



EPA's Draft 2027 Construction General Permit (CGP)

August 18, 2026



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Help with the Webinar

- Housekeeping tips for the slides:
 - Submit any questions using the Q&A box.
 - Following this presentation, we will post this presentation on EPA's draft 2027 CGP webpage at <https://www.epa.gov/npdes/proposed-2027-construction-general-permit-cgp-and-related-documents>.
 - We will not be providing a recording of this webinar.
 - To minimize background noise, all attendees will be muted.

Before We Get Started



Language in this presentation is not the equivalent of the draft permit. We have attempted to be accurate as to the contents of the draft permit. To the extent there are differences between the language in this presentation and the draft permit, the permit is what governs.

Abbreviations that will be used

- **CGP** – EPA's Construction General Permit
- **SWPPP** – Stormwater Pollution Prevention Plan
- **NOI** – Notice of Intent
- **NOT** – Notice of Termination

In This Webinar

- **CGP Background and Proposal**
- **Summary of Notable Proposed Changes in the Draft 2027 CGP**
- **Questions**





CGP Background and Proposal

CGP Overview

- EPA's CGP is a five-year general permit that provides NPDES permit coverage for stormwater discharges from construction sites disturbing one or more acres of land.
- The CGP is in effect in areas where EPA is the NPDES authority.
 - This includes: three states (MA, NH, and NM); U.S. territories (except U.S. Virgin Islands); the District of Columbia; Indian Country (except in Maine); Federal facilities in four states (DE, VT, CO, WA); and Lands of Exclusive Federal Jurisdiction.
- EPA has issued seven CGPs starting in 1992.
- EPA estimates that more than 2,600 construction site operators per year obtain coverage under the current (2022) CGP.
- The current CGP expires on February 17, 2027.

EPA's CGP – Core Requirements

- Requirements applicable to all permitted sites:
 - Install and maintain erosion and sediment controls, pollution prevention measures, dewatering controls
 - Conduct regular inspections
 - Take corrective action and complete routine maintenance
 - Water quality-related conditions
 - Develop and a stormwater pollution prevention plan (SWPPP) and keep it updated.
- Requirements that apply only if site discharges to a sensitive water:
 - Modified stabilization timeframe and inspection frequency.
 - Turbidity benchmark monitoring for dewatering discharges.

Publication of Draft 2027 CGP

- EPA published its draft 2027 CGP on August 3, 2026 in the *Federal Register*.
- The *Federal Register* notice announced a 30-day public comment period for the draft CGP ending on September 2, 2026.
- EPA received multiple requests to extend the deadline for public comments.
 - In response, EPA has announced a 15-day extension for submitting comment ending.
 - As a result, the new comment deadline is September 17, 2026.
- Submit comments at [regulations.gov](https://www.regulations.gov) under **Docket ID No. EPA-HQ-OW-2025-0760**.

Proposed CGP documents posted at:
<https://www.epa.gov/npdes/proposed-2027-construction-general-permit-cgp-and-related-documents>

Proposed 2027 Construction General Permit (CGP) and Related Documents

On August 3, 2026, EPA published its proposed 2027 CGP for a 30-day comment period. Once the CGP is finalized, it will replace the 2022 CGP, which expires on February 16, 2027, and will cover stormwater discharges from construction activities in areas where EPA is the NPDES permitting authority in EPA's Regions 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10.

Extension of Public Comment Deadline to September 17, 2026: In response to multiple requests to extend the comment period, [EPA has extended the deadline](#) to submit public comments on the proposed 2027 CGP to September 17, 2026. As a result of this extension, the original deadline appearing in the August 3, 2026 [Federal Register notice \(pdf\)](#) (258.8 KB) of September 2, 2026, no longer applies and has been replaced by the extended deadline of September 17, 2026.

Comments can be submitted on www.regulations.gov for docket ID # [EPA-HQ-OW-2025-0760](#) (<https://www.regulations.gov/document/EPA-HQ-OW-2025-0760-0001>).

