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 4 Summary:
1. During the permit year, there were a total of 18 sites requiring a grading permit including 8 small sites, 5 large sites, & 5 very large sites (> 1 acre). In addition, there were 13 small sites requiring Building permits but no separate Grading permit that were also inspected. All sites were inspected as required or more frequently. Sites are inspected multiple times particularly if they are large or very large sites, or adjacent to sensitive water bodies. For example, a very large site may be inspected 5-10 times (or more if necessary) during the reporting period.

The projects equal to/greater than 1 acre are: 1) Delaware Avenue: this is a multi-unit commercial development. This project was halted in 2011 and construction restarted in spring 2013; 2) Isbel Drive: this site is a multi-unit residential development; 3) River Street: this is a new operations facility, parking structure and related site improvements for the Santa Cruz Metro; 4) Mission Street: this is a commercial building that received a Grading Permit in April 2013; and 5) Shaffer Rd: this is a commercial building that completed construction in October 2012.

2. All construction sites were inspected multiple times during the rainy season including prior to forecast rain events. Also, seven sites that were under active construction were notified by letter on November 28, 2012. Letters were regarding site winter preparedness and Storm Water BMPS and Winter Grading Rules prior to the onset of the rainy season. These letters were often sent to both the property owner and general contractor.

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: Review procedures
Planned FY2013-14 activities: Please see attached City of Santa Cruz Guidance Document. This BMP falls under Element No. E.10.c

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 4 Summary: There were four (4) active sites greater than or equal to one acre which were inspected by PW staff as follows:

1) Isbel Drive: Residential, condos and homes, development. This site was issued a Grading Permit on 6/30/11. This site was inspected multiple times by PW staff on 2/19/13, 3/5/13, 4/10/2013, 7/8/13, and 7/26/13.

2) Shaffer Road: Commercial development for storage units. This site was inspected multiple times on 8/20/12 and 2/19/13. Project construction was completed in December 2012.

3) Mission Street: Commercial development for a medical facility. Project construction commenced in June 2013, the site was inspected on 7/31/13.

4) Delaware Avenue: Commercial development had been inactive since 2010 (as reported in previous annual reports); construction resumed in spring 2013. The site was inspected on 8/28/2013.

The Santa Cruz Metropolitan Authority also has a construction site over 1 acre in size at River Street but the site was not inspected for Post-Construction Treatment Systems because the City's Post-Construction requirements are not binding for State properties/projects. The City provided recommendations on the proposed plans regarding implementation of Post-Construction but is not able to enforce requirements. This project is covered under Industrial General Permit WDID No. 3 44I012085 and Construction General Permit WDID No. 3 44C365560.

Effectiveness: goal met
Proposed Modifications: none
Planned FY2013-14 activities: Please see attached City of Santa Cruz Guidance Document. This BMP falls under Element No. E.12.

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 4 Summary:
1. A complaint was received for one site during the permit year: a large site on West Cliff Drive. Building Staff responded to the complaint and a verbal warning was issued upon confirmation of the BMP failures. Compliance was obtained at this site after receiving the verbal warning.

Typically, if and when a complaint is received, Building Inspection staff 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 not achieved. Upon a third visit to a site (even with a different complaint) a Written Notice is typically given. If the issue is not remedied in timely fashion, problem referred to Code Compliance for follow up and/or issuance of NOV/citations. Depending upon the violation, staff may issue a written Correction Notice after the first or second visit.

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

1) West Cliff Drive Site: A verbal warning was issued by Building Inspection staff upon confirmation of BMP failures. The verbal warning required implementation of BMPs for material storage and management (polystyrene packing material) as the site is exposed to the wind. Compliance was obtained within 24 hours of the verbal warning and all polystyrene packing material has been collected and properly managed.

Building Inspectors do give a verbal "heads up" to contractors if needed during their pre-storm inspections. This is done to ensure that a site is properly "buttoned up" prior to a rain event.

Effectiveness: goal met
Proposed Modifications: cease reporting
Planned FY2013-14 activities: Please see attached City of Santa Cruz Guidance Document. This BMP falls under Element No. E.10.

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 4 Summary: During the year, there were no new sites requiring enforcement actions by the Planning Department Code Compliance Division. During Permit Year One, there were two sites which required enforcement by the Code Compliance Division. These two cases and their follow up in Permit Years Two through Four are summarized below:

1) Broadway Street site:

In Permit Year 4, there was no action from Planning/Code Enforcement Staff regarding this site.

In Permit Year 3, although this case is temporarily closed, Planning/Code Enforcement staff continues to monitor the development plans for this site as further development is still planned. However, this date is still to be determined.

