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U.S. Environmental Protection Agency  
Region 9  
Enforcement Division  
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**MUNICIPAL SEPARATE STORM  
SEWER SYSTEM (MS4)  
COMPLIANCE INSPECTION**

**CITY OF INDIO  
CALIFORNIA**

**INSPECTION REPORT**

**Inspection Dates:  
August 14–15, 2014**

**Report Date:  
November 7, 2014**

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## Section 1.0 Executive Summary

On August 14–15, 2014, the U.S. Environmental Protection Agency (EPA) and staff from PG Environmental, LLC, an EPA contractor, collectively referred to as the EPA Inspection Team, conducted an inspection of the City of Indio’s (California) municipal separate storm sewer system (MS4) program.

The EPA Inspection Team reviewed documents, interviewed staff, and conducted field activities to review the City of Indio’s (City’s) MS4 program. The inspection focused on three elements of the City’s MS4 program: (1) illicit connection/illicit discharge (IC/ID); litter, debris and trash control; (2) new development/redevelopment program; and (3) private construction activities. At the conclusion of the inspection, the EPA Inspection Team discussed preliminary observations with City representatives.

In this report, the EPA identifies program deficiencies and recommendations for program improvement. Specifically, the EPA recommends the City of Indio:

- Implement specific IC/ID training for all MS4 program staff and City field personnel, including contractors, public works employees, code enforcement staff, and emergency services employees.
- Update the City’s MS4 map to include all of the City’s stormwater facilities, post-construction best management practices (BMPs), and conveyance structures. In addition, the EPA recommends the City develop a formalized IC/ID inspection schedule and adopt or create a tracking sheet to facilitate documenting the occurrence of and findings from inspections and cleaning activities.
- Develop standard operating procedures (SOPs) for IC/ID control, construction (public and private) inspections, and post-construction BMP inspections and maintenance.
- Provide additional inspector training and make the City Construction Inspector a dedicated stormwater inspector.
- Implement specific IC/ID training for all MS4 Program staff and City field personnel including contractors, public works employees, code enforcement staff, and emergency services employees.
- Ensure staff is populating all fields in the construction site inspection forms.
- Train onsite inspectors, including subcontractors, on stormwater BMPs, IC/ID, and stormwater issue reporting.

## Section 2.0 Indio Stormwater Program

On August 14–15, 2014, the EPA Inspection Team conducted an inspection of the City of Indio’s (California) municipal separate storm sewer system (MS4) program. Discharges from the City’s MS4, the Riverside Flood Control District, Riverside County, Coachella Valley Water District (CVWD), and nine other municipalities are regulated under *Waste*

*Discharge Requirement for Discharges from the Municipal Separate Storm Sewer System (MS4) within the Whitewater River Watershed Riverside County Flood Control and Water Conservation District, Owner/Operator County of Riverside, Owner/Operator Coachella Valley Water District, Owner/Operator and Incorporated Cities of Riverside County within the Whitewater River Basin, Owners/Operators, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS617002, Order No. R7-2013-0011, issued June 20, 2013 (the Permit).*

The Permit is the fourth NPDES MS4 permit. On March 14, 1991, the California Colorado River Basin Regional Water Quality Control Board (Regional Water Board), designated the Whitewater River Region as an area required to have a Phase I NPDES MS4 Permit. The second term of the NPDES MS4 permit was adopted on September 5, 2001 and was replaced by (third term permit) MS4 Permit Order No.R7-2008-001.

The current MS4 Permit is issued to two Principal Permittees - County of Riverside, and the Riverside County Flood Control and Water Conservation District (Permittees) -- as well as the following Copermittees: Banning, Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, Rancho Mirage, and the Coachella Valley Water District. The Permit authorizes the Permittees and Copermittees to discharge or contribute to discharges of stormwater from Phase I MS4s into the watershed management areas of the Whitewater River Region. The water bodies in this region are primarily surface water bodies that are called "washes." These washes include Smith Creek, Montgomery Creek, West Cathedral Canyon Channel, East Cathedral Canyon Channel, West Magnesia Canyon Channel, East Magnesia Canyon Channel, Palm Valley Storm Water Channel, Deep Canyon Storm Water Channel, Bear Creek, La Quinta Resort Channel, La Quinta Evacuation Channel, and the Whitewater River from the Whitewater recharge basins to the Coachella Valley Stormwater Channel (CVSC). The Permittees also discharge to additional surface water bodies, including the Whitewater River Channel, Little Morongo Creek, Palm Canyon Creek, San Gorgonio River, Tahquitz Creek, and other washes (ephemeral streams).

