

Appendix D

Construction Site Stormwater Runoff Control

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The Construction Site Stormwater Runoff Control Program is required under ~~S5.B.4(B)(4)~~ of the Eastern Washington Phase II Municipal Stormwater Permit for both public and private construction projects. Runoff from new and re-development projects can contribute to the discharge of sediment to the stormwater system sufficient to result in water quality violations in receiving waters. Controlling erosion and preventing sediment and other pollutants from leaving the construction site is achieved through implementation of appropriate Best Management Practices (BMPs). When proper BMPs are planned, installed, and properly maintained during construction, contamination of the stormwater system can be minimized. The key elements of this program include reviewing project plans, inspecting construction sites, providing education and outreach, and enforcing the ordinance/resolution to prevent illicit discharges to the MS4.

Objective:

The objective is to implement a program which addresses construction site runoff that is compliant with Federal and State stormwater regulations. The goal is to reduce pollutants in stormwater runoff associated with construction activities that disturb one acre or more, and from construction projects of less than one acre that are part of a common plan of development or sale through the implementation of proper project review, inspection, education and enforcement.

1. Local Regulation

Each jurisdiction adopted an ordinance or resolution effective February 16, 2011 requiring erosion and sediment control BMPs for new development and redevelopment projects, as well as requirements for construction site operators to control waste that may adversely impact water quality such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste. The local regulations apply at a minimum to construction sites disturbing greater than or equal to one acre and to construction projects of less than one acres that are part of a common plan of development or sale and shall include sanctions to ensure compliance. To reduce the discharge of pollutants to the maximum extent practicable and satisfy the state AKART requirements, the Wenatchee Valley adopted the most current version of the Stormwater Management Manual for Eastern Washington, including additional local requirements by jurisdiction and revisions by the Washington State Department of Ecology. This manual is cited as the reference for BMP selection, design, installation, and operation and maintenance standards. For more information on the jurisdiction-specific requirements please refer to the following local codes:

- Chelan County Code Chapter 13.18 (Resolution No. 2010-19)
- Douglas County Code Chapter 20.36 (Ordinance No. TLS 10-02-03B)
- East Wenatchee City Code Chapter 13.30 (Ordinance No. 2010-05)
- Wenatchee City Code Chapter 9.20 (2019-12; Ordinance 2017-22; Ordinance 2010-01 formerly 12.10) Ordinance 2010-01

The local regulations must be updated to meet the conditions of the Permit and adopted no later than June 30, 2027.

2. Construction Site Stormwater Runoff Control Program Elements

2.1. Submittal Requirements

Construction Stormwater Pollution Prevention Plans (SWPPPs) shall be required for, at a minimum, regulated construction sites that disturb one acre or more or are less than one acre and are part of a common plan of development or sale.

The goal of a Construction Stormwater Pollution Prevention Plan (SWPPP) is to avoid immediate and long-term environmental loss and degradation typically caused by poorly managed construction sites. Prompt implementation of a Construction SWPPP, can provide a number of benefits. ~~These include~~ including, minimizing construction delays, reducing resources spent on repairing erosion, improving the relationship between the contractor and the permitting authority, and limiting adverse effects on the environment. A Construction Stormwater Pollution Prevention Plan typically contains two components. The first component is a Temporary Erosion and Sediment Control Plan. The second component is a narrative report which explains and illustrates the measure to be taken to control construction site runoff. A well-written SWPPP provides guidance that is neither over- nor under-protective for the project site. The Construction SWPPP should include seasonally appropriate guidance and anticipate adjustments that may be necessary in the event of delays in the construction schedule.

2.2. Stormwater Site Plan Review

Qualified personnel shall review Construction Stormwater Pollution Prevention Plans (SWPPPs) for, at a minimum, all construction sites that disturb one acre or more or are less than one acre and are part of a common plan of development or sale. Jurisdictions shall combine review of pre-construction and post-construction controls to streamline review time and conserve resources. To ensure the jurisdiction and the contractor understand the SWPPP and associated requirements, a pre-construction site plan meeting with the construction operator may be required prior to construction.