EPA Webinar on the Proposed CGP: EPA is hosting a webinar on Tuesday, **August 18, 2026**, from 2:00 to 3:30 p.m. (Eastern time) to review the proposed changes to the CGP and to answer questions. [Register to participate in the webinar](#).

Key Documents for Proposed 2027 CGP: Key documents that are part of the proposed 2027 CGP are available below. Note: proposed changes to the CGP permit and appendices appear in **blue font**; changes to the CGP fact sheet appear in **purple font**.

- [Proposed 2027 CGP – Permit \(not including appendices\) \(pdf\)](#) (626.13 KB)
- Proposed 2027 CGP – Appendices (only includes appendices with proposed changes):
 - [Appendix A - Definitions \(pdf\)](#) (337.9 KB)
 - [Appendix B - Areas of Permit Coverage \(pdf\)](#) (120.71 KB)
 - [Appendix H - Notice of Intent \(pdf\)](#) (260.61 KB)
 - [Appendix I - Notice of Termination \(pdf\)](#) (157 KB)
- [Proposed 2027 CGP – Fact Sheet \(pdf\)](#) (1.12 MB)

Last updated on August 17, 2026

Construction Stormwater Permitting Topics

- [Overview](#)
- [Proposed 2027 CGP and Related Documents](#)
- [2022 CGP](#)
- [Lands of Exclusive Federal Jurisdiction](#)
- [Threatened and Endangered Species](#)
- [Turbidity Benchmark Monitoring \(Dewatering\)](#)
- [Getting Permit Coverage / NeT CGP Waivers](#)
- [Submitting CGP Forms](#)
- [CGP Inspector Training](#)
- [Resources, Tools, and Templates](#)
- [Report Non-Compliance or Violations](#)

Additional Materials Included in the CGP Docket

- Cost Analysis
- EPA analyses and research results:
 - Stabilization photo evaluation
 - Turbidity data evaluation
 - State SWPPP requirements
- Tribal Consultation Summary
- National Environmental Policy Act (NEPA) compliance documentation

How to find CGP documents in the Docket:

<https://www.regulations.gov/docket/EPA-HQ-OW-2025-0760/document>



EPA 833-R-26-001
2026

EPA's 2022 CONSTRUCTION GENERAL PERMIT (CGP):

EVALUATION OF STABILIZATION PHOTOGRAPHS



Viewable at:

<https://www.regulations.gov/document/EPA-HQ-OW-2025-0760-0004>



EPA 833-R2-6002
2025



Evaluation of Turbidity Data from EPA's 2022 Construction General Permit

Viewable at:

<https://www.regulations.gov/document/EPA-HQ-OW-2025-0760-0007>



Summary of Notable Proposed Changes in the Draft 2027 CGP

Fact Sheet Summary Table

Proposed 2027 CGP

Fact Sheet

	Summary of Proposed Permit Change	Part(s) Where Proposed Change Appears
Changes to Conform to a Recent Supreme Court Decision	Modify narrative water quality requirements to ensure consistency with the Supreme Court's decision in <i>San Francisco v. EPA</i>. Move conditions that were included as Part 10 to Part 3.1 and apply these conditions to all discharges. Make corresponding changes related to observations made during inspections (4.6.2.b) and triggering conditions for corrective action (5.1.3).	1.1.8, 1.1.9, 2.2.13g, 3, 3.2, 3.1, 4.6.2b and c, 4.6.3e, 5.1.3, 7.2.6b.vii(c)
Modernizing Permitting Through Electronic Exchange of Site Information	Modify NOI to require that operators provide either an electronic copy of the Stormwater Pollution Prevention Plan (SWPPP), a website address where the SWPPP can be viewed, or a copy of the SWPPP site map and signed certification. Clarify that EPA will not be reviewing or approving this version of the SWPPP or using it to make compliance determinations.	1.4.1, footnote 4, App. H
Updates to Reflect Best Industry Practice Permit Streamlining	Require stabilization of sediment basin, including related conveyance structures and discharge points, prior to directing stormwater to the control. Modify perimeter control requirement to make it clear that these controls are only necessary for areas that have potential to receive stormwater from disturbed areas. Simplify stabilization requirements that apply to sites located in arid, semi-arid, and drought-stricken areas and that discharge to sensitive waters, including removing the "seasonally dry period" condition that limited the exception. Provide an exception to the otherwise applicable stabilization deadlines for unforeseeable frozen ground or snowfall conditions; add definition of "frozen ground conditions" for clarity. Consolidate inspection requirements that are duplicative.	2.2.13f 2.2.4 2.2.15b.i thru iii 2.2.15b.vi, footnote 20 4.6.1.d