#### City of Indio Information

According to the 2010 U.S. Census, Indio's area is approximately 29 square miles, and it has a population of 76,036. It is the oldest city in the Coachella Valley and is the location of Riverside County's Eastern Administrative Offices. The City is located approximately 23 miles east of Palm Springs, California and 98 miles north of Mexicali, Baja California. The San Andreas Fault is approximately 3 miles southwest of the City. Approximately 0.03 percent of the City's area is surface water, and the City has an average annual rainfall of 3.47 inches. Discharges from the City's MS4 flows primarily into the Coachella Valley Stormwater Channel.

## **2.1 Program Areas Evaluated**

The EPA Inspection Team obtained information through interviews with representatives from the City along with a series of site visits, record reviews, and field verification activities. Field visits and discussions with City representatives were conducted to obtain information regarding overall program management, program evaluation, and oversight.

The inspection entailed an evaluation of the City's compliance with three stormwater management components of the Permit:

- Illicit connection/illicit discharge (IC/ID); litter, debris and trash control.
- New development/redevelopment.
- Private construction activities.

The EPA Inspection Team did not evaluate all components of the City's MS4 program, and this inspection report should not be considered a comprehensive evaluation of all individual program elements.

## **Section 3.0 Evaluation Findings**

This section describes the EPA Inspection Team's findings with regards to the evaluation of the three stormwater management components identified above. Within each subsection, where applicable, the EPA Inspection Team has identified program deficiencies and recommendations for improvement. Program deficiencies are areas of concern that may prevent successful program implementation or areas that, unless action is taken, have the potential to result in noncompliance in the future. This report also provides recommendations for improving program implementation.

The inspection findings are supported by interviews, observations, and photographic evidence gathered during the inspection, as well as documentation that may have been obtained before, during, or after the inspection. This inspection report does not attempt to comprehensively describe all aspects of the City's MS4 program or fully document all lines of questioning conducted during personnel interviews. The presentation of inspection findings in this report does not constitute a formal compliance determination or notice of violation; rather, it identifies areas of concern with Permit compliance. Additional inspection report materials, including an industrial inspection schedule and sign-in sheet, are included in [Appendix A](#).

Multiple documents were referenced by the EPA Inspection Team during the inspection process and development of this report (e.g., the Permit, MS4 annual reports). In addition, the City provided the EPA Inspection Team with multiple documents during the inspection process. A list of these reference materials is included as [Appendix B](#). The documents identified in [Appendix B](#) have not been included in the submittal of this inspection report. Copies of the materials are maintained by EPA Region 9 and can be made available upon request.

### **3.1 Illicit Connection/Illegal Discharge; Litter, Debris and Trash Control**

Part F.1.a of the Permit requires the City to (1) implement appropriate controls to reduce or eliminate the discharge of trash and debris to waters of the United States, (2) document on special IC/ID forms observations made by field personnel of unauthorized dumping or

spills and maintain a database of IC/ID investigations, and (3) provide, collect, and maintain litter receptacles in strategic public areas.

### **3.1.1 Illicit Connection and Illegal Discharge Elimination**

As part of the stormwater monitoring program, City staff explained that the Coachella Valley Water District (CVWD) field staff routinely monitors the MS4 outfalls in both wet and dry weather conditions. If receiving water monitoring data indicates an illicit discharge, CVWD staff immediately notifies the City of the issue so the City may respond. At the time of the inspection, the City did not have any examples of CVWD's contacting them about a possible IC/ID from any of the outfalls.

City staff explained that the City receives reports from the public regarding illicit connections and illegal discharges via the Public Works Department's main telephone number or email, or through Riverside County's Spill Response Hotline. At the time of the inspection, the EPA Inspection Team was unable to connect to the county hotline for reporting IC/IDs via their cellular phones, but the county staff were able to reach the automated system using their cellular phones. In addition, City representatives explained that the City is "short staffed," so it has developed partnerships with various agencies, such as the Coachella Valley Mosquito Vector Control, Riverside County Fire Department, Valley Sanitary District, Indio Water Authority, and Burrtec Waste and Recycling (refer to Appendix D, Exhibit 1), to aid in reporting IC/IDs. These agencies report IC/IDs if they encounter them. City departments, most notably the Streets Department or the Parks Department, routinely report suspected IC/IDs directly to stormwater program staff. All instances of alleged IC/IDs are documented using the "IC/ID Incoming Complaint Form" and the "IC/ID Investigation Report Form." In addition to the hardcopy forms, the City maintains an IC/ID database, which is based on the database provided in Appendix E of the *Whitewater River Region SWMP* [stormwater management program] 2009, updated in 2011, hereinafter referred to as the Regional SWMP. IC/ID information from the completed forms is entered into the City's IC/ID database.

City staff explained that in addition to the IC/ID tracking database suspected illicit discharges are also tracked using a Microsoft Excel spreadsheet provided by the County to facilitate IC/ID long term tracking and reporting. The EPA Inspection Team reviewed the City's IC/ID spreadsheet database.

#### *Recommendation for Improvement:*

*The EPA recommends the City hold an annual training, in addition to the IC/ID annual training, that focuses primarily on the "Hazardous Materials Business Plan" and the "Spill Prevention, Control, and Countermeasures Plan." The additional training should define what an IC/ID is, how to properly identify a possible IC/ID, and how to report any observations. EPA recommends the training be offered to all field personnel, including contractors, inspectors, and partner organizations (e.g. Coachella Valley Mosquito Control, Riverside County Fire Department, and Burrtec Waste and Recycling) field employees.*

City staff stated the City was in the process of completing its storm sewer map using a geographic information system (GIS). They added that there is no set inspection schedule or frequency for IC/ID specific inspections; however, the City's Public Works Department's equipment operators clean catch basins on a regular basis and are trained to report any IC/IDs to the City Environmental Programs Coordinator. The Public Works Department equipment operator who was responsible for cleaning catch basins had a field book of maps that he edited by hand to include catch basins not contained on the City's GIS-based storm system map (refer to [Appendix C, Photo 1](#)). The equipment operator also had developed a tracking document to ensure that he cleaned each catch basin and to provide a standard format for recording any issues he observed (refer to [Appendix C, Photo 2](#)). The City did not appear to be using this document to formally track maintenance activities completed on the storm sewer system. The map the City provided to the EPA Inspection Team showed all known MS4 outfalls currently identified by City representatives, some of the stormwater pipes, and some of the stormwater facilities; however, not all of the MS4 catch basins were identified.

*Recommendations for Improvement:*

*The EPA recommends the City update its storm sewer map to include all stormwater facilities and use the updated map to develop a formalized inspection schedule for City's Public Works Department's IC/ID inspections. Additionally, EPA recommends the City adopt or create a tracking sheet similar to the one currently being used by the City Public Works Department equipment operator to document where and when storm sewer inspections and cleaning activities occur.*

City staff stated that they have historically relied on communication between office based personnel and field based personnel during the initial IC/ID investigation to eliminate identified illicit connections or discharges. In addition, the City stated that it has a "strong" stormwater ordinance, and if further action is needed the City refers the case to Code Enforcement.

At the time of time inspection the City Staff provided the most recently documented potential IC/ID. The IC/ID was reported by a "Verizon Employee," who reported observing what appeared to be waste oil behind a commercial building, along with staining on the parking/storage area. The City's Environmental Programs Coordinator investigated the complaint and called Code Enforcement to follow up with the property owner (refer to [Appendix D, Exhibit 2](#)). At the time of the inspection, the property owner had been cited and a court date had been set for September 2014. The EPA Inspection Team conducted a field visit to the property during the course of the inspection and observed that waste released from the property would be captured by a post-construction, infiltration BMPs located at the commercial complex.

