or electrical storms.

Collect receiving water samples for a risk level 3 project and if a direct discharge to receiving waters occurs.

If a downstream sample shows an increased level of turbidity, pH, or other constituent, assess WPC practices, site conditions, and surrounding influences to determine the probable cause for the increase.

You may request or the Engineer may order laboratory analysis of stormwater samples. If ordered, laboratory analysis of stormwater samples is change order work.

### **13-3.01D(5) Training**

For project managers, supervisory personnel, subcontractors, and employees that are assistant WPC managers involved in WPC work:

1. Provide stormwater training for:
  - 1.1. SWPPP roles and responsibilities
  - 1.2. Forecast information
  - 1.3. Documentation and reporting procedures
2. Provide site-specific training for:
  - 2.1. Visual inspections
  - 2.2. Sampling procedures
  - 2.3. SWPPP and WPC implementation activities relevant to the assistant WPC manager's assigned responsibilities

### **13-3.01D(6) Responsibilities**

Before assigning an assistant WPC manager, the WPC manager must ensure the assistant WPC manager has a competent understanding of the following WPC work:

1. Visual inspections
2. Sampling procedures
3. SWPPP and WPC implementation tasks

The assistant WPC manager must record and report issues to the QSP within 24-hours of a WPC corrective action. The assistant WPC manager must follow the QSP Delegate requirements detailed in the Permit.

### **13-3.02 MATERIALS**

Not Used

### **13-3.03 CONSTRUCTION**

Post a sign or other notice at a safe, publicly accessible location close to the job site. The notice must include the Waste Discharge ID number and a contact name and phone number for obtaining additional project information. Locate the sign or notice such that it is visible from the part of the highway nearest the work activities.

Obtain, install, and maintain a rain gauge at the job site. Observe and record precipitation daily.

Continue SWPPP implementation during any suspension of work activities.

Notify the Engineer at least 32-hours in advance of dewatering activity discharges.

A current copy of the SWPPP must be available onsite. Maps must be printed in full size. The remainder of the SWPPP may be kept in electronic format.

### **13-3.04 PAYMENT**

Payment will be prorated over the life of the contract.

Payment for sampling is included in the payment for during- and post-storm event inspection.

The Department does not pay for the preparation, collection, laboratory analysis, and reporting of stormwater samples for nonvisible pollutants if WPC practices are not implemented before precipitation or if you fail to correct a WPC practice before precipitation.

The Department pays \$3,000 for each authorized stormwater annual report.

The Department does not adjust the unit price for an increase or decrease in the quantity of:

1. Stormwater annual report
2. Pre-storm event inspection report
3. During and post-storm inspection report