

REALITY CHECK

an interview with real life QSPs and QSDs about the reality of operating under two CGPs

Evaluating how compliance worked under two Permits

How many of your sites were under the 2009 versus 2022 Permits?

JA: For Endemic, about 90% were under the 2009 Permit because most of our clients were really proactive and got their upcoming projects permitted prior to the renewal of the Permit. However, we started the rainy season with still about 10% of their projects under the 2022 Permit. As the season progressed the balance shifted to be around 70% 2009 to 30% 2022. Which made things a bit challenging.

JT & ML: As the season progressed, the balance of 2009 to 2022 slowly shifted from one 2022 project to multiple sites under the new Permit. John commented that, no matter the ratio of sites under either Permit, you still have to balance two different Permits. Everything is just a bit different between the Permits.

What was it like for you to have to manage sites under two different Permits?

JA: I'm excited for the end of the storm season. It's a lot of juggling for inspectors and inspections. A lot of oversight was required. How Endemic organized the chaos of different projects under different Permits was to establish a project tracker which outlined which Permits each project fell under. The projects that grandfathered in under the 2009 Permit were tracked on that spreadsheet as well as the new 2022 sites. It

In this month's edition of **The Monthly Dirt** we did an interview with QSD Jesse Allen with [Endemic Environmental Services](#), QSP Matt Lewis and QSD John Teravskis with WGR Southwest, Inc. to talk about the reality of what a storm season looked like with sites under both the 2009 and 2022 Construction General Permits. If you experienced anything like what these QSPs and QSDs did, you'll know that this past year was quite the crazy learning curve and challenge – especially balancing all the different requirements and timelines of the two Permits. You can watch the interview [HERE](#).

was confusing for our inspectors that were running out to different sites and we had to create and develop different tools to stay on top of which project was under which Permit so we didn't miss any important inspections.

JT & ML: At WGR we have an online app we use to either do our own inspections or have our delegated inspectors use to generate reports which we will get notified of via email. Prior to the new Permit issuance, this app tracked storm inspections, was used to generate REAPs, and tracked monthly inspections. However, we had to update our online inspection app to allow more detail inspection options for what the 2022 Permit requirements – like prestorm inspections with more forecast data.

Did not having REAPs make it easier or harder for you?

JA: I miss the REAPs! Bring the REAPs back! The REAPs acted as an alert for all Endemic inspectors and clients letting them know a storm event was coming and what they needed to do to be proactive and take any corrective action necessary and to do rain event inspections. However, according to Jesse, with the absence of REAPs in the new Permit, they were missing the ingrained habit and redundancy of a REAP to establish a timeline and order to the inspections that need to happen after the

forecast reaches 50%. Jesse stated that "redundancy is key to reliability". Prestorms needed to be done, but each storm was so different and ever changing so having redundancy was virtually impossible. According to Jesse, under the 2022 Permit, a QSP is basically "A Walking REAP".

JT & ML: Delegated inspectors can't do prestorms under the 2022 Permit, but without having that on-site resource like under the 2009, it leaves you open to the possibility that your site won't be ready for that storm. The REAPs really helped define and lock down the storm event. The requirements were clear if the storm was qualifying or not and it would set off a chain of action. WGR decided after the first month or two of rain events, to start making an official decision at a certain time about the qualification of the storm since the Permit is forecast driven. According to Matt, "You just have to call it and live by that screenshot." John stated that at WGR "you get your prestorm done within the 72-96 hour window and the subsequent during storm inspection is based on what you put on your prestorm report. Otherwise, you will be pulling your hair out as storms go in and out of the forecast. Sometimes it changes hour by hour."

What was the weather tracking like?

JA: At Endemic we checked the forecast

around six or seven in the morning and would send out a notice to all our sites with what the forecast was calling for. Scheduling was frequently changing due to the need for prestorm and during storm inspections. I found it most beneficial to wait until we were nearly into the event before calling the prestorm. We would look at the following 24-hour period precipitation amounts and if it was under 0.25” we considered it to be the end of the QPE. But if it was over 0.25” we would keep the site in the storm event. I would leave it up to the QSP to instruct the delegates on what to do next. It ended up in a lot of early morning phone calls and coordination.

JT & ML: At WGR, we wanted to be able to prove to the Water Board or any other interested party, of why we went or didn't go out into the field for prestorms – it seemed so hard to nail down prestorms and inspections. We decided we had to take screen shots and record all the data just so we could remember ourselves why we went or didn't go. Matt said, “You're literally checking NOAA constantly.” Our monitoring style basically turned into saying subsequent days were prestorms for the next “during” day. Jesse, John and Matt all agreed that storms that rolled in over the weekend – which happened a lot this past year – were tricky to navigate under the 2022 Permit.

How did the first storm season go bringing Caltrans projects along with the 2022 CGP?

