



# City of Woodland

## REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR  
AND CITY COUNCIL

DATE: November 17, 2009

SUBJECT: Annual Update on Municipal Storm Water Permit Compliance and  
Procedures for Construction Site Compliance

### **Report in Brief**

On September 14, 2009, the City submitted its annual report to the Central Valley Regional Water Quality Control Board (RWQCB) for compliance with the National Pollutant Discharge Elimination System General Permit for the Discharge of Storm Water from Small Municipal Separate Storm Sewer Systems, Order No. 2003-0005-DWQ (General Permit). The annual report documents the City's efforts to implement the best management practices (BMPs) described in the City's Storm Water Management Program (SWMP) for the reporting period of July 1, 2008 through June 30, 2009. This report to the Mayor and City Council summarizes the annual report and also summarizes the City's enforcement procedures that will be implemented to prevent storm water pollution from construction sites during the 2009/2010 wet season.

Staff recommends that the City Council receive this report.

### **Background**

The City is required to operate pursuant to a municipal storm water permit and received coverage under the General Permit in October 2004. As part of the permit requirements, the City needed to prepare and implement a 5-year SWMP with BMPs for the following areas: Public Education and Outreach, Public Involvement and Participation, Illicit Discharge Detection and Elimination, Construction Site Runoff Control, Post Construction Runoff Control, and Municipal Operations. One requirement of the City's SWMP, BMP 2B, is to update the City Council on the City's efforts to implement the storm water BMPs in the previous reporting year. Additionally, because of the timing of this report and critical nature of construction site runoff control, the Mayor and City Council are also being briefed on the City's inspection and enforcement procedures to prevent storm water pollution from construction activities.

The 5-year term of the General Permit expired on May 1, 2008. The State Water Board staff is in the process of drafting the second-term permit. The General Permit will continue in force and in

effect until the second-term permit is issued, and the City will continue to comply with the permit requirements by implementing the year 5 BMPs described in the existing SWMP. The City will apply for coverage under the second-term permit once it is issued and will need to prepare a new SWMP to address any new permit requirements.

## **Discussion**

### **Summary of Year 6 of the City's Storm Water Management Program**

Key highlights of BMPs implemented during Year 6 include the following:

Public Education and Outreach: City staff continued to use various methods and venues for providing information to the community about storm water quality management. These included providing information at booths set up at several special community events, sponsoring 20 "EarthCapades" performances at elementary schools that included storm water information, conducting discussion sessions on storm water with fifth grade students, and collaborating with other local jurisdictions to design and produce calendars providing education on environmental themes. Mulching mower, composting bin, and wood chipper rebates and composting demonstrations continued to be offered as a means for reducing the amount of green waste placed in the street. Dissemination of information on protection of storm water quality also continues to be a routine part of industrial and commercial compliance inspections. In addition, a storm water BMP guidance letter titled "Only Rain Down the Drain" was developed and distributed to every business with a wastewater discharge permit this year.

Public Involvement and Participation: In lieu of a storm drain marker event this reporting year, staff engaged a total of 60 fifth graders with teachers and parents in four sessions discussing the difference between sanitary and storm sewer systems, problems with storm sewer maintenance, and water quality issues associated with urban runoff during a tour of the Water Pollution Control Facility in May 2009. The City Council and public were provided with an annual update on SWMP implementation in October. No comments or questions on the program were received.

Illicit Discharge Detection and Elimination: Implementation was continued on a plan to inspect and clean the storm water conveyance system; the timeline for completion was extended to 8 years. During May and June 2009, a total of 201 storm drain inlets were cleaned, the high-velocity vacuum cleaner (HVVC) crews cleaned 38,794 feet of storm line, and the closed-circuit television (CCTV) crew completed 18,426 feet. Four known agricultural discharge locations were inspected on a quarterly basis; no illicit connections or illegal discharges to the City's storm drain system from agricultural operations were identified. Staff regularly inspected open channels and documented findings. Monthly meetings continued to be held among Utilities and Environmental Compliance staff members to review the prior month's illicit connections and illegal discharges to the storm water conveyance system, including sanitary sewer overflows. The meetings included review of the corrective actions that were taken and evaluation of trends in discharge types. All identified illegal discharges were contained and cleaned up before they could enter any channels outside of the City's storm drain system. City field staff distributed educational materials, including a bilingual brochure,

to many residents and businesses to educate them on illegal discharges and causes of sanitary sewer overflows.

Construction Site Runoff Control: As in past years, the City coordinated with other local jurisdictions and RWQCB staff to hold an annual Pre-Wet Season Workshop to educate staff, contractors, and developers on appropriate BMPs at construction sites. The City also held a storm water pollution prevention plan (SWPPP) training session for applicable staff and contract site inspectors to review the inspection and enforcement requirements for construction sites as well as the use of appropriate BMPs. In addition, 10 City staff members of the Public Works and Community Development Departments completed a three-day construction storm water training course.

Storm water construction site inspectors visited each construction site with an active SWPPP. A Notice of Non-Compliance was issued this reporting year for one site where construction had been initiated before a Notice of Intent was filed with the state. A Notice of Violation was issued for one site that remained un-stabilized at the beginning of the rainy season, and the City took corrective action to prevent erosion and sedimentation from the site. In October 2008, during a joint inspection of construction sites being conducted by the City and RWQCB staff, City staff issued a Stop Work Order and the RWQCB issued a Notice of Violation to the construction contractor at the Woodland Community and Senior Center for failure to install and maintain an effective combination of erosion and sediment control BMPs throughout the project site. All violations were corrected in a timely manner, and no illicit discharge occurred at the site during the rain event that occurred during that period. City staff followed up with site inspections of all these sites to ensure that appropriate BMPs were in place.

Post Construction Runoff Control: Projects that require post-construction BMPs were reviewed to ensure that the appropriate measures are included to reduce, improve, and treat storm water runoff. To ensure proper functioning of storm water treatment systems, City staff inspected the 12 commercial sites that have storm water pre-treatment devices that are maintained (pumped out) by the property owners. Each development application packet distributed by the Community Development Department included a fact sheet stating that post-construction BMPs are required for certain types of development projects.

Municipal Operations: Substantial education and outreach continued to be provided to inform the public about the green waste container program, which was implemented in January 2008. Training sessions on BMP practices to be used to perform daily field maintenance job duties and BMPs at construction sites were conducted for all Public Works staff members, the Parks Division maintenance staff, and staff members of the Yolo County Public Works Department. Housekeeping practices at the Municipal Service Center facilities were found to be very good. Upgrade of City park facility irrigation systems using state grant funding has had to be delayed because of budget concerns.

Attachment 1 identifies the BMPs that will continue to be implemented until coverage under the second-term permit begins.

## Construction Requirements of the Storm Water Management Program

As part of the permit requirements, the City must have a runoff control program for construction sites. The City's program includes the following components:

- educating contractors, developers, and staff on ways to prevent runoff at construction sites,
- inspecting construction sites that disturb more than one acre of soil,
- enforcing the Storm Water Ordinance to prevent runoff from construction sites,
- ensuring that construction sites over one acre have a permit from the RWQCB, and
- incorporating measures to prevent construction-related runoff in the standard specifications and design details.

Following are highlights of the program being implemented this year.

### Construction Outreach and Education

Woodland participated throughout the year in the Storm Water Coordinating Committee, a group of storm water permit administrators representing Yolo County, Davis, Dixon, UC Davis, Vacaville, West Sacramento, Winters, and Woodland that meets quarterly with the regional RWQCB municipal permit administrator to share information on storm water permit compliance issues. In place of the annual pre-wet season workshop and training held by this group in past years, the members this year co-sponsored a "Got SWPPP?" workshop organized by WGR Consultants in Vacaville on October 22, 2009, for staff members, developers, and contractors. The workshop included presentations on the new construction storm water general permit that will go into effect in July 2010, preventing storm water permit violations on construction sites, and low-impact development and other post-construction storm water control measures. City SWPPP inspectors and Engineering Division staff members attended the workshop, as well as several consultants working on City projects.

Staff did not conduct a pre-wet season field inspection of active construction sites with RWQCB staff this year because of the low number of active construction projects in the City and the schedule limitations of RWQCB staff members resulting from state budget cutbacks. However, City environmental compliance staff members did inspect all the active construction sites in Woodland before the October 13 storm. The inspections were conducted to ensure that all sites had an effective combination of erosion and sediment control measures to prevent runoff to the storm water conveyance system and that appropriate waste handling practices were being used.

### Construction Site Enforcement Procedures

City construction site inspectors will coordinate and implement the following procedures for construction projects if potential or actual violations of storm water BMPs are observed:

**Step 1a:** Issue VERBAL Notice of Correction: Staff would discuss the corrective measures that need to be implemented before a given date/time.

**Step 1b:** Issue WRITTEN Notice of Correction: This type of notice would specify what types of practices need to be corrected before a given date/time.

**Step 2:** Issue Notice of Violation to Correct Measures: This type of notice would specify what types of practices need to be corrected before a given date

**Step 3:** Issue Notice of Violation to Stop Work: If necessary, staff will issue a Notice of Violation to Stop Work in the project area contributing to storm water pollution if measures identified previously have not been corrected or water quality is imminently at risk. Work in the area contributing to storm water pollution would not be able to resume until the practices contributing to storm water pollution are corrected.

Although most problems at construction sites are corrected during Steps 1 and 2 of the enforcement process, it may be necessary to issue Notice of Violations to Stop Work. As shown in the above enforcement procedures, stopping work at a construction site generally would occur after two written warnings have been issued. Stop Work Notices are infrequently issued yet are sometimes necessary to obtain compliance with the federal Clean Water Act and the City's Storm Water Ordinance.

If the City does not enforce construction site storm water runoff procedures, the City could be subject to enforcement actions by the RWQCB. The RWQCB has a number of ways it can respond to storm water violations, including informal enforcement (verbal warnings, staff enforcement letter, and notice of violations) and formal enforcement (clean up and abatement order, administrative civil liability, joint enforcement with California Department of Fish and Game and/or the U.S. Environmental Protection Agency, and referral to District Attorney, Environmental Circuit Prosecutor, or Attorney General). The RWQCB has issued many substantial storm water administrative civil liabilities to other agencies in amounts ranging from \$10,000 to nearly \$1 million in recent years.

As in previous years, City staff will work closely with the RWQCB and construction contractors during the rainy season to ensure that the appropriate BMPs are installed at all construction sites that disturb more than an acre of soil to protect storm water quality and reduce the risk for enforcement actions to be taken against either developers or the City. Environmental compliance inspectors also monitor construction projects less than one acre to ensure compliance with the City's Storm Water Ordinance, although these sites are not subject to oversight by the RWQCB.

### **Fiscal Impact**

Implementation of the Year 6 BMPs was conducted with existing budget funds when possible and also while going into negative reserves to implement some BMPs. This required BMP work and other storm drain work has an impact on the City's General Fund. Existing funds being collected for the Storm Enterprise Fund do not cover the operations and maintenance needs for the storm water conveyance system, construction inspections, and program administration/outreach. It is also uncertain whether the City will need to comply with more requirements after the second-term permit is issued.

**SUBJECT:** Annual Update on Municipal Storm Water Permit Compliance and Procedures for Construction Sites

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**ITEM:**

**Public Contact**

Posting of the City Council agenda.

**Commission Recommendation**

Staff recommends that the City Council receive this report.

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Attachment: Best Management Practices and Measurable Goals for 2009/2010

