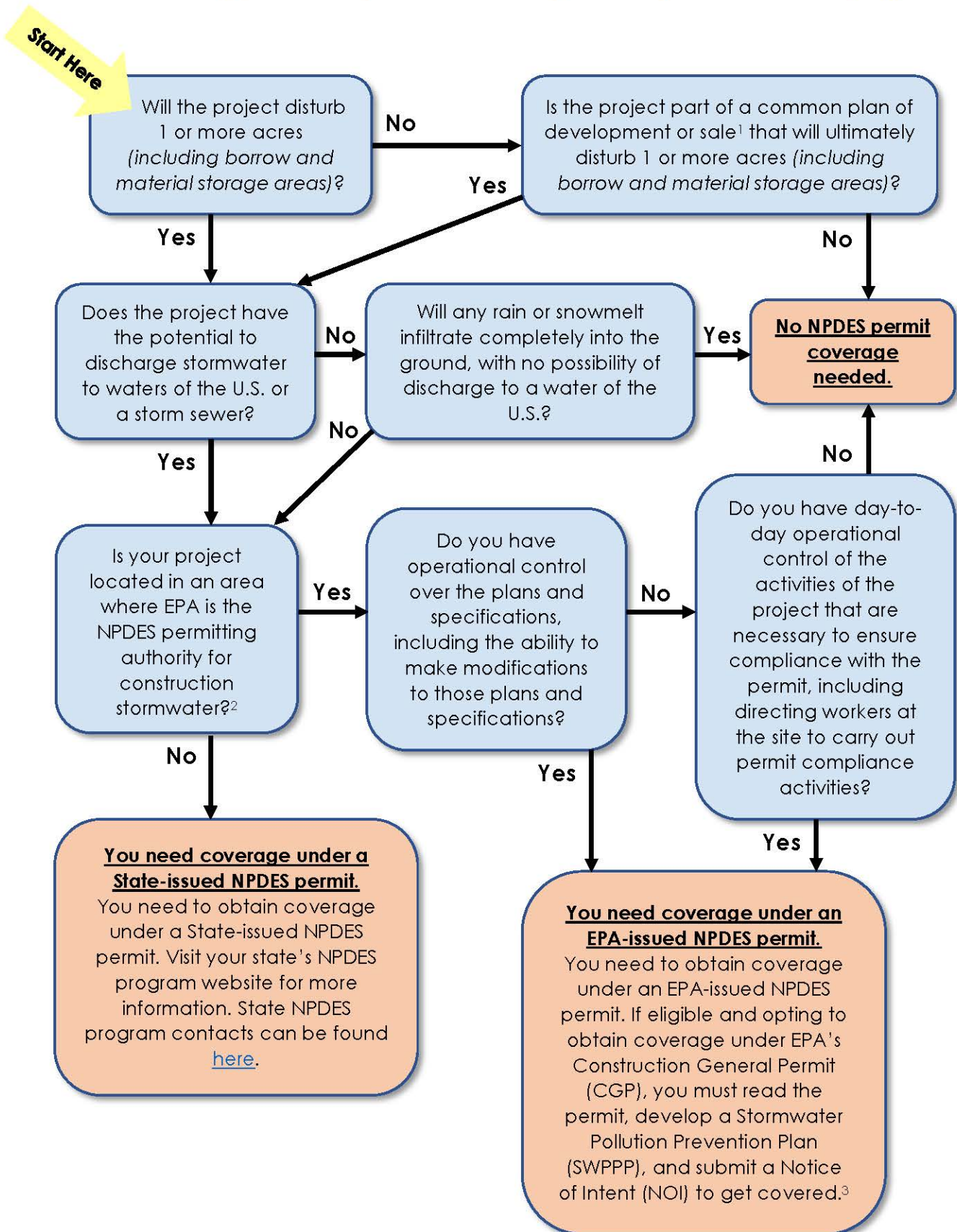


Do I need to get NPDES permit coverage for my construction project?



Flowchart Footnotes

- (1) "Common Plan of Development or Sale" – A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one common plan. The "common plan" of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot. ([2022 CGP Appendix A](#))
- (2) Areas where EPA is the NPDES permitting authority for construction stormwater. See full detailed list of areas in [Appendix B—Permit Areas Eligible for Coverage](#).
- Massachusetts, New Hampshire, New Mexico, the District of Columbia, and Puerto Rico;
 - American Samoa, Guam, Johnston Atoll, Midway and Wake Islands, and Northern Mariana Islands;
 - Indian Country lands (as defined in 18 U.S.C. 1151) within Alabama, Alaska, Arizona, California, Colorado, Connecticut, Florida, Idaho, Iowa, Kansas, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Texas, Utah, Virginia, Washington, Wisconsin, and Wyoming;
 - Limited areas of Oklahoma; and
 - Federal facilities within Colorado, Delaware, and Vermont; areas within Washington subject to construction by a Federal operator; and Denali National Park and Preserve.
- (3) What are the steps to obtain permit coverage under the CGP?
- ➔ Step 1. Read the [2022 CGP](#) and [Fact Sheet](#).
 - ➔ Step 2. If eligible for coverage under the CGP, before submitting your Notice of Intent (NOI), the form you file to obtain coverage under the CGP in Step 4, you must:
 - Follow the procedures in [Appendix D of the 2022 CGP - Endangered Species Protection Worksheet](#). Take note of the criterion (A, B, C, D, E or F) under which you are eligible because you will need to select this and provide supporting documentation in your NOI. Visit the [Construction General Permit Threatened and Endangered Species](#) webpage for more details on determining your ESA Eligibility under the CGP.
 - Follow the procedures in [Appendix E of the 2022 CGP – Historic Property Screening Process](#). Take note of your answers to the screening process questions because you will need to provide this information in your NOI.
 - ➔ Step 3. Develop a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP outlines how you plan to develop and implement erosion and sediment controls and meet other requirements of the permit on your construction site. Before submitting your NOI, the form you file to obtain coverage under the CGP in Step 4, you must develop the

SWPPP consistent with the requirements in Part 7 of the 2022 CGP. You can use EPA's [SWPPP template](#) to develop your SWPPP.

- Step 4. Submit an NOI for your site using [EPA's NPDES eReporting Tool \(NeT\) for the CGP](#).

Disclaimer: This information is guidance only and does not establish or affect legal rights or obligations. Agency decisions in any particular case will be made by applying the law and regulations to the specific facts of the case.

Need assistance? Contact Us - We're your partners in protecting clean water!

EPA Headquarters: CGP@epa.gov

[EPA Regional Offices contacts](#)

[State NPDES program contacts](#)