

Chapter 6: POST CONSTRUCTION STORM WATER MANAGEMENT PROGRAM

BMP #PC-1: On City Owned Property, No New City Development Projects Shall Be Permitted Within 30 feet of a Wetland Without An Approved Project-specific Habitat Management Plan and a Site-specific Water Quality Management Plan

Measurable Goals:

Formalize and implement strategy

Year 1 Summary: This strategy was formalized by incorporating it into the mandatory storm water BMPs/ Design Standards for Development and Remodeling Projects when this BMP brochure was revised in June 2010. The BMP brochures is posted on the City website at:

<http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=4424>.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #PC-2: Revise Mandatory Storm Water BMPs/Design Standards Brochure

Scheduled for Year 2

Measurable Goals:

1. Revision to require more effective BMPs to treat parking lot runoff
2. Revision to clarify that all development projects per General Permit Attachment 4 will be subject to structural or treatment control BMP requirements
3. A process for project applicants to follow to identify structural or treatment control BMPs that will effective in removing a development project's pollutants of concern

Year 1 Summary: The BMP brochure was revised in June 2010. It is posted on the City website at: <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=4424>.

Effectiveness: goal met early in Year 1

Proposed Modifications: none

Planned Year 2 Activities: This goal was accomplished in Year 1. Additional future revisions will be made if needed.

BMP #PC-3: Derive Municipality-Specific Criteria for Controlling Hydromodification in New and Redevelopment Projects Using Water Board-Approved Methodology Developed through the Joint Effort.

Scheduled for Joint Effort Q8

Measurable Goals:

Hydromodification Control Criteria

Year 1 Summary: NA-Scheduled for Joint Effort Q8

Effectiveness: NA

Proposed Modifications: none

Planned Year 2 Activities: NA

BMP #PC-4: Select Applicability Thresholds for Applying Hydromodification Control Criteria to New and Redevelopment Projects. Applicability Thresholds Will Be Consistent with Long-Term Watershed Protection.

Scheduled for Joint Effort Q8

Measurable Goals:

Applicability Thresholds

Year 1 Summary: NA-Scheduled for Joint Effort Q8

Effectiveness: NA

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #PC-5: Develop and Enact a Strategy for Implementing LID and Hydromodification Control for New and Redevelopment Projects.

Scheduled for future quarters/years per Joint Effort

Measurable Goals:

Implementation Strategy for LID and Hydromodification Control:

Guidance

1. Develop, advertise and make available LID BMP Design Guidance suitable for all stakeholders
2. Specific guidance on how to achieve and demonstrate compliance with the hydromodification control criteria and LID requirements made available to new and redevelopment project applicants

Education and Outreach

1. Documentation of goals, schedules, and target audiences for education and outreach the municipality will conduct in support of the following strategic objectives: enforceable mechanisms, hydromodification control criteria, applicability thresholds, LID BMP design, and compliance with LID and hydromodification control criteria
2. Tracking Report indicating municipality's accomplishments in education and outreach supporting implementation of LID and hydromodification control for new and redevelopment projects (Q8)

Interim LID Implementation

1. Apply LID principles and features to all applicable new and redevelopment projects.
2. Tracking Report, for the period Q2 to Q8, identifying LID design principles and features incorporated into each applicable new and redevelopment project.

Year 1 Summary: NA-Scheduled for future quarters/years per Joint Effort

Effectiveness: NA

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #PC-6: Review and Evaluate the City's General Plan and Other Watershed Protection Planning Efforts (i.e. land use policies, plans, ordinances, development review procedures, etc). In Conjunction, Develop Where Feasible Quantifiable Measures That Indicate How the City's Watershed Protection Efforts Related to Storm Water Management Achieve Desired Watershed Conditions.

