



City of South Bend *Public Works*

MUNICIPAL SEPARATE STORM SEWER SYSTEM CONSTRUCTION EDUCATION SERIES

July 1, 2025

Topic 18: Ongoing Stormwater Management Compliance for Long-Term Developments

For multi-year construction projects, such as large residential subdivisions, securing the initial coverage under the Construction Stormwater General Permit (CSGP) from the Indiana Department of Environmental Management (IDEM) is a critical first step. Maintaining that coverage requires ongoing compliance throughout the duration of the development project. The following information highlights key responsibilities for long-term construction projects to ensure continuous compliance with stormwater regulations.

What defines a long-term development?

A project is considered “long-term” if it is a multi-phase development that will span several years, with continuous or intermittent land-disturbing activities. This often applies to large residential subdivisions, mixed-use developments, or industrial parks where individual lots or phases are developed over time.

It’s important to note that the CSGP applies to construction activities that disturb one acre or more of total land area. It also covers smaller disturbances, less than one acre, if they are part of a larger common plan of a development or sale. This “larger common plan” typically refers to the entire subdivision or development site. As a result, even individual homebuilders disturbing less than one acre within a larger permitted site are subject to the overall CSGP requirements.

Key Ongoing Obligations for Active, Long-Term Projects

While a project remains under CSGP coverage and before a Notice of Termination (NOT) can be submitted, the permittee must manage several ongoing responsibilities:

- **Five-Year Permit Renewal:** Permit coverage is valid for five years, beginning on the day the permittee receives a Notice of Sufficiency from IDEM. For projects extending beyond the five-year period, the permittee must apply to renew coverage at least 90 days before the current permit expires.



- **Continuous SWPPP Implementation:** The SWPPP is a living document that must be continuously implemented and updated as the project progresses. This includes:
 - Maintaining all temporary erosion and sediment control measures (e.g. silt fences, inlet protection, construction entrances, etc.).
 - Stabilizing disturbed areas that will remain idle for an extended period of time. Stabilization must begin no later than seven days after the area becomes idle.
 - Properly managing construction materials and waste to prevent pollutants from entering stormwater runoff.
 - Ensuring concrete washout areas are on-site and maintained.
- **Regular Inspections & Documentation:** At a minimum, inspections must be conducted once per week and within 24 hours of a measurable rain event of 0.5" to identify any deficiencies in erosion and sediment controls. Detailed records of these inspections, including corrective actions, must be maintained on-site and made available within 48 hours of request from IDEM or the City of South Bend MS4 team.
- **SWPPP Revisions:** As the project evolves through different phases, the SWPPP must be revised to reflect current site conditions, new land-disturbing activities, and updated control measures. This ensures the plan remains effective and applicable to the current work.
- **Permittee and Contractor Communication:** Effective communication between the project site owner and all contractors working on the development is essential. All parties involved in the land-disturbing activities must be aware of and adhere to the requirements of the CSGP and the project's SWPPP.

Developer's Continued Responsibility: When Can a Permit Be Terminated?

A common question for developers of large, multi-lot residential developments is whether the original permit can be terminated once individual lots are sold to independent builders. IDEM's guidance clarifies that the original project site owner maintains responsibility for the entire development under the CSGP (*Section 3.8*) until the entire development is completed and final stabilization is achieved across the entire site.

Contact Information

For more information, contact our team at 574.235.9251 or MS4@southbendin.gov. For additional construction resources, visit southbendin.gov/ms4-program.

Thank you for your cooperation and dedication to environmental protection and compliance!

We value your commitment to keeping our waterways clean!