

Chapter 5: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL PROGRAM

BMP #CON-1: Planning/Building Inspectors Inspect All Construction Sites Requiring a Grading Permit. Inspections Will Also Be Conducted Prior to Well-Forecasted Rain Events at High Priority Construction Projects. Inspectors Will Also Inspect 50% or More of the Open Sites After Major Rain Events or Storms.

Measurable Goals:

1. During the grading process, 100% of small sites will be inspected 2 times and 100% of large sites will be inspected 3 times
2. Inspect 100% of high priority sites prior to forecasted rain events
3. After major rain events, 50% or more of “open” sites will be inspected

Year 1 Summary:

1. During the permit year, there were a total of sixteen sites requiring a grading permit including ten small sites and six large sites. Of the six large sites, two were equal to or greater than an acre. All sites were inspected per the Measurable Goals or more frequently. For example, regarding the two very large sites, one was inspected thirteen times and the other was inspected twenty two times. These two development projects, which were greater than an acre, were: a Safeway Store located at 2203 Mission Street and The Tannery Arts Center located at 1040 River Street. Both projects have been completed.

2. All sixteen sites were inspected multiple times during the rainy season including prior to forecasted rain events. Also, fifteen sites were notified by letter on September 15, 2009 regarding site preparedness, Storm Water Best Management Practices, and winter grading requirements prior to the onset of the rainy season. One site received the same notification letter in the previous year because the project began in 2008. The notification letter was entitled “Storm Water Best Management Practices Winter Grading Rules” and it included a statement to the effect that ‘failure to implement and or maintain erosion control measures during the rainy season, which results in soils, slope or site failure, environmental damage or contamination, may result in fines or penalties as imposed by City of Santa Cruz Ordinance and possibly other local, state or federal agencies.’ A copy of the notification letter is available upon request.

3. All open sites were inspected after major rain events.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #CON-2: 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 systems and devices at 100% of development sites greater than or equal to one acre

Year 1 Summary: PW staff inspected two sites including a review of the post-construction BMPs. There were two other permitted sites however neither was ready for inspection during the permit year. One of these sites was active, but since construction was still in the early stages, the BMPs were not installed and ready for an inspection by end June 2010. The other site is currently inactive due to economic reasons and future work is planned to be done in phases.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #CON-3: Implement Corrective Measures and Enforcement Procedures in Accordance with the Grading Ordinance As Needed

The City's Grading Ordinance provides a regulatory mechanism that addresses violations of related to construction activity. Typically, the City engages in enforcement actions that correspond to the severity of the violation and the timeliness of corrective measures.

Measurable Goals:

1. Respond to 100% of complaints
2. Implement corrective actions, as appropriate, for 100% of sites where a violation is detected

Year 1 Summary:

1. Building Inspection staff responds as soon as possible to all complaints. When a complaint is received, a Building Inspector makes a site visit that day (as soon as possible) to assess the complaint validity. If it is valid, Staff starts with a verbal warning which may be followed by a written notice if compliance is not achieved as directed. Upon a third visit to a site, even if for a different complaint, a written notice is typically given. If the problem is not remedied in timely fashion, the site is referred to Code Compliance for follow up and/or issuance of Notice of Violation (NOV) citations.

During the permit year, several complaint calls were received regarding a commercial site on Broadway Street which is also listed below. Staff made multiple site visits and citations were issued by Code Enforcement (see below). Several complaint calls were also received regarding a project on Mission Street. Staff made immediate visits to this site and requested cleanup where needed. Some of the complaints that were received regarding this site were not found to be valid.

2. During the permit year, the following corrective actions were implemented:

1) Broadway site: This commercial property was identified as having run-off from an unpaved parking lot. Building Inspection staff made multiple site visits and issued written warnings. The

case was referred to Code Enforcement as detailed in BMP #CON-4 below. Citations were written to the site and these were subsequently paid. Staff will continue to follow up on this site.

2) Liberty Street site: Building Inspection staff gave the Liberty Street site a written memo on February 18, 2010 to control mud and drainage which was coming off the site into street. The site was also ordered to clean up the street. The contractor responded as directed.

3) National Street site: A Building Inspector inspected this property on March 15, 2010 and discussed control of run off into gutter from the site with contractor. The contractor responded as directed.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #CON-4: Implement Corrective Measures and Enforcement Procedures in Accordance with Title 4 As Needed

Title 4 of the City's Municipal Code is the chapter of the Municipal Code that provides a comprehensive code enforcement system for the City. For example, Title 4 provides for the issuance and recordation of Notices of Violation; the authority to inspect; the authority to issue a Notice to Appear and Release Citations, and the power to arrest. Title 4 also details the procedures regarding Judicial Remedies and Administrative Remedies available to the City for violations of the Municipal Code and applicable state codes. In addition, Title 4 details Summary Abatement and Administrative Abatement procedures for public nuisances and code violations. Lastly, Title 4 provides for the recovery of civil penalties and abatement costs.

Measurable Goals:

Implement corrective actions, as appropriate, for 100% of sites where a violation is detected and referred to Code Enforcement for follow-up

Year 1 Summary: During the permit year, there were two sites which required enforcement by the City Planning Department's Code Compliance Division. These two cases are summarized below:

1) Broadway Street site: A commercial property on Broadway Street was identified as having run-off from the unpaved parking lot. The Planning Department's Code Compliance Division issued four citations for non-compliance to the site, and these were eventually paid. Code Compliance will continue with additional follow up in 2010 and the case will remain open until the parking lot is paved or new construction starts. Staff will continue to check the property as the rainy season approaches.

2) Prospect Court site: This property was cited for the removal of vegetation and trees in the riparian corridor which has a creek at the bottom of the area. This case will remain open for review of the riparian corridor and the related biotic reports.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #CON-5: Respond to Complaints and Implement Corrective Measures and Enforcement Procedures in Accordance with the Storm Water Ordinance As Needed

Measurable Goals:

1. Respond to 100% of complaints
2. Implement corrective actions, as appropriate, for 100% of sites where a violation is detected

Year 1 Summary:

1. The Environmental Compliance Division received complaints regarding construction work and violations of the Storm Water Ordinance at 3 sites (one site received 3 complaints). Environmental Compliance Inspectors responded to all 5 complaints and found violations regarding materials storage or debris proximity to storm drain inlet, gutter or street. All 3 sites were ordered to immediately cease the problem and clean up. One of these sites also received a Warning Letter.

A brief description of each site is as follows:

- 1) Cedar Street: a commercial site. 3 complaints were received regarding this site. The business was issued a Warning Letter. During the construction project, dumpster was found to be blocked and construction debris was entering the storm drain inlet.
- 2) Seabright Avenue: a commercial site. Construction products were found to be a threat to a nearby storm drain inlet. Staff verbally requested an immediate termination of this problem and a complete cleanup.
- 3) Westside: a residence. A home renovation project was in progress. A pile of material was left on or near storm drain inlet. Staff verbally requested an immediate termination of this problem and a complete cleanup.

All 3 sites responded to Environmental Compliance directives including the order to properly clean up.

2. The Environmental Compliance Division implemented the following corrective actions:

- 1) A Warning Letter was issued to a property management group on Cedar Street (as described above) to desist from littering the storm drain system.
- 2) A Warning Letter was issued to 2 residences and 1 business on a block on the Westside, at Fair Avenue, Bellevue Street, and California Avenue, because construction fill material was being stored in the gutter adjacent to the property. Each site received a slightly different version of the same letter. Each site responded promptly and corrective measures were completed.

3) A Warning Letter was issued to the property manager with a directive to disconnect an illegal diversion of storm water runoff to the sanitary sewer. Property manager complied and redirected the storm water properly.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #CON-6: Report Violations of the Construction General Permit to the RWQCB

Violations of the requirements of the General Permit for Storm Water Discharges from Construction Activity will be reported to the RWQCB immediately.

Measurable Goals:

Report 100% of violations

Year 1 Summary: Staff did not encounter any violations of State Construction Permit and thus reporting violations was not necessary.

Effectiveness: goal met/NA

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP # CON-7: Provide Training to Planning/Building Inspectors, Public Works Inspectors, and Planning and Public Works Plan Reviewers on Construction Site BMP Requirements

The City will provide training to all Planning/Building Inspectors, Public Works Inspectors, and Planning and Public Works Plan Reviewers on construction site BMP requirements and related issues every two years. New Inspectors and Plan Reviewers will be trained within 3 months of the beginning of employment. Additional training on new or changed BMPS will take place as needed. For example, the City anticipates a potential need for additional training in the future on construction or installation of LID design measures.