Jurisdictions shall accept Stormwater Pollution Prevention Plans. Acceptance of submitted SWPPPs shall not be deemed as approval. As site work progresses, the plan shall be modified to reflect changing site conditions. The owner has ultimate responsibility for preparation, submission and maintenance of the plan. The owner may designate responsibility for preparation and implementation of the plan to a qualified Certified Erosion and Sediment Control Lead (CESCL) but shall retain ultimate responsibility. Acceptance of the SWPPP shall not relieve the owner from requirements to prevent sediment or sediment-laden water from leaving the site. Additional practices shall be implemented as necessary, or as directed by the jurisdiction, in order to address erosion and sedimentation in accordance with local, state and federal requirements.

2.3. Record Keeping

Each jurisdiction has implemented procedures to maintain records of all projects which disturb more than one acre, and all projects of any size that are part of a common plan of development or sale that is greater than one acre beginning with projects approved after February 16, 2007. Records shall be retained for five years or until construction is completed, whichever is longer. Records of projects after February 16, 2011 shall include:

- Project Identification
- Property Owner including contact information
- Contractor, including contact information
- Project location

- Site Plan Review
- SWPPP
- Date Construction Begins
- Inspection Records
- Enforcement Actions, including warning letters, notices of violation, etc.
- “Local Erosivity Waiver” documentation (if applicable)
- Date Construction Completed

2.4. Staff Training

Training shall be provided to municipal staff involved in permitting, planning, plan review, field inspection and enforcement to carry out the provisions of the Construction Site Stormwater Runoff Control Program elements, including office and field staff. Training may be developed in house or offered by another organization and the local jurisdictions will coordinate training for erosion and sediment control with post- construction stormwater management training to ensure efficient use of resources whenever possible.

Municipal training records shall include:

- Names and Positions of staff in attendance.
- Dates
- Activities or Course Descriptions

2.5. Site Inspection and Enforcement

For all new construction occurring on sites disturbing one acre or more of land, or a less than one acre and part of a common plan of development or sale, site inspections shall occur prior to clearing and grading if a high potential for sediment transportation is determined and during construction to verify proper installation and maintenance of required erosion and sediment controls. Site inspections shall be conducted by qualified staff that has been trained to perform inspections of erosion and sediment control best management practices. Inspectors conducting construction-phase stormwater inspections should be a current Certified Erosion and Sediment Control Lead. At a minimum, jurisdictions shall achieve an inspection rate of at least 80% of all sites.

Based on the local code, escalating enforcement actions will be taken for incidents of noncompliance. Education, whenever feasible, will always be the first option. Each jurisdiction will maintain records of inspections, complaints, and enforcement actions. Refer to the appendices for the specific procedures and strategies for each jurisdiction.

2.6. Public Education

~~Target~~ Priority audiences for Construction Site Stormwater Runoff Control education will be the development community, including engineers, designers, specialty contractors, excavation contractors, utility installers, and builders. Education materials will be developed and distributed:

- i. Information will be available at public offices and events including Home Shows and public meetings.
- ii. Information will be provided to developers, contractors, and builders, during pre-application and pre-construction meetings associated with new and re-development projects. Information may be provided as a handout during

meetings or as a referral for Designers and Construction Site Operators to the Department of Ecology website with the list of approved CESCL training programs.

- iii. Information shall be provided to construction site operators about training available on how to install and maintain effective erosion and sediment controls and how to comply with the requirements of Appendix 1 of the Municipal Stormwater Permit and application of Best Management Practices described in Chapter 7 of the Stormwater Management Manual for Eastern Washington.

Records of all information shall include:

- Copies of information provided to construction site operators
- Copies of information distributed to large numbers of design professionals, including the date of the mailing and the recipient list.

Appendix:

Appendix D-1A Construction Site Runoff Control Implementation Procedures