

Stewart, Rebecca@Waterboards

From: Wright, Ken <KAWright@sandiego.gov>
Sent: Wednesday, November 19, 2014 12:00 PM
To: Chiu, Wayne@Waterboards
Cc: Arias, Christina@Waterboards; Becker, Eric@Waterboards; Ballesteros, Julie; Adams, Lisa; Naval, Christopher; Fridman, Bella; Wright, Ken
Subject: RE: Poway Road Bicycle Path Construction Storm Water BMPs
Attachments: 2014-2015 Rainy Season Letters.pdf; Inspection Reports - 26September thru 7Nov 2014.pdf; Stormwater - Project Information Sheet 2014-2015.pdf

Wayne,

Please see our responses (in red) below to your site visit and concerns, as well as, the attached documents from our project stormwater inspections to date.

On Friday, November 14, I dropped by the Poway Road Bicycle Path construction project and did an inspection of the construction storm water BMPs. I met with Joe Suchma and Shawn Parrish while on site. They informed me that it was a City of San Diego project and you are the Resident Engineer on the project.

The very large stockpile has been observed on the site for several weeks by one of our staff and its location adjacent to a creek (i.e. Los Penasquitos Creek) that is tributary to a water body listed as impaired by sedimentation (i.e. Los Penasquitos Lagoon) with a Total Maximum Daily Load (TMDL) that is currently in effect is of great concern to the Board. It should also be a great concern to the City of San Diego, which is one of the responsible agencies named in the TMDL for reducing sediment loads that can impact Los Penasquitos Lagoon. **The Los Penasquitos Creek and Lagoon TMDL impairments are of great concern to the City of San Diego and we will do everything necessary to ensure that these bodies of water are protected from any sediment loads being discharged into them from this project site or any other project upstream of them. We appreciate the Regional Board visiting our project sites to assist us in protecting the Los Penasquitos Creek and Lagoon bodies of water by pointing out possible stormwater bmp management and controls that may need additional attention on construction sites within our jurisdiction.**

During my inspection I noted that there were no erosion control BMPs being implemented anywhere, especially for the large stockpile. I reviewed the Water Pollution Control Program (WPCP) for the project and noted that there were no erosion control BMPs for disturbed soil areas identified, and no BMPs specific to properly managing soil stockpiles. **In review of the WPCP, we agree that there are no specific bmp's identified for managing soil stockpiles and only Bonded Fiber Matrix identified for the disturbed slopes on the plan sheet. We have met with the project contractor's foreman onsite to reiterate your concerns and the need to install more Erosion Control type bmp's on and around the disturbed and stockpiled soil/material areas. Noting that the silt fencing is placed at the limits of work and the MHPA Environmental limit along this southerly project boundary and the project Keystone wall footing will be constructed in some locations within 4 feet of the silt fencing, we have suggested to the contractor that they use multiple types/lines of erosion control measures (i.e. jute matting, visqueen, fiber rolls, bonded fiber matrix, etc...) to prevent erosion from the project construction site (i.e. stockpiles, material storage piles and the sanitary facility area).**

I also noted deficiencies in non-storm water management, containment of sanitation facilities, construction materials management, maintenance of perimeter sediment controls, and run-on/runoff controls. I asked Joe and Shawn for copies of any construction storm water BMP inspection reports from the City, and they did not have any available. **We have pointed out in the stormwater rainy season letter the contractor responsibilities and internet links of CASQA and the City of San Diego's Stormwater website to get more information regarding their responsibilities and stormwater bmp data. We have informed them that copies of the City's Stormwater Inspection Reports should be included with the Onsite stormwater documents.**

Joe and I discussed the erosion control BMPs that I would expect to see for the stockpile, as well as the expectations that we have for them to be complying with the construction storm water BMPs requirements of the City's ordinances,

especially considering this is a City project. As I understand it, he will be having erosion control BMPs applied to the stockpile early this week.

I have some additional question about this project. Please send me the answers to the following questions by Wednesday, November 19:

1. Why is this project not enrolled in the Construction General Storm Water Permit (Order No. 2009-0009-DWQ)?
The disturbed acreage for this project was not to exceed 1-acre at anytime during construction. This project does not meet any of the activities covered under the General Permit.
2. Is there any documentation of your construction storm water BMP inspections? If so, please send me copies of any construction storm water BMP inspection records or documentation for the project.
Yes, and we have attached the bmp inspections for this project to date.
3. What does the City plan on doing to bring the site into compliance with City's construction storm water BMP requirements.
In review of the WPCP, we agree that there are no specific bmp's identified for managing soil stockpiles and only Bonded Fiber Matrix identified for the disturbed slopes on the plan sheet. We have met with the project contractor's foreman onsite to reiterate your concerns and the need to install more Erosion Control type bmp's on and around the disturbed and stockpiled soil/material areas.