*Recommendation for Improvement:*

*EPA recommends the City create a SOP for investigating IC/IDs and for IC/ID enforcement.*

### **3.1.2 Illicit Connection and Illegal Discharge Documentation**

Part F.1.a.ii of the Permit requires the Permittee to “document the observations of field personnel of unauthorized dumping or spills so that the information can be used to locate the source of pollutants. The Permittee shall continue to utilize standardized IC/ID reporting forms to document, track, and report IC/ID incidences.”

The City reported that it was currently operating under the 2009 Regional SWMP but had submitted a Permit required revision of the SWMP to the Regional Board earlier in the year. The City stated that it anticipates Regional Board approval and implementation of the revised SWMP by November 2014 and that they had already started to implement some of the requirements that went above and beyond the 2009 Regional SWMP.

Appendix D of the 2009 Regional SWMP provides standardized reporting forms “IC/ID Incoming Complaint Form” and “IC/ID Investigation Report Form,” which City staff stated they were using for their investigations. The reporting forms have sections for recording complaint time and the time of response. The Regional SWMP states that the City must begin an investigation within 24 hours of notification of or observation of a possible IC/ID.

During the inspection, City staff explained how they had addressed two different IC/IDs and provided the EPA Inspection Team with copies of documentation from both investigations. City staff explained that they always attempt to investigate an IC/ID complaint the day it is received or, at the least, within 24 hours. Of the two examples provided to the EPA Inspection Team, only the most recent provided a complaint received time and response time (refer to [Appendix D, Exhibit 3](#)). Furthermore, the documentation from this January 15, 2014 IC/ID investigation report did not name or identify a responsible party; the reason was unclear.

The *2012–2013 Annual Progress Report* stated that the City had identified three IC/ID cases. These cases were not required to be reported to the Regional Board, and none required notifying the Office of Emergency Services.

### **3.1.3 Litter, Debris, and Trash Control**

Part F.1.a.iv of the Permit requires the Permittee to “provide, collect, and maintain litter receptacles in strategic public areas and during public events.” City staff explained they take a proactive approach to trash disposal and regularly perform “drive throughs” of areas where people dump trash on the side of the road. The City reported that it hosts annual collection days for household waste and hazardous waste. The City reported implementing nonstructural control measures, including routine street sweeping, annual storm drain catch basin cleaning, and placing trash receptacles in public areas.

## **3.2 New Development/Redevelopment Program**

Part F.1.c of the Permit requires the City to implement and enforce a program to address urban runoff from new development and redevelopment projects that disturb 1 acre or more, including projects that are less than 1 acre but are part of a larger common plan of

development. This program must include (1) the use of ordinances or other regulatory mechanisms that include design standards to address post-construction runoff, (2) a review of proposed project plans to determine if they are “Priority Development Projects” which would require a water quality management plan (WQMP) that is reviewed to ensure proper long-term operations and maintenance of post-construction BMPs (unless the project meets the treatment control “Alternatives and Waivers”), and (3) a WQMP tracking database.

### **3.2.1 New Development/Redevelopment Program Ordinance**

Part F.1.c.ii of the Permit requires the City to implement the development and approval review procedures outlined in the Regional SWMP to address “all Urban Runoff from New Development and Redevelopment Projects that disturb areas equal to or greater than 1 acre, including projects less than 1 acre that are part of a larger common plan of development or sale, that discharges into the MS4.” Further Part F.1.c.ii.3 and 4 of the Permit requires the Permittee to “use an ordinance or another regulatory mechanism to address post construction Urban Runoff” and requires the use of “mechanisms to ensure adequate long-term operation and maintenance of post-construction BMPs on Priority Development Project sites.”

City staff provided the EPA Inspection Team with two ordinances that address the City’s new development and redevelopment—Section 55.26 of the *Storm Water Management and Discharge Control Ordinance (Stormwater Management Ordinance)* and Chapter 162, Grading, of the *Code of Ordinances* (refer to [Appendix D, Exhibits 4 and 5](#)). These ordinances supported the new development and redevelopment requirements located in section 4 of the Regional SWMP.