**Attachment 1**  
**Best Management Practices and Measurable Goals for 2009/2010**

<u>BMP No.</u>	<u>2009/2010 BMP Title and Measurable Goal</u>
1A	<u>BMP:</u> Participate in Public Outreach Events <u>Measurable Goal:</u> A minimum of two events will be attended each year.
1C	<u>BMP:</u> Conduct Presentations for Stakeholder Groups, Service Clubs and Schools <u>Measurable Goal:</u> A minimum of two presentations will be conducted each year.
1D	<u>BMP:</u> Create and Update Storm Water Internet Page <u>Measurable Goal:</u> The storm water web page will be updated when necessary during the year. An annual review of the webpage will be conducted to ensure that the appropriate updates have been made. The Storm Water Hotline (described in BMP 3I) will be included.
1E	<u>BMP:</u> Discuss Storm Water Protection at Industrial/Commercial Compliance Inspections <u>Measurable Goal:</u> Staff will discuss ways to protect storm water at 80 percent of industrial compliance inspections.
2A	<u>BMP:</u> Install Storm Drain Markers or Conduct a Comparable Education and Outreach Event <u>Measurable Goal:</u> At least one storm drain marker installation or comparable educational event will be conducted.
2B	<u>BMP:</u> Obtain Public Input and Update Public on Comprehensive Storm Water Management Plan <u>Measurable Goal:</u> One advertisement will be placed in the newspaper soliciting input on the Comprehensive Storm Water Management Plan. One update to the City Council will be done annually.
3A	<u>BMP:</u> Update Storm Water Conveyance System Map <u>Measurable Goal:</u> The storm water conveyance system map will be reviewed and updated annually by City staff.
3B	<u>BMP:</u> Update Storm Water Ordinance <u>Measurable Goal:</u> The ordinance will be reviewed annually and updated as needed.
3C	<u>BMP:</u> Develop and Implement Plan to Clean and Video Inspect Storm Water Conveyance System. <u>Measurable Goal:</u> A written plan to clean and video inspect the storm water conveyance system will be implemented.
3D	<u>BMP:</u> Identify Agricultural Discharges <u>Measurable Goal:</u> Agricultural discharge inspections will be conducted quarterly.
3E	<u>BMP:</u> Identify Illegal Discharges into Open Channels <u>Measurable Goal:</u> Ninety-percent of the open channels will be monitored twice a month.
3F	<u>BMP:</u> Eliminate and Correct Illicit Connections <u>Measurable Goal:</u> Procedures for eliminating and correcting illicit connections per the ordinance will be followed for ninety percent of the illicit connections identified.
3G	<u>BMP:</u> Distribute Educational Material on Illegal Discharges <u>Measurable Goal:</u> Education material will be distributed.
3H	<u>BMP:</u> Advertise Illegal Discharge/Dumping Phone Number <u>Measurable Goal:</u> The phone number will be advertised.

<u>BMP No.</u>	<u>2009/2010 BMP Title and Measurable Goal</u>
4A	<u>BMP:</u> Review and Develop Requirements to Control Discharges (Sediment and Non-Storm Water) from Construction Sites <u>Measurable Goal:</u> The Grading Ordinance and Standard Specifications will be reviewed and revised as needed.
4B	<u>BMP:</u> Ensure Compliance under Construction Activity General Permit <u>Measurable Goal:</u> Storm water construction site inspectors will ask each building superintendent for proof of a SWPPP, and compliance with the Construction Activity General Permit BMP will be implemented.
4C	<u>BMP:</u> Review, Revise, and Implement Procedures for Site Plan Review <u>Measurable Goal:</u> Implement revised procedures.
4D	<u>BMP:</u> Inspect Construction Sites and Implement Enforcement Measures when Necessary <u>Measurable Goal:</u> Construction sites over one acre with SWPPPs will be inspected at least monthly unless follow-up inspections are necessary. Follow-up inspections to ensure that corrective actions have been implemented will occur on a weekly basis until the issues requiring correction has been addressed (inspections could be more frequent depending on the nature of the infraction).
4E	<u>BMP:</u> Educate Staff, Developers, and Contractors on Construction Related Storm Water Impacts <u>Measurable Goal:</u> A Pre-Wet Season workshop will be held and literature related to protecting storm water at construction sites distributed.
5A	<u>BMP:</u> Review and Update Storm Water Ordinance <u>Measurable Goal:</u> The Storm Water Ordinance will be reviewed and updated as needed.
5C	<u>BMP:</u> Educate Developers on Storm Water Quality Control Measure to Prevent Post-Construction Runoff <u>Measurable Goal:</u> The developer fact sheet/brochure will be updated if necessary. The internet link to the Storm Water Quality Technical Guidance Manual will be maintained.
5D	<u>BMP:</u> Ensure Incorporation of Storm Water Quality Control Measures <u>Measurable Goal:</u> Staff will review documents and/or plans for all applicable projects.
5E	<u>BMP:</u> Conduct Long-Term Maintenance and Monitoring <u>Measurable Goal:</u> Annual inspections of each development with storm water quality control features will be conducted.
6A	<u>BMP:</u> Educate and Train City Staff at Municipal Service Center <u>Measurable Goal:</u> Bi-annual training will be conducted and the dates recorded on a training log.
6B	<u>BMP:</u> Develop and Implement Spill Prevention and Remediation Plan (SPRP) <u>Measurable Goal:</u> The SPRP will be reviewed and updated if necessary.
6C	<u>BMP:</u> Maintain Fueling Site <u>Measurable Goal:</u> Monthly inspections and maintenance will be conducted.
6D	<u>BMP:</u> Maintain Bulk Oil Storage Area and Equipment. <u>Measurable Goal:</u> Monthly inspections and maintenance will be conducted.
6E	<u>BMP:</u> Maintain Equipment Wash Area <u>Measurable Goal:</u> Monthly inspections will be conducted.
6F	<u>BMP:</u> Maintain Used Tire Collection Area <u>Measurable Goal:</u> The used tire collection area will be inspected monthly.