We have also informed them that they need to update the WPCP throughout the project construction to clearly outline the Stormwater Bmp's being utilized and that I would be checking these documents more thoroughly as part of my stormwater inspections.

We have made recommendations to the contractor regarding possible stockpile bmp's that could be implemented. (I.e. High Performance bmp's such as; Bonded Fiber Matrix and/or anchored erosion control blankets and at least two lines of defense for sediment control, including perimeter control bmp's)

These High Performance bmp's are to be used on exposed disturbed slopes and on soil/material stockpiles when not in use. (Covered daily)

We have pointed out in the stormwater rainy season letter the contractor responsibilities and internet links of CASQA and the City of San Diego's Stormwater website (Stormwater Standards Manual) to get more information regarding their responsibilities and stormwater bmp data. We have informed them that copies of the City's Stormwater Inspection Reports should be included with the Onsite stormwater documents.

We have given the contractor copies of our Clean Construction - Tips for Pollution Prevention Pamphlet, the Geotextiles, Mats, Plastic Covers and Erosion Control Blankets Fact Sheet SS-7, Stockpile Management Fact Sheet WM-3 as stormwater bmp options available to use to become in compliance with your concerns and the City of San Diego's Stormwater Standards given the project's proximity to the Los Penasquitos Creek and Lagoon.

We are giving the contractor to the end of the workday on Friday November 21, 2014 to have all of our and your concerns substantially addressed. I would like to invite you back to our project site next week to walk with me to assess these modifications to our contractor's stormwater bmp implementation.

We will enforce the storm water standards requirements to the full extent and will not hesitate to issue a stop work order with a notification for termination of contract on the basis of breach of contract for not complying with storm water standards.

Please feel free to contact me directly regarding your concerns on this matter, I will make myself available to meet with you if needed.

Thanks,
Ken

Ken Wright

Resident Engineer
Engineering and Capital Projects
Field Engineering Division
KAWright@sandiego.gov
Office: (858) 495-7875
Mobile: (619) 804-8554
Fax: (858) 627-3297
MS 18



 Please consider the environment before printing this e-mail. Thank you.

From: Chiu, Wayne@Waterboards [mailto:Wayne.Chiu@waterboards.ca.gov]
Sent: Monday, November 17, 2014 10:02 AM
To: Wright, Ken
Cc: Arias, Christina@Waterboards; Becker, Eric@Waterboards; Joe Suchma
Subject: Poway Road Bicycle Path Construction Storm Water BMPs

Hi Ken,

On Friday, November 14, I dropped by the Poway Road Bicycle Path construction project and did an inspection of the construction storm water BMPs. I met with Joe Suchma and Shawn Parrish while on site. They informed me that it was a City of San Diego project and you are the Resident Engineer on the project.

The very large stockpile has been observed on the site for several weeks by one of our staff and its location adjacent to a creek (i.e. Los Penasquitos Creek) that is tributary to a water body listed as impaired by sedimentation (i.e. Los Penasquitos Lagoon) with a Total Maximum Daily Load (TMDL) that is currently in effect is of great concern to the Board. It should also be a great concern to the City of San Diego, which is one of the responsible agencies named in the TMDL for reducing sediment loads that can impact Los Penasquitos Lagoon.

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Joe and I discussed the erosion control BMPs that I would expect to see for the stockpile, as well as the expectations that we have for them to be complying with the construction storm water BMPs requirements of the City's ordinances, especially considering this is a City project. As I understand it, he will be having erosion control BMPs applied to the stockpile early this week.

I have some additional question about this project. Please send me the answers to the following questions by Wednesday, November 19:

1. Why is this project not enrolled in the Construction General Storm Water Permit (Order No. 2009-0009-DWQ)?
2. Is there any documentation of your construction storm water BMP inspections? If so, please send me copies of any construction storm water BMP inspection records or documentation for the project.
3. What does the City plan on doing to bring the site into compliance with City's construction storm water BMP requirements.

Please let me know if you have any questions.

