

SECTION C-8

CONSTRUCTION

PROGRAM EFFECTIVENESS ASSESSMENT





C-8.0 CONSTRUCTION

C-8.1 Introduction (LIP Section A-8.1)

The County has incorporated the model construction program described in DAMP **Section 8.4** as the basis for this section of its Local Implementation Plan. This construction program presents requirements and guidelines for pollution prevention methods that must be used by construction project owners, developers, contractors, and other responsible parties, in order to protect receiving waters from discharges resulting from construction activities.

C-8.1.1 Overall Program Management

Through the submittal of its organization chart, **Figure A-8.1** of the LIP, the County identified which Departments were responsible for the implementation of this stormwater program element. This organizational chart is unchanged from the version submitted to the San Diego Regional Board on February 13, 2003.

C-8.2 Inventory of Construction Projects (LIP Section A-8.2)

The County has developed and updated on an ongoing basis, a watershed-based inventory of the identified construction projects within the County's jurisdiction. A summary of the construction inventory updated prior to October 1, 2003 and included as **Exhibit A-8.I** of the LIP, is provided below.

Jurisdictional Summary of Construction Projects

Construction Project Category	Total Number of Construction Projects
Private Projects-Santa Ana Region	827
Private Projects-San Diego Region	1,007
Public Projects-Santa Ana Region	15
Public Projects-San Diego Region	4
Total for all Categories	1853



2002/03 Summary of Construction Projects by Watershed - San Diego Region

Watershed	Laguna Coastal Streams	Aliso Creek	Dana Point Coastal Streams	San Juan Creek	San Clemente Coastal Streams	San Mateo Creek
Private Projects	35	13	0	959	0	0
Public Projects	0	0	0	3	1	0
Totals	35	13	0	962	1	0

2002/03 Summary of Construction Projects by Watershed - Santa Ana Region

Watershed	San Gabriel River/Coyote Creek	Huntington Harbor	Santa Ana River	Newport Bay	Newport Coastal Streams
Private Projects	26	104	90	257	350
Public Projects	1	3	8	2	0
Totals	27	107	98	259	350

C-8.3 Prioritization of Construction Projects (LIP Section A-8.3)

The County has prioritized construction projects within its jurisdiction as high, medium or low based on their respective threat to water quality. The prioritizations are updated on an ongoing basis along with the inventory (**Exhibit A-8.I** of LIP). Summaries of the prioritizations are provided in the following tables:



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2002/03 Summary of Construction Projects Prioritization

Construction Projects Prioritization	Private Projects		Public Projects	
	Santa Ana Region	San Diego Region	Santa Ana Region	San Diego Region
Projects subject to General Construction Permit	3	8	8	1
Projects tributary to and within 500 feet of an ASBS	0	0	0	0
Projects tributary to 303(d) waterbody impaired for sediment or turbidity	0	0	0	1
Projects within, directly adjacent to or discharging directly to an ESA	0	0	1	1
Number of high priority projects	3	8	10	3
Number of medium priority projects	63	101	5	0
Number of low priority projects	761	898	0	1
Total number of projects	827	1,007	15	4

**2002/03 Construction Projects Prioritization Summary by Watershed
Santa Ana Region**

Watershed	San Gabriel River/Coyote Creek	Huntington Harbor	Santa Ana River	Newport Bay	Newport Coastal Streams
Number of high priority projects	1	0	8	2	1
Number of medium priority projects	0	1	18	13	31
Number of low priority projects	26	103	72	244	318
Totals	27	104	98	259	350

**San Diego Region**

Watershed	Laguna Coastal Streams	Aliso Creek	Dana Point Coastal Streams	San Juan Creek	San Clemente Coastal Streams
Number of high priority projects	0	0	0	2	1
Number of medium priority projects	1	2	0	98	0
Number of low priority projects	34	11	0	854	0
Totals	35	13	0	962	1

C-8.4 BMP Fact Sheets for Construction Projects (LIP Section A-8.4)

BMP fact sheets have been developed and are included as a part of the Construction Program. The fact sheets include a description of specific BMPs for common construction activities that may discharge pollutants and provide a focus on the pollution prevention measures that should be implemented. The Construction BMP fact sheets are from the *2003 edition of the California Stormwater Quality Association Stormwater Best Management Practice Handbook-Construction* and are included as **Exhibit A-8.II** of the County's LIP.

