

# REGULATE

# NPDES STORMWATER

**GROUP:** NPDES STORMWATER  
CONSTRUCTION FACILITIES

**MEASURE:** NUMBER OF NEW ENROLLEES  
ADOPTED OR RENEWED

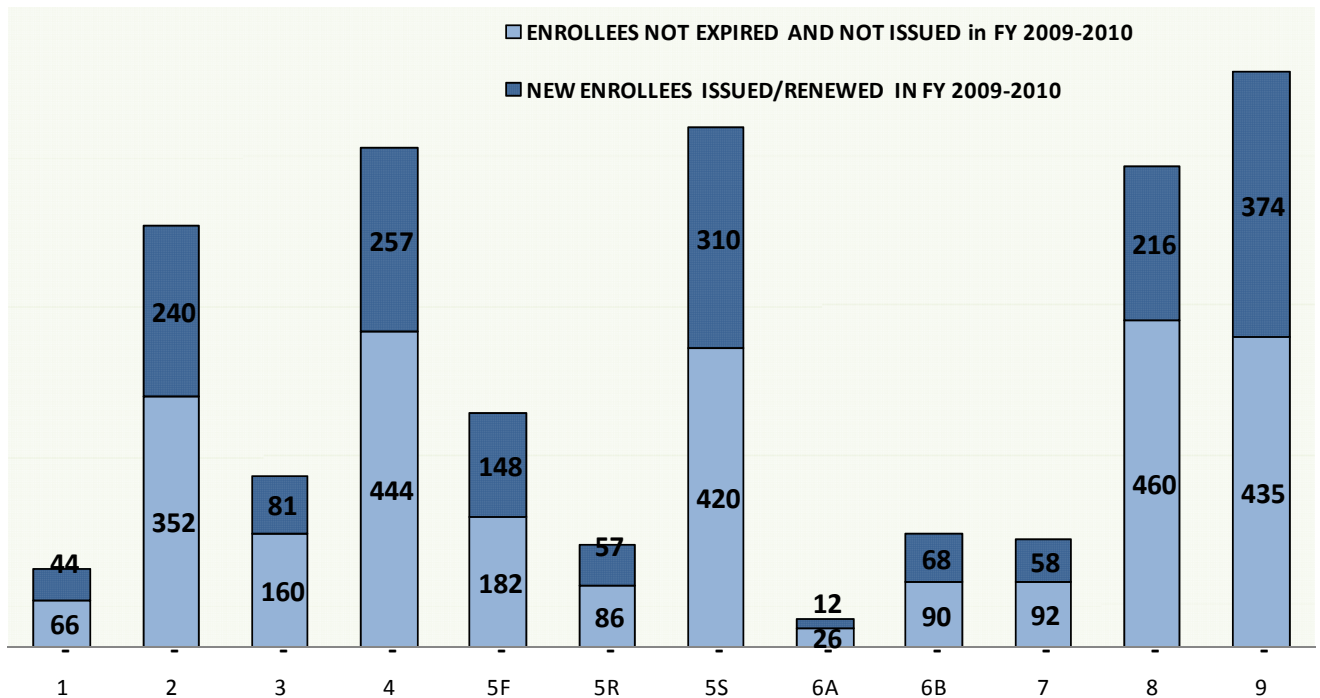
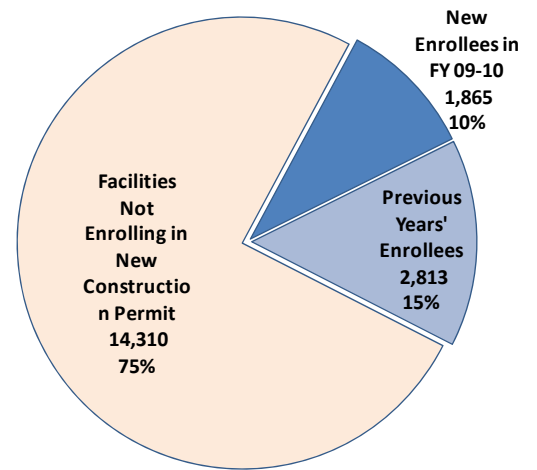
**MESSAGE:** *The number of facilities enrolled under the construction stormwater program decreased steadily over the Fiscal Year 09-10 with a sharp decline in June 2010 due to delay in enrolments in the new construction permit.*