During the inspection, City staff demonstrated knowledge of the ordinance requirements for new development and redevelopment. City staff explained their project review and approval process, including the WQMP approval process. The City Planning Department performs the initial site application review using the “Checklist for Projects Requiring Project Specific WQMPs,” which is Figure 4-2 in the Regional SWMP, and the “Project Specific WQMP Review Checklist,” located in Appendix I of the Regional SWMP. In addition, City representatives stated that if a WQMP is required for a project, then the City Engineering Department reviews the WQMP and signs off prior to the start of construction.

### **3.2.2 New Development/ Redevelopment Priority Project Plan Review**

Part F.1.c.iii of the Permit states, “All discretionary New Development and Redevelopment Projects that fall into one of the following categories (herein referred to as Priority Development Projects) are subject to WQMP design standards specified in item number F.1.c.v.”

City staff was aware of the requirements listed in section 4 of the Regional SWMP and were using the checklists from the Regional SWMP to determine if a project required a WQMP. The City Engineering Department representatives stated that details for a project requiring a WQMP are entered into a preliminary spreadsheet until a WQMP is approved

and permits are released (refer to Appendix D, Exhibit 6). Once construction is complete, but prior to the release of the improvement bonds, a City inspector must verify proper operation of the BMPs and that the as-built condition of the BMP is in accordance with the WQMP.

### **3.2.3 New Development/ Redevelopment Priority Project Database and Tracking**

Part F.1.c.vii of the Permit states that the Permittee must maintain “an up-to-date WQMP tracking database, including information specified in Attachment B of the MS4 Permit.” Appendix M of the Regional SWMP includes a model database to be used by Permittees for tracking purposes. Section 4 of the Regional SWMP provides instructions on how to complete the WQMP database.

During the inspection, City representatives stated that if the Planning Department determines that a proposed project requires a WQMP, the project is referred to the Engineering Department. The City Engineer stated that the Engineering Department will usually recommend a specific BMP, generally a Maxwell Plus Drywell Unit (refer to Appendix D, Exhibit 7) for stormwater treatment, but does not require a particular post-construction BMP. The City did not provide a database tracking all of the projects with WQMPs but estimated that approximately 30 Maxwell Plus Drywell Units had been installed since the 2009 Regional SWMP requirement was established. City representatives did provide a working database of active construction sites with WQMPs to the EPA Inspection Team and also directed the team to the binder containing hardcopies of all WQMPs located at the Engineering Department. Furthermore, the City stated that all WQMPs are attached to property deeds, and long-term operation and maintenance requirements of BMPs transfer with purchase or sale of the property.

While visiting the potential IC/ID location at 43010 Madison Street that was reported by a Verizon employee, the EPA Inspection Team observed a privately owned BMP that was observed with accumulated sediment from upslope erosion (refer to Appendix C, Photo 3). City staff stated that they don’t visit private BMPs to verify if they are operating properly. At the time of the inspection, the City was ensuring proper post-construction BMPs were installed but did not have any follow-up procedures to ensure they were operating long-term according to their specifications. Part F.1.c.ii.4 of the Permit states that the City must “require mechanisms to ensure long-term operation and maintenance of post-construction BMPs on Priority Development Project sites.”

#### *Recommendation for Improvement:*

*EPA recommends the City develop and implement follow-up procedures to ensure that public and private WQMP projects and associated BMPs are regularly inspected and maintained, as described in their WQMPs, following completion of construction as well as mechanisms to monitor property transfers.*

### **3.3 Private Construction Activities Program**

As stated in Part F.1.d.ii of the Permit, the Permittee is required to “continue to implement and enforce a program to reduce Pollutants in Urban Runoff to the MS4 from construction activities that result in a Land Disturbance of greater than or equal to one acre.” The program, at a minimum, must include the specific requirements in Part F.1.d.i–vi of the Permit. Specifically, Part F.1.d.ii of the Permit states that the Permittee must “identify priorities for inspecting sites and enforcing control measures for construction projects that disturb area equal to or greater than 1 acre.” Additionally, Part F.1.d.ii.1 of the Permit requires Permittees to have “ordinances or other regulatory mechanisms to require Erosion and Sediment controls, as well as sanctions, to ensure compliance, to the extent allowable under State or local law.”