In Permit Year 2, the entry was paved and the site is scheduled for development within the year. The case is now closed however, if any additional issues come up, the case may be reopened.

In Permit Year 1, 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 continued 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:

In Permit Year 4, there was no action from Planning/Code Enforcement Staff regarding this site.

In Permit Year 3, there was no action from Planning/Code Enforcement Staff regarding this site.

In Permit Year 2, the riparian corridor was found to be in good condition and the case was closed.

In Permit Year 1, 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. The case resulted in four years of supervision by the Dept. of Fish & Game. This case remains open for review of the riparian corridor and the related biotic reports.

Effectiveness: goal met

Proposed Modifications: cease reporting
Planned FY2013-14 activities: Please see attached City of Santa Cruz Guidance Document. This BMP falls under Element No. E.10

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 4 Summary:
1. The Environmental Compliance (EC) Inspectors responded to a total of two (2) storm water violation related to construction activities. The violations included: 1) Site located on Beach Street: new building construction had started to dewater a muddy pit – the Inspector stopped the process. 2) Temporary parking site located on Dubois Street had minor drag-out from lot. Extra sweeping and rock removers were installed.

2. The Environmental Compliance (EC) Division implemented corrective actions at all of the sites where a violation was detected. Two (2) Warning Letters were issued for the sites detailed above. The sites came into compliance after receiving the Warning Letter. The EC Inspector also gave each site a copy of the Storm Water BMPs and discussed corrective actions with the site managers.

In addition, a verbal warning was issued by PW storm water staff upon identification of BMP failure at a construction site on Ocean St and one on Walnut Avenue. The verbal warnings required implementation of BMPs for material storage and management and protection of storm drain inlets. Compliance was obtained within 24 hours of the verbal warning at the Ocean Street site. At the Walnut Avenue site, workers immediately attempted to cleanup but compliance was fully obtained the following day upon second visit/request by City staff.

Effectiveness: goal met
Proposed Modifications: cease reporting
Planned FY2013-14 activities: Please see attached (Appendix x) City of Santa Cruz Guidance Document. This BMP falls under Element No. E.10

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 4 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 FY2013-14 activities: Please see attached City of Santa Cruz Guidance Document. This BMP falls under Element No. E.10

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 4 Summary:
1a**.** 100% of PW staff personnel, including storm water staff, PW Plan Reviewer, and PW Inspector, were trained in Permit Year 3 so no training was required in Permit Year 4.

1b. 100% of Planning and Building Staff were trained on construction site BMPs and storm water regulations in Permit Year 3 so no training was required in Permit Year 4.

2. Train new Inspectors and Plan Reviewers within 3 months of the beginning of employment:

1) 1 PW Plan Reviewer was hired in July 2012 and reviewed the City's storm water BMP training PPT in August 2012.
2) 1 Planning Division Plan Reviewer was hired in March 2013 and received the City's storm water BMPs to review within 3 months and also attended the City's workshop on the new Post-Construction Requirements in June 2013.
3) 1 Building Inspector was hired in spring 2013; he was trained in the field shortly after hiring and reviewed the City's Construction storm water BMP training PPT on 8/30/13.

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:

1) 5 PW and 1 PL staff attended an APWA/AEP/APA workshop in Watsonville on Post-Construction requirements on 8/7/12; Dr. Darla Inglis and others were guest speakers.
2) 4 PW, 1 Water, 1 Parks, and 2 PL staff attended a CWP webcast on engineered soils for bioretention and bio-treatment on 9/19/12;
3) 4 PW staff attended a LIDI workshop on bioretention design on 9/27/12;

Effectiveness: goal met
Proposed Modifications: none
Planned FY2013-14 activities: Please see attached (Appendix x) City of Santa Cruz Guidance Document. This BMP falls under Element No. E.7.b.2.a.

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 4 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. In general, staff checks/restocks the supply on quarterly basis. This year, at least 34 Construction BMP brochures were distributed from the Public Counter informational display. Occasionally, copies are made and distributed by other staff and these are not counted. 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 and 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: Please see attached City of Santa Cruz Guidance Document.

Planned FY2013-14 activities: Please see attached City of Santa Cruz Guidance Document. This BMP falls under Element No. E.7.b.2.b.

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 4 Summary: During the permit year, eight (8) construction sites were given the BMP flyers for Construction Work by Environmental Compliance Inspectors.

Effectiveness: goal met
Proposed Modifications: none
Planned FY2013-14 activities: Please see attached (Appendix x) City of Santa Cruz Guidance Document. This BMP falls under Element No. E.7.b.2.b.

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 4 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 FY2013-14 activities: Please see attached City of Santa Cruz Guidance Document. This BMP falls under Element No. E.7.b.2.b.