

<h1>POLICY MANUAL</h1>	Date Adopted: August 23, 1994
Classification: STORMWATER QUALITY	Date Last Amended:
Subject: Construction Site Stormwater Management Guidelines	Approved By:

**I. Policy:**

The federal Clean Water Act, as amended by the 1987 Water Quality Act, requires regulated municipalities to develop and implement best management practice controls to reduce the release of pollutants in storm water from construction and new development to the maximum extent practicable. The Fresno-Clovis Storm Water Quality Management Program's effort to comply with this mandate shall include implementation of construction activity best management practices as identified in this policy.

**II. Purpose:**

This policy provides the local development community with specific guidance regarding minimum best management practices, which should be implemented during construction activities to control pollutants, which can impact urban storm water runoff. Control of construction-related storm water pollution is essential to achieve the storm water quality management program's primary goals of protecting: the beneficial uses of surface waters; regional groundwater quality; and the long term use of the regional storm drainage system for flood control, groundwater recharge, and recreation. This policy is designed and intended to ensure the clear understanding and consistent application of such controls.

Additionally, these guidelines are intended to assist project owners, developers, and contractors, in the preparation of Storm Water Pollution Prevention Plans (SWPPPs), which are required for obtaining coverage under the State of California's General Permit for Storm Water Discharges associated with Construction Activity.

While these guidelines may assist owners and developers in complying with particular aspects of the storm water regulations, mere implementation of the recommended measures will not in itself ensure compliance with federal, state, and local laws, regulations, and ordinances. The burden of comprehensive compliance rests solely with the owner and developer of each project.

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### III. Definitions:

- A. **Best Management Practices (BMPs):** BMPs are the schedules of activities, prohibitions of practices, maintenance procedures, and other management practices used to prevent or reduce storm water pollution. BMPs include treatment requirements, operating procedures, and practices to control site storm water runoff, spillage or leaks, waste disposal, or drainage from raw material storage.
  
- B. **Storm Water Pollution Prevention Plans (SWPPPs):** SWPPPs are required of regulated construction activities by the State to identify the sources of sediments and other pollutants that affect the quality of storm water discharges, and to describe and ensure the implementation of practices to reduce sediments and other pollutants in storm water discharges. SWPPPs must include BMPs which reduce sources of pollution, and if necessary, should include storm water quality treatment BMPs.
  
- C. **Non-Storm Water Discharges:** Discharges consisting of any solid or liquid other than rainfall runoff, including but not limited to industrial process water, wastewater, agricultural tail-water, cooling water, wash water, well development discharge, waterline and hydrant flush water, and solids and liquids from other sources.

### IV. Regulatory References:

- A. **Federal Clean Water Act and Implementing Regulations:** The federal Clean Water Act requires operators of municipal storm water drainage systems to develop and implement plans to reduce pollutant loads to waters of the U.S. "to the maximum extent practicable" [Section 402 (p) (3) (B)]. Municipal systems are specifically mandated to control pollutants from construction activities. The District has prepared the Construction Site Storm Water Quality Management Guidelines to assist construction site operators in implementing and maintaining structural and non-structural best management practices to reduce pollutants in storm water runoff to the municipal storm drain system to the maximum extent practicable.

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**B. State National Pollutant Discharge Elimination System (NPDES) General**

**Construction Activity Storm Water Permit:** State General Permits are required for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of five or more acres. Storm water discharges from a construction activity that results in a land disturbance of less than five acres, but which is part of a larger common plan of development or sale, also require a permit. Permits are required until the construction is complete. Permittees must file a Notice of Intent (NOI) with, and pay a fee to, the State Water Resources Control Board; develop and implement, upon commencement of the construction activity, a storm water pollution prevention plan, monitoring plan and reporting plan; and eliminate all prohibited non-storm water discharges.

**V. Procedure:**

**A. District Construction Projects**

1. District project specifications state the contractor is responsible for comprehensive compliance with all requirements set forth in the storm water regulations and construction site guidelines. The District shall submit the Notice of Intent and fee for coverage under the State's General Construction Activity Storm Water Permit to the State Water Resources Control Board. The District shall require its contractors to prepare and implement the SWPPP for all District related construction projects.

The SWPPP shall incorporate the applicable practices presented in the construction site guidelines for all the potential sources of pollution occurring on the construction site.

2. The District's Construction Manager, Construction Technician, and Environmental Resources Technician shall ensure the contractors are properly implementing the construction site guidelines on the project site by inspecting District construction projects and documenting their findings in an inspection report.

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3. The District may take any action available to it through the construction contract to ensure and enforce implementation of the terms of the agreement related to storm water quality compliance.

**B. Private Construction Projects**

1. The District shall provide the construction site guidelines to all citizens that inquire about related storm water regulations and compliance information.
2. The applicable best management practices presented in these guidelines should be incorporated by the site developer into the SWPPP for each regulated construction activity, and implemented on-site from the time ground-breaking occurs through completion of all construction phases.
3. District design review staff shall recommend to the applicable jurisdiction that development applicants incorporate and implement the construction site guidelines into their development project. Such recommendations may extend to sites not required to secure State General Permits.
4. The District Environmental Resources Technician shall provide upon request the construction site guidelines to construction contractors in the field during any routine inspections or complaint response activities. The District shall ensure implementation of the guidelines as follows:
  - a. The District will distribute the construction site guidelines with associated reference materials to all applicable agencies, and will hold workshops for the local construction and development community, and local agency staff. Periodic inspector training will be provided by the District.
  - b. The Environmental Resources Technician shall focus on addressing all storm water quality control issues identified under state, federal and local requirements and guidance's by providing informational materials, and compliance assistance to the general public.

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- c. When violations of state and federal storm water regulations or local ordinances are significant and repeated or remain uncorrected, the District will work with the construction and building inspection departments of the other agencies to utilize appropriate enforcement mechanisms authorized by local ordinances.