Thanks,
Wayne Chiu, PE
Water Resource Control Engineer
Storm Water Management Unit
California Regional Water Quality Control Board, San Diego Region
619-521-3354



THE CITY OF SAN DIEGO

October 1, 2014

Jess Libsack, Project Manager
Ramona Paving and Construction Corporation
1303 Olive Street
Ramona, CA 92065

Subject: Storm Water Pollution Prevention for Construction sites
Rainy Season: October 1st through April 30th
Poway Road Bicycle Path-Class I, Grading & Improvement Plans;
WBS# S-00943

This letter serves as a notification for all construction sites to take the necessary actions in preparation for the rainy season which begins October 1, 2014. In accordance with the San Diego Municipal Code Section 43.03, Storm Water Standards Manual, State Construction General Permit (CGP), Order No. 2010-0014-DWQ and the Municipal Storm Water Permit Order No. R9-2007-0001, NPDES NO. CAS0108758, and the Standard Specifications for Public Works Sections 7-8.1, 7-8.6.1, 7-8.6.3 and 701, effective storm water Best Management Practices (BMPs) to the maximum extent practicable to prevent pollutant discharges into regional waters are required to be implemented. It is the Developer's, owner's and contractor's responsibility to be familiar with and understand the requirements of the aforementioned Storm Water regulations and permits.

Storm Water Pollution Prevention measures are required all year around, however it is particularly critical to take effective measures prior to and during the rainy season to protect receiving water from pollutant and sediment discharge to the maximum extent practical.

The BMP objectives are as follows:

- Scheduling to Minimize disturbed areas
- Stabilize disturbed areas
- Protect channels and slopes
- Control site perimeter
- Retain sediment on site
- Provide erosion, sediment and wind control
- Provide tracking control at all exits
- Contain materials and waste
- Practice good housekeeping

When applicable, a Weather Triggered Action Plan (WTAP) along with a BMP Implementation Plan (BIP) shall be prepared and available on site. The BIPs shall be implemented within 24 hours of a 50% or greater probability of a rain event. Sites shall be maintained and monitored during every rain event and all Storm Water Pollution Prevention Plans (SWPPP) or Water Pollution Control Plans (WPCP) including inspection and sampling logs shall be updated and maintained on site. Non compliance of BMP's will result in an enforcement action by the City and/or the Regional Water Quality Control Board (RWQCB). This may include correction notices, violation notices, fines, stop work orders and/or occupancy holds.

Public Works Department

Field Engineering • 9485 Aero Drive • San Diego, CA 92123

Tel (858) 627-3200 Fax (858) 627-3297



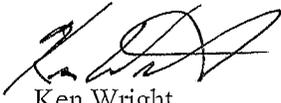
Page 2 of 2
Mr. Jess Libsack

Please refer to the attached letter dated September 12, 2014 from the RWQCB emphasizing the importance of implementing effective construction BMPs and their plan to visit sites for compliance.

Additional information and requirements are found at the City's website (www.sandiego.gov/stormwater/), as well as the California Storm Water Quality Association's website (www.casqa.org).

If you have any questions please contact the resident engineer for your project. Your cooperation is very much appreciated.

Sincerely,



Ken Wright,
Resident Engineer

Attachment: Letter dated September 12, 2014 from the RWQCB – Region 9

CC: Bella Fridman (OCA) Area Supervisor, Field Engineering Division
Construction Storm Water Section, Field Engineering Division



California Regional Water Quality Control Board, San Diego Region

September 12, 2014

Via Email Only

Orange County Municipal Storm Water Copermittees
Riverside County Municipal Storm Water Copermittees
San Diego County Municipal Storm Water Copermittees

In reply refer to / attn:
Place ID 786088:wchiu

**Subject: CONSTRUCTION STORM WATER OVERSIGHT BY MUNICIPALITIES
FOR 2014-15 RAINY SEASON**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is providing this courtesy reminder for your municipal construction storm water programs to prepare for the 2014-15 rainy season, which begins October 1. With California facing one of the most severe droughts on record it may seem like an odd time to prepare for the upcoming rainy season. In this extraordinarily dry year, however, environmental stresses to agricultural, municipal, and fish and wildlife beneficial uses of State waters are mounting. In order to limit harm from the drought, it is essential that the Copermittees continue to take all necessary steps to manage municipal separate storm sewer system (MS4) discharges to protect the quantity, quality and diversity of aquatic resources in the San Diego Region as well as water supplies vital to health and human safety.

As you know, Copermittees regulated under an MS4 permit (i.e. Order Nos. R9-2009-0002, R9-2010-0016, and R9-2013-0001) are prohibited from discharging storm water from their MS4 containing pollutants which have not been reduced to the maximum extent practicable (MEP). Reducing pollutants originating from construction sites within your jurisdiction that may be discharged in storm water from the MS4 to the MEP means that each construction site must be implementing ALL of the designated minimum best management practices (BMPs) specified by the jurisdictional runoff management program (JRMP), and as required by local ordinances.