**Modify Requirements to
Conform to *San Francisco*
Decision**

Updates to Conform to *San Francisco* Decision

- EPA is proposing changes to specific water quality requirements to be consistent with the Supreme Court's ruling in *City and County of San Francisco v. EPA*, No. 23-753 (S. Ct. Mar. 4, 2025).
- The *San Francisco* decision found that the CWA does not authorize "end-result" requirements.
- EPA had already finalized changes to the current CGP in an earlier April 2025 modification that was limited in its application to certain Federal lands.
- These changes:
 - Removed the narrative requirement to control discharges "as necessary to meet applicable water quality standards."
 - Replaced with more specific limits that are indicators of water quality problems in the discharge.

Updates to Conform to *San Francisco* Decision

- EPA proposes to adopt the same basic approach as was already incorporated into the permit for the April 2025 CGP modification, but to:
 - Move the conditions to a different section of the CGP where other water quality-related requirements are located (so that they apply to all sites and not limited to Federal lands), and
 - Make some revisions to improve readability of the requirements.

3.1 WATER QUALITY-BASED LIMITATIONS APPLICABLE TO ALL SITES

Your discharge must not contain the following conditions associated with pollutants that are discharged from your construction site:

- a. Observable floating, settled, or suspended solids;
- b. An observable film, sheen, discoloration, or odor; or
- c. Observable scum, foam, or construction debris.

REQUEST FOR COMMENT: EPA requests comment on the conditions outlined in Part 3.1a through c, specifically regarding potential modifications to more accurately identify discharge characteristics that may indicate water quality issues arising from construction stormwater pollutants and discharges from the site.



Modernize Submission of SWPPPs

Modernizing SWPPPs Through Electronic Submission

- SWPPPs are required to be developed before the NOI is submitted.
- Though the operator is required to make the SWPPP available to EPA upon request or at the time of an on-site inspection (Part 7.3), it is not currently required to be submitted with the NOI.
 - Lack of real-time access to the SWPPP, or key aspects of the SWPPP, has meant that EPA is often limited in its ability to provide compliance assistance.
- To address this issue, EPA proposes to require the operator to include as part of the NOI either a copy of the full SWPPP, a Uniform Resource Locator (URL) where a copy of the SWPPP can be viewed, or a copy of the SWPPP site map and the signed certification required by Part 7.2.10