Scheduled for Year 4-5

Measurable Goals:

1. Determination if long-term watershed management and protection efforts are addressed and, if not, identification of sections needing revisions. (Year 4-5)
2. Quantifiable Measures (Year 4-5)

Year 1 Summary: NA- Scheduled for Year 4-5

Effectiveness: NA

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #PC-7: PW Staff Will Inspect Installation of Post-construction Treatment Systems and Storm Water Retention Devices at Development Sites Greater Than or Equal to One Acre

Measurable Goals:

Inspect 100% of development sites greater than or equal to one acre

Year 1 Summary: During the permit year, two large construction sites were completed and inspected as follows: Safeway at 2203 Mission Street and the Tannery Arts Center at 1040 River Street. Two additional sites applied for permits but were still in the initial project stages and thus not ready for an inspection.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #PC-8: Implement Program to Ensure Long-term BMP Inspection and Maintenance. Spot Inspections Will Be Conducted

In order to ensure that all applicable development projects submit a signed Maintenance Agreement, the City is instituting a policy that return of the signed maintenance agreement is a condition of approval for the project's building permit. The condition of approval will be placed on the project by the Department of Public Works. The Building Permit will not be issued until this signed maintenance agreement is received by the Public Works and the condition removed from the project's permit application (by Public Works).

Measurable Goals:

1. Develop an electronic database or spreadsheet to better track & assess sites over time (Year 1)
2. Enforce the proof of annual BMP inspection and maintenance requirement at 100% of sites (Year 1-5)
3. Implement a spot inspection program at 10% of sites annually (Year 2-5)

Year 1 Summary:

1. City staff created and is currently using an Excel spreadsheet to track and assess sites that must submit proof of annual storm water BMP inspection and maintenance.

2. The City required that a BMP Maintenance Agreement be signed by the property owner/developer for all applicable projects per the City's mandatory BMPs for Development and Remodeling Projects. During the reporting period, the City had a total of 17 signed maintenance agreements. The City did not receive proof of BMP maintenance by Dec. 1st, as required, from any of these sites. The City sent a reminder notice to all 17 maintenance agreement responsible parties on January 14, 2010. Staff also followed up with phone calls as needed. The City received a response, either proof of maintenance or indication that a project had not yet been completed, from some but not all sites. Staff followed up by sending a Warning Notice of Violation (NOV) letter on February 25, 2010 to all non-respondents from the first letter. Currently, five sites are still non-respondent. Staff has followed up by researching these sites to verify the listed responsible party, and has also made or attempted site visits.

Of the remaining five sites: One site was visited and found vacant, and is possibly bank owned. One site project was not built and the building permit has expired. Two sites were sent a second

Warning NOV letter, on 9/1/10, to the site address rather than owner address listed in the files in the event that property was sold and the maintenance requirement information not passed to the new owners. The fifth site, a multi-use office building, was visited but found locked and with no response to the door bell. Staff could not gain entry as the entire site is fenced in. Staff will continue to follow-up on these four sites this fall and the project with the expired building permit will be removed from the active list.

Staff has had difficulty contacting and inspecting particularly condominiums and multi-office buildings because once the property is leased or sold to multiple residents or occupants, it is difficult to track who is responsible if the City has not been notified of any changes and the attempts to contact have failed.

3. Three sites were visited on May 19, 2010. Staff inspected two of the sites but was unable to inspect the third one because it was closed & locked. City will continue to pursue the property owner or manager in order to review the site's BMP maintenance.

Effectiveness: All goals met. Measurable Goal #3 was exceeded as the spot inspection program is not scheduled until Year 2.

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #PC-9: Implement Corrective Measures and Enforcement Procedures As Needed in Accordance with the City Municipal Code

Measurable Goals:

Implement corrective actions, as appropriate, for 100% of sites where a violation is detected

Year 1 Summary: The City's Planning Department's Code Enforcement Division conducted enforcement actions at two sites as described below:

1) Mountain View Avenue site-

The property owner changed the direction of the creek within a riparian corridor area. City Code Enforcement notified the Department of Fish & Game who took over as the lead agency. The Department of Fish and Game followed up by issuing a permit to the property owner and required annual biotic review for the next five years. City follow up includes monitoring of the situation including obtaining the annual biotic review reports. The City has sent letters to the property owner requesting the first biotic review report. No reports have been received yet, but Staff will continue follow-up to obtain the reports.

