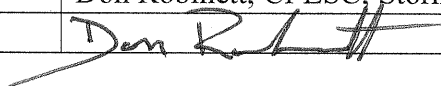



City of SeaTac

Policies and Procedures

Policy Number:	PW 005
Policy Name:	Erosion and Sedimentation Control Inspection and Escalating Enforcement Policies and Procedures for Permitted Construction Sites
Department(s):	Public Works / Community & Economic Development
Effective Date:	February 16, 2010
Supersedes:	N/A
Prepared by:	Don Robinett, CPESC, Stormwater Compliance Manager
Signature:	
Approved by:	Tom Gut, PE, Public Works Director
Signature(s):	

Purpose:

Sediment laden runoff from ground disturbing construction activity adversely impacts adjacent properties, public infrastructure and the environment. It is more efficient and effective to implement Erosion and Sedimentation Control (ESC) Best Management Practices (BMPs) than to attempt to address impacts after they are created. Furthermore, it is a condition of the Western Washington Phase II Municipal Stormwater General Permit (NPDES permit) to establish process and procedures that reduce pollutants carried by stormwater runoff from construction sites. This policy and procedure document is created to provide for the orderly, efficient and effective implementation and enforcement of ESC BMPs on permitted constructions sites and meet the City's NPDES permit conditions.

Policies:

- 1) It is the responsibility of the contractor, permit applicant and project owner (contractor) to provide, install and maintain appropriate ESC BMPs.
- 2) It is the responsibility of the City to:
 - a. ensure appropriate ESC BMPs are in place and installed correctly on construction sites;
 - b. set proper expectations with the contractor;
 - c. provide appropriate corrections and escalating enforcement necessary to prevent or mitigate off-site impacts; and
 - d. properly train its inspection staff.
- 3) Further, the City is to carry out its responsibility in a manner that is fair, consistent and helpful to contractors.

Procedures:

The attached document shall be utilized by Public Works and Building inspectors when conducting construction inspections and applying escalating enforcement on all permitted projects disturbing an area 500 square feet or more.

These procedures are intended to be reviewed and updated as regulations change.



Erosion and Sedimentation Control (ESC) Inspection and Escalating Enforcement Policies and Procedures

Effective Date: February 16, 2010

Updated April 20, 2012

Authority to Establish Policies and Procedures

Pursuant to SeaTac Municipal Code (SMC) 13.100.050, the Public Works Director has the authority to establish policies and procedures necessary to implement and administer the Grading Code (SMC 13.190). These policies and procedures are to be used to implement and administer clearing, grading and drainage permits or combination permits that include clearing, grading or drainage requirements. Escalating enforcement procedures are separate from and precede the City's Code Enforcement code (SMC 1.15). If the escalating enforcement procedures described within this document fail to resolve permit violations, action can then be taken pursuant to the SMC 1.15.

Erosion/Sedimentation Control (ESC) Inspections

A minimum of four ESC inspections are required through the life of all permitted construction projects that include clearing and grading activities. These inspections include: 1) ESC Preconstruction Conference, 2) Initial Erosion Sedimentation Control Inspection, 3) Temporary Erosion Sedimentation Control Inspection and 4) Final ESC Inspection. City inspectors shall apply ESC and stormwater standards consistent with the 2009 King County Surface Water Design Manual as amended by the City of SeaTac Addendum. All inspections and corrections shall be recorded in the inspection tracking system.

1. **ESC Preconstruction Inspection Conference (ESC PRECON)** – Once a development permit has been issued and prior to any clearing and grading, an ESC Preconstruction Inspection Conference is required on-site. The applicant/contractor must call in all inspections the day prior to the requested ESC PRECON. The site construction supervisor and the erosion control lead shall be advised to attend this meeting.

At the ESC PRECON the City inspector will walk the site with the contractor and identify/confirm: 1) the location all existing storm and surface water outlets and inlets on the site; 2) areas at high risk of erosion or slope stability issues; 3) all critical/sensitive areas and buffers; and 4) tree protection/preservation areas (in cooperation with the Community and Economic Development Department). Based on the site walk and the construction plans, the City inspector will identify the minimum requirements necessary to receive Initial Erosion Control Inspection approval. These minimum measures should include:

- a construction entrance,

- catch basin (CB) protection,
- outlet protect,
- silt fencing,
- tree protection,
- flagging of clearing and grading limits,
- protection/flagging of critical areas,
- a concrete wash out area,
- a stockpile of basic erosion control materials (straw bales, plastic etc.); and
- other necessary ESC measures identified by the City inspector.

[**Note:** For sites disturbing one acre or larger, or that are discharging directly into a stream or wetland or other natural waterway, turbidity monitoring is required.]

All required initial erosion control measures shall be noted on the Preconstruction Inspection Form which is to be signed by the City inspector and the construction site supervisor. The contractor should then be advised of the escalating enforcement procedures, site cover/wet season restriction requirements.

At the end of the PRECON, the City inspector shall advise the contractor that he/she is only authorized to conduct the clearing and grading necessary to install the initial erosion control measures. Additional site clearing or excavation is not permitted until the Initial Erosion Sedimentation Control Inspection has been inspected and approved. The City inspector then signs/initials and dates the inspection record card.

2. **Initial Erosion Sedimentation Control (IESC) Inspection** - During this inspection the City inspector shall confirm that the initial erosion control items identified at ESC PRECON have been correctly installed and are functioning properly. The City inspector should also check all stormwater outlets from the site for evidence of discharge. If all required measures are in place, the inspection record card is signed off.

The contractor should be reminded to maintain ESC measures through the life of the project and that additional ESC measures may be required in the future if the existing measures prove inadequate to prevent off-site impacts.

[**Note:** Footing & foundation inspections shall be not approved by Building Division staff until the Initial Erosion Sedimentation Control Inspection is approved.]

3. **Temporary Erosion Control Inspection** – Periodically through the construction process and at a minimum once a month, the City inspector will visit active sites to ensure ESC measures are: adequate to mitigate off-site impacts, and being maintained and functioning correctly. Corrections are issued if the existing ESC measures are insufficient to prevent off-site impacts from construction site runoff. When visiting the site, the City inspector shall inspect all installed ESC measures and all stormwater outfalls from the site.
4. **Final/Permanent Erosion Control Inspection** – Prior to Final ESC approval, the City inspector shall ensure that finished grades have been established and all soils have been covered with permanent erosion control techniques (i.e. grass, mulch, gravel, vegetation or impervious surfaces as approved by the City) and all temporary ESC measures have been removed. In addition, the City inspector shall also ensure that all stormwater facilities have been cleaned, stabilized and are functioning properly. If a maintenance

bond is active for the project, the City inspector should remind the contractor/owner of their maintenance responsibilities, and advise them that inspection staff will be visiting the site at least twice a year to ensure stormwater facilities are being maintained. *[Note: If soil amendments are required for the project, soil amendment inspections will be covered under FESC inspection. See Soil Amendment Standards for detailed requirements.]*

Escalating Enforcement Strategy

Erosion control corrections/enforcement during the construction process can take one of three forms: a verbal correction, a written correction, or a Stop Work Order. The severity of the violation and/or risk of off-site impacts are used to determine which level of enforcement should be applied as described below.

[Note: All corrections should be issued to the site superintendent, the site foreman or the erosion control lead. Whether verbal or written, corrections shall clearly identify corrective actions required and a timeline for completion. Further, all corrections shall be entered into the permit tracking system. The City inspector shall return to the site within the prescribed timeline and ensure the required corrections are complete. Failure to complete the correction within the time required shall result in an escalating correction or a Stop Work Order.]

1. **Verbal Corrections** – are the lowest level of enforcement and should only be used if the corrections required are minor in nature and the risk of off-site impacts from construction site runoff is low.
2. **Written Corrections** – are issued when the verbal correction was not completed in the required timeframe or minor off-site impacts from construction site run-off are occurring or the risk of off-site impacts from runoff is considered low to moderate. Written corrections are documented on the “Correction Notice” form, a copy of which is provided to the site superintendent.
3. **Stop Work Orders** (SMC 13.100.110) – are issued when the written corrections were not completed in the time required, or when moderate to significant off-site impacts have occurred or the risk of off-site impacts is considered moderate to high. Stop Work orders are issued on the Stop Work Order form and a copy of the notice is posted on-site in a water resistant bag. If a Stop Work Order is issued all work on the site is stopped, other than the corrective actions required on the Order. **[Note:** Prior to issuance of a Stop Work Order, the City inspector shall notify his or her supervisor of the intended enforcement action.]
 - a. City inspectors shall indicate the following information on a Stop Work Order:
 - i. The name of the project
 - ii. The permit number
 - iii. The project address
 - iv. Citation of code violation (i.e. SMC 13.190.100 – Operating Conditions and Performance Standards)
 - v. A list of required corrective actions
 - vi. A required date of completion

- b. Gather photo documentation of permit violation on-site.
- c. Stop Work Orders shall be posted in the presence of the site supervisor or his or her agent, if possible. A copy of the Stop Work Order shall also be mailed via certified mail to the property owner and lead project agent listed on the permit. The inspector should also attempt to notify the site supervisor by phone.

[**Note:** When assessing the risk of off-site impacts the inspector should consider the proximity of sensitive areas such as wetlands and streams. For example, if a site discharges directly into a sensitive area or flows indirectly into a nearby sensitive area the risk level would be ranked higher and written corrections would be issued instead of verbal corrections. While a Stop Work Order would be issued if the site was actively discharging pollutants into a stream or sensitive area.]

4. **Code Enforcement** – If permittees, owners or their agents fail to comply with the escalating enforcement procedures. Permit violations will then be pursued through the City's Code Enforcement code (SMC 1.15).
5. **Action Against Bond** – In some cases, erosion sedimentation control performance bonds are required prior to permit issuance. If a contractor or property owner fails to take the necessary actions to mitigate erosion sedimentation, the CED Director can decide to take action against the performance bond (i.e. constructing the necessary ESC measures and cleaning impacted storm systems and billing against the bond).

Wet Season Restrictions

The wet season (October 1 – April 30th) restrictions as identified within 2009 KCSWDM Appendix D Section 5.2 shall be strictly enforced. If three Stop Work Orders are issued for ESC violations during a single wet season, the project may be required to remain shut down (upon the CED Director's determination) until a revised wet season ESC plan has been approved. The revised wet season plan shall identify the extraordinary erosion/sedimentation control measures to be installed, a 24-Hour ESC Lead (including phone number) and may include turbidity monitoring requirements. If a fourth Stop Work order is issued during the wet season, the Director may shut down the site for the remainder of the Wet Season.

Training

Inspectors shall receive the following training within six months of starting an inspector position:

Single Family ESC Training (for Building Inspectors)

CESCL – Certified Erosion Sedimentation Control Lead (for PW Inspectors)

IDDE Training – Illicit Discharge Detection and Elimination Level B Training (for all inspectors)