C-8.5 Documentation Requirements (LIP Section A_8.5)C-8.5.1 Private Construction Projects

During the 2002/03 reporting period, the County did not determine that any discharges associated with a private construction project under its jurisdiction posed a potential or existing significant threat to human or environmental health. Therefore, no Regional Board notifications were made.

C-8.5.2 Public Agency Construction Projects

During the 2002/03 reporting period, the County did not determine that any discharges associated with a public construction project under its jurisdiction posed a potential or



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existing significant threat to human or environmental health. Therefore, no Regional Board notifications were made.

C-8.6 Municipal Inspection Requirements of Construction Projects and Reporting Requirements (LIP Section A-8.6)

The County has inspected the construction projects at the frequency determined by the priority ranking assigned to each facility as identified in the LIP. The inspections generally included a review of BMP implementation through the erosion control practices, sediment control practices, tracking controls, waste and disposal management practices on a project and looked for visual evidence of past or present unauthorized non-stormwater discharges.

The County inspects construction projects at the frequency stated in **Table A-8.4** of the LIP.

Inspection Frequency of Construction Sites (Table A-8.4 of LIP)			
Construction Site Priority	Wet Season (October 1 - April 30)		Dry Season (May 1 - September 30)
	San Diego Region	Santa Ana Region	
LOW	Twice during the season	Once during the season	As needed
MEDIUM	Twice during the season		As needed
HIGH	Once per week *	Once per month	As needed

* Or, monthly for any site that the County certifies in a written statement to the SDRWQCB all of the following (certified statements may be submitted to the San Diego Regional Board at any time for one or more sites):

- i. County has record of construction site's Waste Discharge Identification Number (WDID#) documenting construction site's coverage under the statewide General Construction Permit; and
- ii. County has reviewed the construction site's Stormwater Pollution Prevention Plan (SWPPP); and
- iii. County finds SWPPP to be in compliance with all local ordinances, permits, and plans; and
- iv. County finds that the SWPPP is being properly implemented on site.

In addition, if there is evidence of non-compliance, the County re-inspects the project once a month at a minimum in order to ensure that the site is brought back into compliance. After it is in compliance the project is inspected once every four months for the next calendar year.

The number of inspections completed during the current reporting year is presented in the following tables:



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2002/03 Summary of Construction Projects Inspection

Facility Category	Number of Inspections During the Reporting Period		
	High	Med	Low
Private Projects	278	660	294
Public Projects*	See footnote below.		
Total	278	660	294

* (During the 2002/03 reporting period, PFRD Construction Management treated all projects as High Priority - inspecting all public projects on a weekly basis during the wet season and on a monthly basis during the dry season.)

The number of non-compliant projects identified during these inspections is presented below along with information on follow-up inspections and enforcement actions conducted.

2002/03 Summary of Construction Projects Compliance

Number of Private Construction Projects Out of Compliance	Number of Public Construction Projects Out of Compliance
65	10

Enforcement

The County’s Construction Inspectors and Authorized Inspectors undertake enforcement activities according to the County’s ordinances and the countywide accompanying Enforcement Consistency Guide (**DAMP Section 4.0**). The enforcement mechanisms available are summarized in this section and detailed in the County’s LIP.

Enforcement may be handled administratively or in more serious instances, may be prepared for prosecution. As provided for in the Enforcement Consistency Guide, when selecting enforcement options, the County’s Inspectors ensure that violations of a similar nature are subjected to similar types of enforcement remedies. More severe enforcement options may be selected when a violator has either a history of noncompliance or has failed to take good faith actions to eliminate continuing violations or to meet a previously imposed compliance schedule.