2) South Branciforte Avenue condominium site-

Adjacent to site is a public pathway and riparian area which the City and the Homeowners Association jointly maintain per a Department of Fish & Game permit that was issued when the site was developed. City Code Enforcement issued A Notice of Violation to the Homeowners Association for violations regarding the riparian area and pathway. Violations included lack of maintenance, cutting down and removal of vegetation from the riparian area, and failure to maintain fencing for pathway and riparian area. An Administrative Hearing was conducted by

the City Planning Department. The Administrative Hearing issued a Decision that the path and riparian area will be maintained by the Homeowners Association for 5 years per the new trees and vegetation near the creek. The case will remain open for review of the riparian corridor.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #PC-10: Develop and/or Modify Enforceable Mechanisms That Will Effectively Implement Hydromodification Controls and LID. Enforceable Mechanisms May Include Municipal Codes, Regulations, Standards, and Specifications.

Scheduled for future quarters/years per Joint Effort

Measurable Goals:

1. An analysis of all applicable codes, regulations, standards, and/or specifications that identifies modifications and/or additions necessary to effectively implement hydromodification controls and LID (Joint Effort Q2)
2. Approved new and/or modified enforceable mechanisms that effectively resolve regulatory conflicts and implement hydromodification controls and LID in new and redevelopment projects (Joint Effort Q8)
3. Apply new and/or modified enforceable mechanisms to all applicable new and redevelopment projects (Joint Effort Q9)

Year 1 Summary: NA-Scheduled for Joint Effort Q2, Q8, and Q9 respectively

Effectiveness: NA

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP # PC-11: Distribute BMP Brochure

The BMP brochures are distributed to all discretionary project applicants by the Public Works Plan Reviewer. The brochures have also been available at the public counters of both the Planning and Public Works Departments since 2004. In addition, the “BMPs for Development and Remodeling Projects” are posted on the City’s website.

Measurable Goals:

Distribute to 100% of discretionary project applicants

Year 1 Summary: The BMPs were distributed to all discretionary project applicants by the Public Works Plan Reviewer. Generally this was done either by email, or given to the project developer during project planning meetings. In addition, the BMP brochures are available at both

the Planning and Public Works' public counters. SW staff periodically checks the stock available at the Planning public counter to ensure that there is a sufficient supply. At the Public Works public counter, copies are kept in the counter file box and are given out by counter staff per inquiries regarding potential development projects. In addition, the "BMPs for Development and Remodeling Projects" are posted on the City website at:

<http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=4424>.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP # PC-12: Hold Educational Workshop on LID and Hydromodification Control Requirements

Scheduled for approximately Joint Effort Q8

Measurable Goals:

One educational workshop after the hydromodification control criteria have been developed (Approx. Joint Effort Q8)

Year 1 Summary: NA-scheduled for approximately Joint Effort Q8

Effectiveness: NA

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP PC #13: Develop and Implement an Education Program Addressing the Restoration and Protection of Riparian and Wetland Areas

Scheduled for Years 4 & 5

Measurable Goals:

1. Complete development of program plan
2. Implementation of educational measures, i.e. hold workshops, distribute brochures

Year 1 Summary: NA- Scheduled for Years 4 & 5

Effectiveness: NA

Proposed Modifications: none

Planned Year 2 Activities: NA

BMP # PC-14: Provide Training to Appropriate Planning & Public Works Staff

Measurable Goals:

1. Train 100% of appropriate staff every two years.
2. Train new Inspectors and Plan Reviewers within 3 months of the beginning of employment.
3. Additional training on new or changed BMPS as needed

Year 1 Summary:

1. All six of the Planning Department Planners and five of the six Building Staff, (one Inspector that was sick) were trained on construction site BMPs and storm water regulations during an on-site class given by a hired consultant. The class was held on September 30, 2010. The PW storm water staff person also attended this training class. Training for the one remaining Inspector was done the next month by the Supervisor.

2. There were no new Inspectors or Plan Reviewers. There was a new Deputy Building Inspector hired at end of June 2010. Training for this new employee was completed in August 2010.

3. The Public Works Plan Reviewer and the Public Works Inspector have been involved in the revisions of the brochure “BMPs for Development and Remodeling Projects,” which were revised in June 2010, and in preparations for incorporating the new LID regulations into development projects. In addition, the Public Works storm water staff person attended the Erosion and Sediment Control and LID/Hydromodification workshop sponsored by RWQCB on May 13, 2010.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue