

SECTION C-8

CONSTRUCTION

PROGRAM EFFECTIVENESS ASSESSMENT
2006-07





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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 has identified which Departments are responsible for the implementation of this stormwater program element.

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, 2007 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		
	2006-07	2005-06	2004-05
Private Projects - Santa Ana Region	939	678	555
Private Projects - San Diego Region	378	329	450
Public Projects - Santa Ana Region	22	24	14
Public Projects - San Diego Region	15	8	6
Total for all Categories	1,354	1,039	1,025

Looking at the number of construction projects under the County’s authority over the last three years, there continues to be a shift in the balance of the inventory from the San Diego to the Santa Ana Region. This can be attributed to a continued increase in the construction activity in the Newport Coast Planned Community (Los Trancos/Muddy Creek watershed) and a decrease in the activity in the Ladera Planned Community (San Juan Creek watershed) which is nearing completion.



2006-07 Summaries 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	53	10	0	315	0	0
Public Projects	2	2	1	6	0	0
Totals	55	12	1	321	0	0

2006-07 Summaries of Construction Projects by Watershed

Santa Ana Region

Watershed	San Gabriel River/Coyote Creek	Anaheim Bay/Huntington Harbor	Santa Ana River	Newport Bay	Newport Coastal Streams	Los Trancos/Muddy Creek	Multiple Watersheds
Private Projects	31	155	63	227	0	463	0
Public Projects	1	1	11	8	0	1	1
Totals	32	156	74	235	0	464	1



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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:

2006-07 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	78	38	16	9
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	0
Projects within, directly adjacent to or discharging directly to an ESA	0	0	0	0
Number of high priority projects	26	12	7	5
Number of medium priority projects	34	22	9	6
Number of low priority projects	879	344	6	1



2006-07 Construction Projects Prioritization Summary by Watershed

Santa Ana Region

Watershed	San Gabriel River/Coyote Creek	Anaheim Bay/Huntington Harbor	Santa Ana River	Newport Bay	Newport Coastal Streams	Los Trancos/Muddy Creek	Multiple Watersheds
Number of high priority projects	1	2	3	6	0	21	0
Number of medium priority projects	2	5	12	9	0	15	1
Number of low priority projects	29	149	59	220	0	428	0
Totals	32	156	74	235	0	464	1

San Diego Region

Watershed	Laguna Coastal Streams	Aliso Creek	Dana Point Coastal Streams	San Juan Creek	San Clemente Coastal Streams	San Mateo Creek
Number of high priority projects	1	2	1	13	0	0
Number of medium priority projects	1	0	0	26	0	0
Number of low priority projects	53	10	0	282	0	0
Totals	55	12	1	321	0	0

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



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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)

The County is required to document and report to the Regional Board, construction projects which fail to comply with the Statewide General Construction Permit or represent a significant threat to human or environmental health.

C-8.5.1 Private Construction Projects

The County made no notifications to the Regional Board regarding private projects during the reporting period.

C-8.5.2 Public Agency Construction Projects

The County made no notifications to the Regional Board regarding public projects during the reporting period.

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

The County has inspected construction projects at the frequency determined by the priority ranking assigned to each facility as identified in the LIP. The inspections generally include a review of BMP implementation through the erosion control practices, sediment control practices, tracking controls, waste and disposal management practices on a project and look 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 constructions 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.



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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 a minimum of once every four months for the next calendar year (assuming it is still active).

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

2006-07 Summary of Construction Projects Inspection

Facility Category	Number of Inspections During the Reporting Period		
	High	Medium	Low
Private Projects	1,797		
Public Projects	49	52	17
Total	1,915		

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

2006-07 Summary of Construction Projects Compliance

Reporting Period	Number of Private Construction Projects Out of Compliance	Number of Public Construction Projects Out of Compliance
2006-07	226	5
2005-06	151	7
2004-05	640	2

The number of private construction projects found to be out of compliance increased from 151 in 2005-06 to 226 during this reporting period. This increase may be attributed in part to more experienced construction site inspectors becoming more aware of non-compliance issues. The construction projects inventories are updated on an ongoing basis and provided to the Regional Boards as a part of the annual submittal. Inspection information is also updated on an ongoing basis in a database format. The inspection related information includes, at a minimum, inspection dates, inspectors present and the results of the inspection. The updated inspection database is included as **Attachment C-8.1** of this report.



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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:

2006-07 Summary of Private Construction Projects Enforcement

Enforcement Options				Criminal Remedies
# of Verbal Warnings	# of Correct Work Notices (Written Notice to Correct Work)	# of Administrative Compliance Orders	# of Stop Work Orders	Misdemeanor, Infraction
0	226	0	0	0

2006-07 Summary of Public Construction Projects Enforcement

Enforcement Options				
# of Verbal Warnings	# of Correct Work Notices (Written Notice to Correct Work)	# of Administrative Compliance Orders	# of Stop Work Orders	Enforcement of Contract
12	5	0	0	0



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Training

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

The County conducted and/or participated in multiple trainings to assist responsible municipal staff in understanding the Construction Program. The training attended during the 2006-07 reporting period is summarized in the following tables:

Department	Division Subcategory	Training Module	Training Dates	Number of Attendees
Training Conducted by the County and Attended by County Personnel				
RDMD	Construction Management	RDMD Erosion & Sediment Control BMP Workshop	January 17, 2007	11
	Operations & Maintenance			24
	Project Management			3
	Road			2
Training Conducted by Santa Ana Regional Board Staff and Attended by County Personnel				
Multiple Departments and Divisions		Inspecting Construction Site BMPs	October 4, 2006	25
Training Conducted by San Diego Regional Board Staff and Attended by County Personnel				
Multiple Departments and Divisions		Inspecting Construction Site BMPs	October 23, 2006	13
Totals				78

2006-07 Summary of Training

Other training opportunities that County staff attended include the following:

- Title of Workshop or Training:** NPDES Inspection Training
Date Attended: September 7 & 13, 2006 (Same training, separate dates)
Training Conducted By: Global Environmental Network

Name	Department
Greg Cunningham	RDMD/Construction Management
Halbert Tran	



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Carlos Lopez	RDMD/Construction Management
Virgil Ganzles	
Tommy Nguyen	
Ted Pittman	
Remon Tadrous	
Bob Stanfield	
Satinder Verma	
Chris Rutland	
Clint Brown	
Chris Steiler	
Dan Bigger	
Eric Oldham	
Joe Hurley	
David Gaffaney	
David Robinson	
Charles Michinock	
Raymond Marcial	
Hunter Smith	
Michael Nguyen	
David Koch	
Robin LaMont	
Tammy Killingsworth	RDMD/Operations & Maintenance
John Kort	

2. Title of Workshop or Training: Construction Stormwater Compliance Training Seminar

Date Attended: April 30, 2007

Sponsoring Organization: BIA of Southern California

Name	Department
Vince Mead	RDMD Construction Management
Jonathan Tucker	
Tom Web	
Salvador Ordonez	
Webster Labrador	
Michael Romero	



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3. Title of Workshop or Training: 614B & 674B Construction (Online training)

Date Attended: N/A

Training Conducted By: Office of Water Programs

Name	Department
Bob Whitlock	RDMD Construction Management
Michael Romero (614 B only)	

4. Title of Workshop or Training: 24 hr. SWPPP Training

Dates Attended: December 4-6, 2006, December 13-15, 2006, March 21-23, 2007, April 30-May 2, 2007 & May 14-16, 2007

Training Conducted By: Global Environmental Network, Inc.

Name	Department
Joe Hurley	RDMD Construction Management
Chris Kubasek	
Dave Rocha	
Soon No	
Michael Romero	

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.

The following modifications have been made to Section A-8 of the LIP during the 2006-07 reporting period and are included as an attachment to this report:

- Construction inventories (Exhibit A-8.I of the LIP) updated on an ongoing basis (included as Attachment C-8.1 of this report).