JA: There was a lot of confusion. I often had to refer back to the Permit and Caltrans specs. Caltrans is more stringent than the CGP so you can default to that, but there has to be some reflection of the 2022 CGP. Nevertheless, it was very confusing getting the requirements all straightened out for counties or cities or organizations that follow Caltrans specs. I did a lot of reviews and multiple screenshots and emails were sent out as well. Everyone is just trying to get a good understanding of the new Permit.

Which Permit do you prefer?

JA: I preferred the 2009 CGP. I know it's not typical for humans to like change, but I didn't like the change of the Permits. 2009 had a lot of coverage for inspections and oversight. Arid regions under the 2022, we found, will have less oversight and monitoring under the 2022 Permit because you don't get 0.5” of rain very frequently.

IT & ML: Matt said “I agree with Jesse, the

2009 is more user-friendly. Although the 2022 will have less inspections in certain regards, the 2022 prestorms are overtaking QSPs, especially when you have sites that are far away. It will be a challenge in 2025 when everything transitions to the 2022 Permit.” According to John, “now in the 2022, exceedances are harder since that means boots on the ground, and it will cost the contractor more because QSPs and QSDs will have 14 days to get out to the site to monitor the exceedance. The 2022 Permit will require a lot more training and it will be expensive.”

Did you have to do sampling under the new Permit?

JA: No, it was fairly easy on that side of things because we had a Risk Level 1 LUP.

JT & ML: No, we didn't have to sample since we only had Risk Level 1 projects. But when it does rain and we need to collect samples, we predict there will be a lot more NAL exceedances.

Has it been a challenge to delegate inspectors and provide training?

JT & ML: With the training requirements it's multiple hours of foundational and onsite site-specific training. Foundational training time is easy to fill. But in some cases, it is difficult to fill 2.5 hours with site-specific training. Because of the simplicity of the site or the previous experience of the delegated inspector, we are able to quickly cover all of the required topics with plenty of time to leftover.

JA: In the field I find that I can talk forever and explain different BMPs and where they are needed. I found that it was fairly easy on the in-the-field component. However, I did start to lose my voice after a couple days in a row. There's a lot to go over. Having resources and printouts for the trainees was helpful. We found great videos on how to use equipment and the intricacies there. It did help our delegated inspectors with the unique approaches that had to be taken based off of the discharge points at their site. I was able to show them the best way to sample those areas. It was good for the inspectors, but pretty tasking on the QSPs and QSD.

JT & ML: The rigidity of the required training standard is hard. There's no fluidity for different sites. Some sites need more time, some are very generic and small and don't need that much time. The time is

somewhat excessive. And contractors think it's excessive as well, which makes the training challenging, but you have to do what you can. **QSDs being in the field?**

JA: I kind of like the requirement for the QSD inspections. It gave me an excuse to get out of the office and see things for myself. I often came back with better insight for my QSPs and delegates for corrective actions and what would work better. Even though I was reviewing everything it doesn't beat being in the field. However, I was really busy with all the visits. It will be really complicated to juggle my normal schedule and all the projects that are requiring me to come out due to exceedances or 30-day inspections. I erred on the side of caution and did the first 30-day inspection within 15 days of the initial starting day in case they started ahead of schedule. Sometimes I arrived at sites that were already well established and even had BMPs. The QSD initial inspection is a great opportunity to touch base with the foreman and contractor on site and letting them know the purpose and reason for the BMPs. I like to use these opportunities for showing them the thought behind BMPs and how it will help the site with production. Our goal is to help them throughout the project without any delays as long as they stay in compliance.

JT: It was hard on our part finding out when construction started. I found myself constantly asking the supervisors when the project was going to start. A lot of contractors don't keep you in the loop enough for the first 30-day inspection. The new Permit doesn't say what a QSD has to be doing during the 30-day inspection. So, I have repurposed those inspections for helping with SWPPP revisions. I think we learned a lot this year. There were things that turned out as expected and also didn't turn out as expected. I think this year will help us streamline and refine our methods. Life is doable under the new Permit, and we will survive it.

Please contact us if you have any questions ...
The Monthly Dirt

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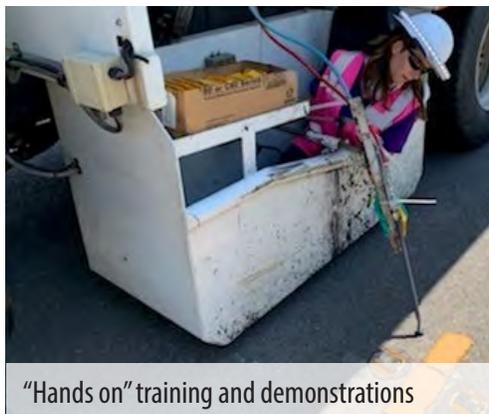
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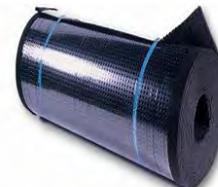
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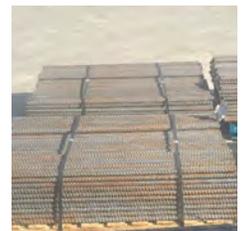
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