Section 5 of the Regional SWMP defines construction site requirements, and Table 5-1 provides a list of the minimum construction site BMPs that are required. Further Table 5-2, titled “Construction Site Prioritization Matrix,” provides structured assessment guidelines of how to prioritize construction sites for inspection by the Permittee.

During the inspection, the EPA Inspection Team discussed with City staff the implementation status and documentation of construction activities within the City. In addition, the EPA Inspection Team visited various private construction sites, including residential developments and a commercial development site. The construction site visits included interviews with City inspectors, interviews with site proponent staff (e.g., the general contractor or construction manager), and an assessment of the adequacy of temporary erosion and sediment control BMPs. It should be noted that the individual construction sites visited as a component of the inspection were not evaluated for compliance with the State of California’s Construction General Permit.

#### **3.3.1 Private Construction Site Activities Ordinances**

The City Representatives provided the EPA Inspection Team with copies of their *Storm Water Management and Discharge Control Ordinance* and a copy of Chapter 162 of their *Code of Ordinances*, which focuses on grading (refer to [Appendix D, Exhibit 5](#)). Section 55.25 of the *Stormwater Management Ordinance* describes construction site stormwater requirements. City representatives appeared to have a good understanding of their ordinances and stated they used both ordinances for enforcement activities. They added that they could not remember needing to use enforcement mechanisms beyond a warning to achieve contractor compliance at construction sites.

#### **3.3.2 Prioritizing Private Construction Site Activities**

Part F.1.d.iii of the Permit states that Permittees must “identify priorities for inspecting sites and enforcing control measures for construction projects that disturb area equal to or greater than 1 acre.” City representatives stated that they did not have a standardized priority inspection schedule and that they were inspecting sites at a greater frequency than required by the Permit. Further, City representatives stated they referred to the Regional SWMP prioritization guidelines to determine if they were inspecting at the appropriate frequency.

The City Construction Inspector stated he visits active sites at least once per week and looks for any issues onsite, including the condition of stormwater BMPs. He added that he receives calls from contractors daily to inform him about the work that they will be performing the following day. He stated he uses the information to create a schedule and prioritize what sites he visits. He noted he does not get called for erosion control issues but always checks for them when he is onsite. The Environmental Program Coordinator stated that she was responsible for conducting the Permit-required stormwater inspections and that she inspected active priority construction sites “about” once each month.

*Recommendation for Improvement:*

*EPA recommends the City implement an SOP for identifying priority sites for inspection. As a basis for the SOP, EPA recommends the City use the guidelines in the Permit and the Regional SWMP.*

### **3.3.3 Private Construction Site Activities Inspections**

Section 5.2, Construction Site Inspections, of the Regional SWMP provides the minimum guidelines on what must be addressed during each inspection. The minimum requirements include verification of the notice of intent (NOI), compliance with the State of California’s Construction General Permit, the presence of the waste discharge identification number, the onsite presence of the stormwater pollution prevention plan (SWPPP), compliance with the Permittee’s ordinances, and a check for poorly managed or unauthorized non-stormwater discharges.

City representatives stated the City Construction Inspector visits each site weekly and verifies compliance with the Regional SWMP requirements but does not document his inspection. The City Environmental Programs Coordinator stated that she inspects sites about once per month and completes the construction site inspection field forms provided in the Regional SWMP. The Environmental Programs Coordinator appeared to note BMP issues but stated that she did not review the onsite SWPPP to verify if the BMPs were implemented as outlined in the SWPPP; instead, she just inspected the BMPs she observed onsite to verify if they were functioning properly. The City provided examples of forms she had completed (refer to [Appendix D, Exhibit 8](#)). The EPA Inspection Team noted that these inspection forms were only partially filled out and included general notes that did not appear to address all the stormwater inspection requirements. Further if an issue was noted, there was no formal follow-up action or documentation to ensure that the issue had been corrected. The Environmental Program Coordinator stated that the contractors were generally responsive and issues were generally fixed prior to an inspector’s return to the site.