<u>BMP No.</u>	<u>2009/2010 BMP Title and Measurable Goal</u>
6G	<u>BMP:</u> Maintain Equipment Storage Area <u>Measurable Goal:</u> The equipment storage area will be inspected monthly.
6H	<u>BMP:</u> Maintain Hazardous Materials Storage Area <u>Measurable Goal:</u> The hazardous materials storage area will be inspected monthly.
6I	<u>BMP:</u> Maintain Hazardous Waste Collection Area <u>Measurable Goal:</u> Review log and revise as necessary.
6J	<u>BMP:</u> Conduct Routine Building Maintenance <u>Measurable Goal:</u> Each month a different facility will be inspected so that each City facility is inspected once per year.
6K	<u>BMP:</u> Reduce "Green Waste" Placed in the Street from City Park Maintenance Operations <u>Measurable Goal:</u> A plan to reduce the amount of green waste placed in the street will be implemented.
6L	<u>BMP:</u> Reduce Irrigation Run Off from Park Facilities <u>Measurable Goal:</u> Strategies to reduce irrigation run of will be implemented annually.
6M	<u>BMP:</u> Reduce the Opportunities for Fertilizer to Enter the Storm Water System. <u>Measurable Goal:</u> Review operational practices and update as needed to reduce the opportunity for fertilizer products to enter the storm water system.
6N	<u>BMP:</u> Reduce Opportunities for Pesticides to Enter the Storm Water System <u>Measurable Goal:</u> Review pesticide application practices and update as necessary.
6O	<u>BMP:</u> City Swimming Pool Maintenance. <u>Measurable Goal:</u> Pool staff will ensure that pool chemicals are not stored near storm drain inlets during routine maintenance activities. Monthly inspections will be conducted. An annual inspection report will be submitted to the Storm Water Administrator.
6P	<u>BMP:</u> Inspect Open Channels and East Main Street Storm Water Lift Pump Stations <u>Measurable Goal:</u> Visual inspections will be conducted weekly.
6Q	<u>BMP:</u> Maintain Bubble-up Drain Inlets (Inverted Siphons), Covered Gutters (under the walk), and Storm Drain Inlets at Key Locations on the Major Trunk Lines <u>Measurable Goal:</u> The maintenance of these facilities will be conducted annually. Results of the maintenance of each facility will be recorded on inspection sheets.
6R	<u>BMP:</u> Respond to Sanitary Sewer Overflows (SSOs) <u>Measurable Goal:</u> Respond immediately to SSOs.
6S	<u>BMP:</u> Monitor Street Sweeping Operations <u>Measurable Goal:</u> City and Waste Management staff will meet twice a year to discuss the street sweeping program.
6T	<u>BMP:</u> Review Yard Waste Collection Program <u>Measurable Goal:</u> The City will meet at least twice a year with Waste Management to review the yard waste collection program. Additional meetings will be conducted if issues need to be resolved prior to the regularly scheduled meeting.
6U	<u>BMP:</u> Review Road Maintenance Program. <u>Measurable Goal:</u> Implement and review road maintenance program BMPs with staff.