

**NOTIFICATION OF RAINFALL EROSION WAIVER**

CEM-2005 (REV. 5/2012)

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In compliance with Caltrans statewide NPDES Stormwater Permit Order No. 99-06 DWQ, NPDES No. CAS000003, and NPDES General Permit for Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ, NPDES No. CAS000002.

**I. IDENTIFICATION—Attach Vicinity Map**

Project Information Name and Site Address	This project qualifies for a U.S. EPA rainfall erosion waiver based on a project site "R" factor of	Date
		Contract Number/Co/RTE/PM
Project Site Latitude	Date project received U.S. EPA rainfall erosion waiver certification.	Project Identifier Number
Project Site Longitude	U.S. EPA rainfall erosion waiver certification is attached? <input type="checkbox"/> YES <input type="checkbox"/> NO	Construction Start Date
Start Date for Soil Disturbance		Construction End Date
Start Date for Soil Stabilization		Tentative Date WPCP Available

**II. CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARDS**

- |   |  |  |  |
|---|--|--|--|
| <input type="checkbox"/> Region 1 North Coast       | <input type="checkbox"/> Region 5 Central Valley | <input type="checkbox"/> Region 6 Lahontan | <input type="checkbox"/> Region 7 Colorado River |
| <input type="checkbox"/> Region 2 San Francisco Bay | <input type="checkbox"/> Sacramento              | <input type="checkbox"/> South Lake Tahoe  | <input type="checkbox"/> Region 8 Santa Ana      |
| <input type="checkbox"/> Region 3 Central Coast     | <input type="checkbox"/> Fresno                  | <input type="checkbox"/> Victorville       | <input type="checkbox"/> Region 9 San Diego      |
| <input type="checkbox"/> Region 4 Los Angeles       | <input type="checkbox"/> Redding                 |  |  |

**III. CALTRANS DISTRICT**

Distict Number	Project Contact
Address	Position Title
City	ZIP Code
	Phone

**IV. CONSTRUCTION FIELD OFFICE—Attach Location Map**

Street address	Construction Contact		
Physical Location (if different than address above)	Position/Title		
City	State	ZIP Code	Phone

**V. CONSTRUCTION SITE INFORMATION**

Description and type of work

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Additional project requirements     DTSC Variance     CWA 404/401     DFG 1601     NPDES/WDRs     Other \_\_\_\_\_

Total construction area _____ acres	Total disturbed area _____ acres
Receiving water nearest the project site	Approximate distance to receiving water

PROJECT DISCHARGES TO     Groundwater infiltration     Basin infiltration (name) \_\_\_\_\_     Municipal or other system (name) \_\_\_\_\_

**VI. CERTIFICATION**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the people who manage the system or are directly responsible for gathering the information, the information submitted is true, accurate, and complete to the best of my knowledge and belief. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment of knowing violations.

Signature	Date
Print or type name	Title

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**Instructions****GENERAL INFORMATION**

Use this form to document Caltrans compliance with the requirements of the Caltrans Statewide NPDES Stormwater Permit, Order No. 99-06 DWQ; NPDES No. CAS000003, and the State Water Resources Control Board NPDES General Permit for Discharges Associated With Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ, NPDES No. CAS000002.

Caltrans NPDES Permit, Order No. 99-06 DWQ, states that all projects over five acres of disturbed soil area (DSA) must submit a Notice of Construction form (CEM-2002) to the Regional Water Quality Control Board. Since the issuance of the Caltrans NPDES permit, several changes have been made to the General Construction Permit (CGP) and the Environmental Protection Agency (EPA) GCP requirements, including new ones for Rainfall Erosivity Waivers for projects with one to five acres of DSA. The new CGP, Order No. 2009-0009-DWQ, states, "Section I, Findings, C, Activities Not Covered Under the General Permit 30. Discharges from small, one- to five-acre construction activities with an approved Rainfall Erosivity Waiver authorized by U.S. EPA Phase II regulations certifying to the state board that small construction activity will occur when the Rainfall Erosivity Factor is less than 5 ("R" in the Revised Universal Soil Loss Equation)."

The requirements for small, one- to five-acre construction activities to be eligible for Rainfall Erosivity Waiver and information about obtaining U.S. EPA Rainfall Erosivity Waiver, including the "R" factor Calculator instructions, are available at the EPA website:

<http://cfpub.epa.gov/npdes/stormwater/lew/lewcalculator.cfm>

This rainfall erosion waiver form provides for consistent notification to the Regional Water Quality Control Boards (RWQCBs) and documents the information used by Caltrans to obtain rainfall erosion waivers. There is currently no clear requirements for Caltrans projects with one to five acres of DSA that qualify for the erosion waiver to file notifications with RWQCBs. These projects do not submit a Notice of Construction form because these projects are not covered by the CGP. Caltrans is not required to submit information directly to EPA because Caltrans has an active NPDES permit that covers both municipal and construction requirements. This form should help Caltrans and the regional boards communicate these types of projects in the interim until a new Caltrans NPDES permit is issued.