The EPA Inspection Team visited the following active construction sites as a component of the inspection: Walmart, Mountain Estates Development, Aliante at Shadow Hills, Sun City at Shadow Hills, and Woodside Homes Palazzo. While onsite, the EPA Inspection Team spoke with site proponent staff, such as the general contractor or construction manager, and assessed the adequacy of temporary erosion and sediment control BMPs. Discussions with site supervisors confirmed that the City Construction Inspector is onsite

at least once per week, and sometimes every day, depending on the activities being performed.

The site supervisor at the Mountain Estates Development project stated that the majority of issues that the inspector has to address are related to dust (refer to Appendix C, Photo 4). The construction site supervisor stated that he maintains a daily log of activities and calls in spills to the appropriate party, such as Code Enforcement or the Emergency Hazardous Materials Response group within the Health Department.

While at the Mountain Estates Development site, the EPA Inspection Team observed BMP issues, such as uncovered waste containers, track out, and silt fence maintenance issues (refer to Appendix C, Photos 5 and 6). They also noticed that some BMPs were not being implemented according to their specifications and intended use (refer to Appendix C, Photos 6 and 7). While onsite at other construction sites, the EPA Inspection Team noted BMP issues such as compromised secondary containment at the Lennar Homes site (refer to Appendix C, Photos 8 and 9) and torn and deteriorated gravel bags at Woodside Homes site (refer to Appendix C, Photo 10). These issues were items that the City Construction Inspector stated that he would address if he saw them at the time of his inspection, but he would not document them unless they did not get fixed prior to his next visit. If an issue remained he would inform the Environmental Program Coordinator and/or Code Enforcement. The City Construction Inspector seemed knowledgeable in a wide range of SWMP-recommended BMPs and demonstrated an ability to establish rapport with the site representatives.

*Recommendations for Improvement:*

*EPA recommends the City develop additional stormwater inspector training for the City Construction Inspectors and/or create a new position for a dedicated stormwater inspector to more thoroughly inspect construction sites. EPA also recommends the City staff complete all fields on the inspection forms and provide details for all follow-up actions to issues observed (refer to Appendix D, Exhibit 8).*

### **3.3.4 Public Construction Sites**

Part F.2.ii.2 of the Permit states that “requirements for construction site operators to control Waste such as discarded building materials, concrete truck wash-out, chemicals, litter, and sanitary Waste at the construction site that may cause adverse impacts to water quality” must be in place. The program at minimum must also “continue to conduct construction site inspections for compliance with its ordinances including its Stormwater Ordinance, codes and the WQMP.”

City representatives described to the EPA Inspection Team the public construction site inspection process and provided inspection documents for review (refer to Appendix D, Exhibit 9). City representatives stated the scope of work for public development projects are created by the City and go out to bid prior to the design phase. During the design phase, the engineer prepares the SWPPP and enters the project into the Stormwater Multi-Application and Report Tracking System (SMARTS). The City assigns an inspector, who in most cases is a subcontracted consultant, to the project. The inspector is

required to write daily reports of site progress and to report any issues, including stormwater BMP and ENS issues, observed. City representatives stated that there was only one City project at the time of the inspection, the Jefferson Street Project, which entailed installing two traffic lights and widening a roadway. This project was about 99 percent complete at the time of the inspection.

The completed public construction inspection forms provided to the EPA Inspection Team did not appear to address any stormwater issues. It was unclear to the EPA Inspection Team if the public construction site's stormwater BMPs were being inspected or if the inspector was familiar with stormwater BMPs. A photograph attached to one of the "Daily Inspection Reports" showed track out at the site entrance, but no note was made in the daily report (refer to Appendix D, Exhibit 9).

*Potential Program Deficiency:*

*It did not appear that the City was implementing inspector training or inspection and enforcement mechanisms to ensure adequate installation and maintenance of erosions and sediment controls to minimize the potential contribution of pollutants from Public Construction sites as required by Part F.d.ii.2 & 4 of the Permit.*

Although the City requires that a construction site inspector preform daily inspections that generate written reports, the public construction site inspection logs did not appear to include stormwater issues. The Environmental Coordinator reported inspecting private construction sites for compliance with the Stormwater Program but did not state she inspected public sites. She stated that training was provided for key City Staff but did not indicate if the public construction inspector received any stormwater training.