The following table provides a summary of the numbers and types of enforcement actions against construction projects that have been taken by the County during the reporting period:



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2002/03 Summary of Private Construction Projects Enforcement

Enforcement Options				Criminal Remedies
# Educational Letters	# Notice of Noncompliance	# Administrative Compliance Orders	# of Cease & Desist Orders	Misdemeanor, Infraction
0	65	0	0	0

2002/03 Summary of Public Construction Projects Enforcement

Enforcement Options			
# of Verbal Warnings	# of Notice to Correct (Written Warning)	# of Stop Work Orders	Enforcement of Contract
9	1	0	0

C-8.7 Training and Outreach (LIP Section A-8.7)

Training

The County conducted and/or participated in Principal Permittee sponsored training to assist responsible municipal staff in understanding the Construction Program. The training conducted during the reporting period is summarized in the following tables:

2002/03 Summary of Training

Department	Department Subcategory	Training Module	Training Dates	Number of Attendees
Training Conducted by the County and Attended by County Personnel				
PFRD	Watershed & Coastal Resources	Construction Program Management, DAMP Appendix B, Exhibit B-8.I	October 8 & 10, 2002	28
	Engineering & Permit Services			
	Construction Management	Inspecting Construction Site BMPs, DAMP Appendix B, Exhibit B-8.II		
PDSD	Water Quality Management Section	Construction Program Management, DAMP Appendix B, Exhibit B-8.I	October 8 & 10, 2002	44
	Grading and Building Plan Check			
	Grading and Building Inspection	Inspecting Construction Site BMPs, DAMP Appendix B, Exhibit B-8.II		



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Training Conducted by the County for County Personnel				
PFRD	Construction Management	PFRD Construction Management Stormwater Training: Stormwater Inspection and Reporting	October 24, 2002	24
PDSB	Water Quality Management Section	Planning and Development Services Department NPDES Inspection Training	August 28, 2002	30
	Grading and Building Plan Check			
	Grading and Building Inspection			
Total				126

As indicated in the table summary, the County conducted and participated in multiple construction training sessions during the 2002/2003 reporting period. These training sessions reached a total of 126 County staff.

Other training opportunities that the County participated in include the following:

- Title of Workshop or Training:** Stormwater Monitoring Techniques
Date Attended: June 26, 2002
Sponsoring Organization: CalTrans

Name	Department
Dave Marshall	PFRD Construction Management
Greg Walen	

- Title of Workshop or Training:** Construction Stormwater Permit Compliance Workshop
Date Attended: September, 2002
Sponsoring Organization: South Coast Resources Conservation

Name	Department
Dave Marshall	PFRD Construction Management
Greg Walen	
Bryan McKinney	
Eric Mimoso	
Mike Reetz	
Tom Walsh	



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- 3. Title of Workshop or Training:** Construction Stormwater Compliance Workshop
Date Attended: October 29, 2002
Sponsoring Organization: Building Industry Association
Staff participated by providing a presentation
Presentation by staff: Orange County Construction Program Overview

Name	Department
Grant Sharp	PFRD Watershed & Coastal Resources
Don Murphy	PDSB Subdivision & Grading

- 4. Title of Workshop or Training:** CA BMP Handbook Training, Construction
Date Attended: April, 2003
Sponsoring Organization: CASQA

Name	Department
Robin LaMont	PFRD Construction Management
Chris Crompton	PFRD Watershed & Coastal Resources
Christine Hanson	PFRD Watershed & Coastal Resources
George Edwards	PFRD Watershed & Coastal Resources



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C-8.8 Construction Program Modifications

The County has evaluated the results of the assessment to determine if any program modifications are necessary in order to comply with the requirements of the Third Term Permits.

Modifications to the County's Construction Program include:

- Construction inventory updated on an ongoing basis (**Exhibit A-8.1** of the LIP)
- Minimum construction BMP requirements clarified (**Section A-8.4** of the LIP)
- Additional controls clarified for projects tributary to 303(d) waterbodies impaired for sediment/turbidity or within, adjacent to or discharging directly to an Environmentally Sensitive Area (ESA) (**Section A-8.4** of the LIP)
- Clarification of how the LIP and the Construction Program provide adequate legal authority to assure that the requirements of Section F.2.b of the San Diego Permit are met (**Section A-8.4** of the LIP)
- Incorporation of the *August 2003 Construction Runoff Guidance Manual* (**Exhibit A-8.VI** of the LIP)