	your use of cationic treatment chemicals will not lead to a violation of water quality standards.		
SECTION VII. STORMWATER POLLUTION PREVENTION PLAN (SWPPP) AND PERSONNEL TRAINING INFORMATION			
SWPPP	Has the SWPPP been prepared in advance of filing this NOI, as required? ☐ Yes ☐ No		
	By indicating "Yes," I confirm that all required personnel, including those conducting inspections at your site, will meet the training requirements in Part 6 of this permit. ☐ Yes		
SWPPP Contact Information	First Name	Middle Initial	Last Name
	Professional Title		
	Phone number	Email address	
<u>SWPPP Availability</u>	<u>Your SWPPP must be made available through one of the following three options. Select one of the options and provide the required information*:</u> * Note: You are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access. ☐ Option 1: Attach your full SWPPP (including all information required by Part 7.2) to this NOI. ☐ Option 2: Maintain a current copy of your SWPPP on an Internet page (Universal Resource Locator or URL). Provide the web address URL (this link must be maintained for the duration of your permit coverage under the CGP): _____ ☐ Option 3: Provide the following 1. <u>A copy of your SWPPP site map, including the features required by Part 7.2.4; and</u> 2. <u>A copy of the signed certification from your SWPPP as required by Part 7.2.10.</u>		
SECTION VIII. ENDANGERED SPECIES PROTECTION			
	In accordance with Part 1.1.5, if the EPA Regional Office grants you a waiver from electronic reporting, you must complete the worksheet in		

Modernizing SWPPPs Through Electronic Submission

- The proposed CGP clarifies that:
 - EPA will not be reviewing or approving this version of the SWPPP or using it to make compliance determinations.
 - Confidential and restricted information may be withheld.
- Costs of this requirement are expected to be minimal because, in EPA's experience, the vast majority of SWPPPs are already developed in a digital format.

REQUEST FOR COMMENT: EPA is interested in feedback on the assumption that SWPPPs are developed in digital format and any other concerns commenters may have regarding this proposed change. EPA is also interested in any alternatives that commenters may suggest to the proposed change, the purpose of which is to enable EPA to more easily understand and answer questions about a site's activities and stormwater discharges.



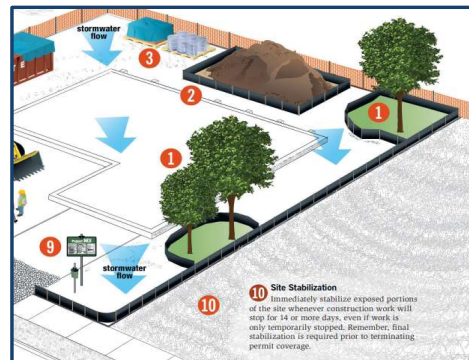
Incorporate Best Industry Practice

Clarify Where Perimeter Controls Are Required

- The CGP requires the use of sediment controls along any perimeter areas that are downslope from disturbed areas.
- The CGP may have been misinterpreted as requiring controls around the entire site regardless of whether stormwater flows in the direction of the control.

Clarify Where Perimeter Controls Are Required

- To help avoid unnecessary costs, EPA proposes to clarify the CGP to emphasize that perimeter controls are necessary only for areas that have potential to receive stormwater from disturbed areas.



Stabilize Sediment Basins

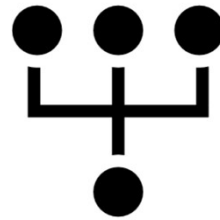
- Downstream sediment discharges may result from sites that start using a sediment basin immediately following excavation without properly stabilizing the side slopes and embankments of the basin.



Stabilize Sediment Basins

- It is a common design requirement to require the sloped areas of sediment basins to be stabilized (e.g., using grasses, hydraulically-applied mulch, natural fiber rolled erosion control blankets or matting, or other measures to stabilize the side slopes, berms, and embankment of the basin).
- To incorporate this design practice, the proposed CGP would require operators to complete stabilization of the basin, including related conveyances, prior to first directing stormwater to the control.





Streamlining / Additional Flexibilities

Stabilization Requirements for Unforeseeable Winter Conditions

- Current CGP does not address situations where unforeseeable winter weather conditions cause a site to cease construction for 14 or more days, which would normally trigger the requirement to stabilize the exposed portions of the site.
- Permit provides alternative stabilization deadlines for sites that experience “unforeseen circumstances” (e.g., problems with the supply of seed stock or with the availability of specialized equipment and unsuitability of soil conditions due to excessive precipitation).