Submit the Notification of Rainfall Erosivity Waivers for construction projects to State Water Resources Control Board and the appropriate (RWQCB) at least 30 days before the start of construction to ensure timely notice. In some cases, the RWQCB may view two or more smaller projects in the same corridor part of a larger common plan of development. The project manager should be aware of other projects in the corridor and should mention these projects in section V, Construction Site Information. Typically, the district stormwater coordinator, environmental staff, project manager, or project engineer completes most information on the form.

**FORM****I. IDENTIFICATION.**

Enter the following information:

- Provide a brief project descriptive name and the project site address.
- Latitude and Longitude of approximately the middle of the project. Google Earth TM or other method may be used to determine.
- Tentative start date of soil disturbance construction activities and estimated date for final soil stabilization. These dates should be the dates input into the U.S. EPA "R" factor calculator.
- Project Site "R" factor ("R" in the Revised Universal Soil Loss Equation).
- Date EPA Rainfall Erosivity Waiver Certification obtained.
- Check appropriate box for attachment of EPA Rainfall Erosivity Waiver Certification.
- Date Rainfall Erosivity Waiver submitted to the RWQCB.
- Contract number, county, route, and post mile. For local agency encroachment permit projects write the encroachment permit number in the Contract Number field.
- Construction project identifier number. Caltrans projects starting July 1, 2010, will have a Project Identifier Number. For projects without a project identifier number write "N/A" in the field.
- Tentative start and end dates of construction.
- Tentative date when the Water Pollution Control Program (WPCP) will be available.

Provide a "to-scale" or "to-approximate-scale" vicinity drawing of the construction site and the immediate surrounding area. Limit the map to 8.5"x11" or 11" x 17". Do not submit a drawing that does not meet these size limits. The map must show—at a minimum—the site perimeter, geographic features surrounding the site, general topography, and location of the construction project in relation to surface waters and named streets, roads, intersections, or landmarks.

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### II. CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARDS

Check the box of the RWQCB that has jurisdiction over the area where the project is located.

### III. CALTRANS DISTRICT

Enter the name and address of the Caltrans district individual responsible for submitting the Notification of Rainfall Erosivity Waiver to the RWQCB. Typically the individual is the project engineer, project manager, district stormwater coordinator, or environmental program staff.

### IV. CONSTRUCTION FIELD OFFICE

Enter Caltrans field office information, if known, and the construction contact person information. The district may elect to use contact information for the resident engineer or other individual, such as the area senior or project manager. Provide the physical address of the field office or, if no physical address is available, a description of the physical location of the field office and attach a location map.

### V. CONSTRUCTION SITE INFORMATION.

Provide a brief narrative description of the work. You may attach a checklist of permanent and temporary BMPs if needed or required by a RWQCB.

Check the appropriate boxes to indicate additional, project-required permits or certifications:

- Variance from the Department of Toxic Substances Control (DTSC) for reuse of soil containing lead.
- Dredge or fill operations requiring Army Corps of Engineers 404 certification or Clean Water Act 401 certification.
- Streambed alteration requiring Department of Fish and Game 1601 permit and non-stormwater discharges requiring separate waste discharge requirements.
- Project specific NPDES or WDR requirements.
- Other project specific water related requirements.

If the project involves soils subject to the DTSC variance, notify the appropriate RWQCB to determine if it must issue separate waste discharge requirements. RWQCB have up to 120 days to issue these requirements, so notify the RWQCB early in the process.

Indicate the total size of the construction project in acres. Also indicate the size of the disturbed soil area. The Stormwater Management Plan May 2003 defines disturbed soil area as "areas of exposed, erodible soil, including stockpiles within the construction limits and result from construction activities."

Identify the name of the surface water body receiving the stormwater discharges. Indicate the approximate distance to the receiving water. If stormwater from the project site infiltrates, check the box for infiltration basin, and identify the basin's location. If stormwater from the project site discharges to a separate storm sewer system, such as a collection system operated by a municipality, flood control district, or similar entity, check the box for municipal or other system and enter the name of the system owner.

### VI. CERTIFICATIONS

The permit requires the district director or a duly authorized representative to sign the information submitted. If the district director elects to delegate signature authority, the district must have previously submitted the list of authorized representatives to the appropriate RWQCB.