Measurable Goals:

1. Train 100% of Planning/Building Inspectors, Public Works Inspectors, and Planning and Public Works Plan Reviewers 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. Public Works storm water staff attended an on-site training class on construction site BMPs and storm water regulations on September 30, 2009 (along with the Planning Dept as mentioned below). The training was done by hired consultant. 2) The Public Works Inspector was updated

on storm water permit regulations, construction BMPs, and the new LID requirements by storm water staff during a field visit to a construction site on June 23, 2010.

1. In addition, an on-site training class was held for Planning and Building staff on September 30, 2009. The training was done by a hired consultant and five Building Inspectors and six Planners attended the class. One Inspector was sick that day and was trained the next month by the Supervisor.

2. During the permit year, there were no new City Planners hired. A new Deputy Building Inspector was hired at the end of June 2010. He completed the BMP training and was educated regarding the storm water permit program and SWMP in August 2010. There were no new Public Works Plan Reviewers or Public Works Inspectors.

3. During the permit year, Staff attended training events or online workshops on topics related to storm water BMPs and/or new regulations. For example:

a) The Planning Department Green Building & Environmental Specialist attended a CASQA Webcast on BMP Web Portal: "Tools for Complying with the New Construction General Permit" Webinar on June 23, 2010.

b) Public Works Storm Water staff attended the Erosion and Sediment Control and LID/Hydromodification workshop sponsored by the RWQCB in Salinas on May 13, 2010.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP # CON-8: Distribute Construction BMP Brochure

Copies of the BMP brochure are available at the public counters of both the Planning and Public Works Departments. A copy of the BMP brochure was posted on the City's website at www.cityofsantacruz.com.

Measurable Goals:

1. Available at the Planning Department counter
2. Distribute to 100% of project applicants for Grading and Building Permits

Year 1 Summary:

1. During the permit year, the Planning Department public counter supply of brochures entitled "BMPs for Construction Work" was checked and restocked as needed. The BMPs are also available on the City website at:

<http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=8181>

2. A predevelopment "Permit Development Checklist" is provided to all grading & building permit applicants for commercial or multi-residential projects. The checklist includes a checkbox to indicate that BMPs and an Erosion Control plan are complete, and a note per a SWPPP and

NOI for sites 1 acre or more. The checklist must be completed and returned prior to permit issuance. In addition, Building Staff holds a preconstruction conference with each builder or developer for all large sites or sites in sensitive areas. These meetings always include a review of the construction and grading BMPs applicable to the project. Staff has found that an in-person meeting is the most effective method to educate the builder or developer regarding the regulations and ensuring compliance.

Effectiveness: goal was modified/modify

Proposed Modifications: The City requests a modification of Measurable Goal #2 to read: "Provide a predevelopment "Permit Development Checklist" to all grading and building permit applicants for commercial or multi-residential projects. Also, conduct a preconstruction conference with each builder or developer for all large sites or sites in sensitive areas."

Planned Year 2 Activities: continue

BMP #CON-9: Distribute Construction BMP Handouts by Environmental Compliance Inspectors As Needed

The City developed and published two BMP handouts for construction work specifically for "Painting" and "Masonry and Concrete Work." These one-page flyers are distributed by the Environmental Compliance Inspectors in the field when an illegal discharge (related to either of these activities) is noticed by them or a complaint has been reported to them. The flyers are posted on the City's web site.

Measurable Goals:

Give BMP handouts to 100% of problems detected either while out in the field or during complaint response

Year 1 Summary: During the permit year, five construction sites in the City were given the BMP handouts for Construction Work.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue

BMP #CON-10: Attach BMP Permit Conditions for Public Works Over-the-Counter Street Opening and Concrete Permits

Measurable Goals:

100% Street Opening and Concrete Permits

Year 1 Summary: The Public Works computer program for permit issuance was modified in 2008 so that the BMPs automatically print out along with a copy of the Street Opening or Concrete Permit to ensure that the BMPs are never omitted when a permit is issued to a contractor. These permits are issued for construction work such as creation of a new sidewalk, sidewalk repairs, and opening a street to install or repair a private sewer lateral. All permits are

issued with the storm water BMPs printed on back (this feature was programmed into the computerized permit issuance system). Thus, during the permit year, one hundred percent of Street Opening and Concrete Permits issued by Public Works received attached BMP conditions.

Effectiveness: goal met

Proposed Modifications: none

Planned Year 2 Activities: continue