Stabilization Requirements for Unforeseeable Winter Conditions

- To provide clarity and flexibility in these cases, EPA proposes to allow construction sites experiencing unforeseeable winter conditions to temporarily suspend the need to stabilize the site while the conditions persist.
 - For clarification, the proposed CGP also includes a new definition of “frozen conditions.”
- Intent is to acknowledge the impracticability of complying with standard stabilization timeframes during these extreme weather conditions while also ensuring that these sites achieve stabilization at the soonest practicable time after these conditions dissipate.

Simplify Arid Area Stabilization Requirements

- Construction operators have found the current permit's approach to determining which stabilization deadlines apply to sites located in arid, semi-arid, or drought-stricken areas to be confusing.
- To simplify these requirements, EPA proposes to:
 - Remove the need to determine whether construction is occurring during months that coincide with the area's "seasonally dry period."
 - Consolidate provisions explaining when non-vegetative stabilization measures are required to be implemented faster for sites discharging to sensitive waters or for larger sites.

Clarify Site Inspection Requirements

- The current CGP (Part 4.6.1) provides a list of conditions the permittee must check for during a site inspection.
 - Included in this list, among other things, are separate requirements to check for signs of (1) visible erosion and sedimentation and (2) visible sediment deposition that are attributable to the site's discharge.
- EPA proposes to consolidate these two overlapping requirements so that it is easier to understand.
- In addition, to more closely reflect the language in the Federal regulations (40 CFR 450.21(a)(2)), EPA proposes to clarify that the visual check for signs of erosion and sedimentation is limited to the immediate vicinity of the discharge.

Streamlining Notice of Termination Requirements

- Under the current CGP, after construction is completed and when submitting the Notice of Termination (NOT) the operator is required to submit both “before and after” site photos to demonstrate compliance with the stabilization requirements.



- After evaluating many of the photos submitted under the 2022 CGP, the Agency found that comparing before and after photos was not necessary to substantiate compliance with the stabilization requirements.
 - Relying on the post-stabilization photos alone should be sufficient to ensure the site's compliance with these requirements.

Streamlining Notice of Termination Requirements

- To streamline the NOT, EPA proposes to no longer require operators to submit before photos with their form.



Turbidity Monitoring Frequency/Reporting

- Sites discharging dewatering water to sensitive waters are required to conduct at least daily turbidity benchmark monitoring during periods when the dewatering operation is active.
- Operators must report their weekly average turbidity results to EPA once per monitoring quarter.
 - Sites with multiple operators may coordinate sampling to avoid duplicating efforts, however all operators must submit a quarterly monitoring report.
 - Reporting is required for all quarters regardless of whether there was a dewatering discharge.

Turbidity Monitoring: Request for Comment

REQUEST FOR COMMENT: ... EPA requests comment on whether the permit should be changed to provide additional flexibility for operators in these multiple operator situations. For instance, EPA could consider allowing some operators to be relieved of the reporting requirement as long as they submit an initial quarterly report informing the Agency that they are relying on another permitted operator to fulfil the requirements and identify the specific operator's NPDES ID. Are there other suggestions commenters have on how the Part 3 requirements for multiple operator scenarios should be changed to provide flexibility?

... EPA requests feedback on whether submitting reports should still be required when there is no dewatering discharge during a monitoring quarter and if there are alternative reporting requirements that are recommended.

Turbidity Monitoring: Request for Comment

REQUEST FOR COMMENT: EPA requests comment on a potential alternative turbidity monitoring framework from the current daily sampling frequency for all dewatering operations, as well as the reasons why and under what circumstances a different sampling frequency would be more suitable than the current approach. For instance, EPA is considering that it may make sense from a water quality and operational standpoint to continue to require daily turbidity sampling for dewatering operations that are of shorter duration (e.g., lasting 2 to 3 days or less), and to allow less frequent monitoring (e.g., weekly) for dewatering operations that continue for an extended period of time provided that the weekly average of initial daily samples is below the 50 NTU benchmark.



Questions



Thank You for Participation

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