*KEY STATISTICS FOR FY 2009-10*

NUMBER OF ACTIVE FACILITIES: 4,678  
NUMBER OF NEW ENROLLEES: 1,865

**MEASUREMENTS:**

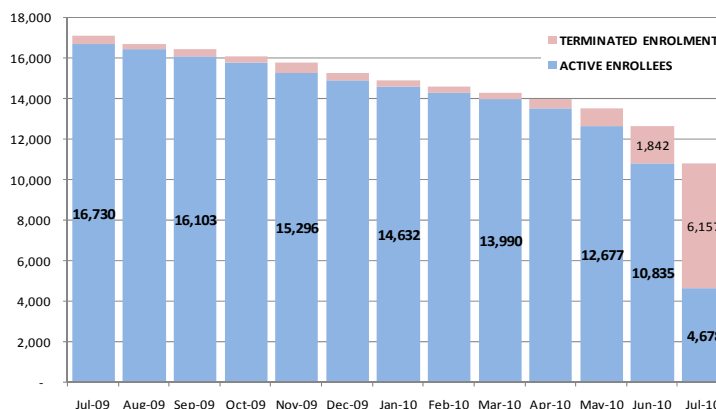
Region	Active Number of Facilities In FY 2008-09	Facilities Previously Enrolled Not Enrolling in New Order 2009-0009DWQ	New Enrollees During FY 09-10	Active Number of Facilities Enrolled Under 2009-0009DWQ in FY 2009-10
1	405	339	44	110
2	1,806	1,454	240	592
3	895	735	81	241
4	2,706	2,262	257	701
5	4,297	3,609	515	1,203
6	1,085	969	80	196
7	603	511	58	150
8	3,003	2,543	216	676
9	2,323	1,888	374	809
TOTAL	17,123	14,310	1,865	4,678



**WHAT THE MEASURE IS SHOWING:**

The Construction General Permit ([2009-0009-DWQ](#)) was reissued and took effect on July 1, 2010, resulting in a significant decline in the number of active facilities at the end of the fiscal year 09-10. According to the data extracted from the Water Boards' databases, there were 1,805 new or updated enrollees during fiscal year 2009-10.

Construction activities are significant in every Regional Board and the program regulates a large number of construction facilities. Due to the reduction in new construction activities in California the number of facilities initially enrolling in the program has decreased by almost 75%. There was a significant workload associated with enrolling all the facilities under the new general order. As with prior transitions to new permits, it is anticipated that enrollment will increase as permittees are notified of the consequences of failure to enroll if they are engaged in activities requiring a permit. The facilities that have not recertified or enrolled but are still discharging are technically non-filers. The State and Regional Boards are embarking on a comprehensive enforcement effort to investigate and bring non-filers into compliance.



As with prior transitions to new permits, it is anticipated that enrollment will increase as permittees are notified of the consequences of failure to enroll if they are engaged in activities requiring a permit. The facilities that have not recertified or enrolled but are still discharging are technically non-filers. The State and Regional Boards are embarking on a comprehensive enforcement effort to investigate and bring non-filers into compliance.

**WHY THIS MEASURE IS IMPORTANT:**

The Construction Stormwater Program is unique in that the industrial activity (construction, land disturbance) is temporary in nature. This program is very dynamic and many new applications are received every year. As construction activities are completed, enrollees must submit a notice of termination. Therefore processing all new applications and permit rescissions represent a significant workload for the program.

**TECHNICAL CONSIDERATIONS:**

- Data Source: [SMARTS](#). Period July 1, 2009 to June 30, 2010. Extracted on August 9, 2010.
- Unit of Measure: Number of facilities enrolled under the program during FY 09-10.
- Data Definitions: Facilities enrolled under a general construction stormwater permit.
- References: More information on the Water Boards' NPDES Stormwater program is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/](http://www.waterboards.ca.gov/water_issues/programs/stormwater/)
- Public reports and data are available at: [http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/publicreports.shtml](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml)
- Enforcement and compliance assurance information is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/](http://www.waterboards.ca.gov/water_issues/programs/enforcement/)

**GLOSSARY:****Construction Stormwater Program**

Dischargers whose projects disturb 1 or more acres of soil or are part of a larger common plan of development that in total disturbs 1 or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity ([Construction General Permit, 2000-0009-DWQ](#)).

**General Permit**

An NPDES permit issued under 40 CFR 122.28 that authorizes a category of discharges within a geographical area. A general permit is not specifically tailored for an individual discharger.