Designated minimum BMPs required for all construction sites, especially during the rainy season, are expected to include, but are not limited to:

- Erosion prevention as the most important measure for keeping sediment on site during construction, but never as the single method.
- Sediment controls to be used as a supplement to erosion prevention for keeping sediment on site during construction.
- Minimization of areas of exposed (i.e. cleared and graded, and/or disturbed) soil and time of exposure.
- Temporary or permanent stabilization of areas of exposed soil with the provision of effective soil cover as soon as feasible.

HENRY ABARBANEL, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

2375 Northside Drive, Suite 100, San Diego, CA 92108-2700 | (619) 516-1990 | www.waterboards.ca.gov/sandiego



During this period of transition to the upcoming rainy season please review the adequacy of your municipal construction storm water program and take any actions necessary to reduce, eliminate, and prevent reoccurrence of any non-compliance identified. The San Diego Water Board will also be inspecting construction sites throughout the San Diego Region during the rainy season for proper implementation of BMPs, especially for erosion control. Findings from these inspections will be used to evaluate Copermittee compliance with MS4 permit requirements to reduce pollutants originating from construction sites in storm water discharged from the MS4 to the MEP. The San Diego Water Board will continue to expect prompt and complete follow-up from the Copermittees to correct any non-compliance identified.

I greatly appreciate your consideration of my request on behalf of the San Diego Water Board and the citizens of the San Diego Region. In the subject line of any response, please include the reference number **Place ID 786088:wchiu**. For questions or comments, please contact Wayne Chiu by phone at 619-521-3354, or by email at wchiu@waterboards.ca.gov.

Respectfully,



David W. Gibson
Executive Officer
San Diego Water Board

DWG:jgs:dtb:esb:wc

Tech Staff Info & Use	
Order No.	R9-2009-0002, R9-2010-0016, and R9-2013-0001
NPDES No.	CAS0108740, CAS0108766, and CAS0109266
Place ID	786088

STORM WATER POLLUTION PREVENTION INSPECTION

ID:

PROJECT: S-00943 - Poway Road Bicycle Path - Class I

INSPECTION DATE: 9/26/2014

SITE STATUS: Active Grading

WEATHER: Sunny

% COMPLETE: 1.0

INSPECTION LOCATION: Poway Road (Southside) between Interstate 15N and Sabre Springs Parkway

Condition Satisfactory

May Require Follow-Up

CORRECTIVE ACTIONS:

- Existing BMP adequately maintained
- BMP inadequate, adjustments needed

- Maintain SWPP Documents
- Improve Erosion Control BMP
- Improve Sediment Control BMP
- Improve Perimeter Control BMP
- Improve Materials Handling
- Maintain Street Sweeping
- Maintain Construction Access

FOLLOW-UP REQUIRED: YES NO

STOP WORK ORDER: YES NO

Compliance Date:

COMMENTS:

Tracking and Dust Control bmps at this site needs constant (daily) attention. Please maintain construction entrance, street sweeping, and existing adjacent bmps. Keep inlet area clean.

PROJECT DETAIL

ASSIGNED RE: Wright, Ken

PRJ ID: 1057

PROJECT OWNER: City of San Diego - Public Works Department

PROJECT ADDRESS: Poway Road (Southside) between Interstate 15N and Sabre Springs Parkway

CONTRACTOR NAME: Ramona Paving and Construction Corp.

PHONE: 1-(760)788-2847

SITE CONTACT: Jess Libsack, Project Manager

PHONE: 1-(760)788-2847

ATTACHMENTS:

 File Attachment

STORM WATER POLLUTION PREVENTION INSPECTION

ID:

PROJECT: S-00943 - Poway Road Bicycle Path - Class I

INSPECTION DATE: 10/10/2014

SITE STATUS: Active Grading

WEATHER: Sunny

% COMPLETE: 1.0

INSPECTION LOCATION: Poway Road (Southside) between Interstate 15N and Sabre Springs Parkway

Condition Satisfactory

May Require Follow-Up

- CORRECTIVE ACTIONS:**
- Existing BMP adequately maintained
 - BMP inadequate, adjustments needed

- Maintain SWPP Documents
- Improve Erosion Control BMP
- Improve Sediment Control BMP
- Improve Perimeter Control BMP
- Improve Materials Handling
- Maintain Street Sweeping
- Maintain Construction Access

FOLLOW-UP REQUIRED: YES NO

STOP WORK ORDER: YES NO

Compliance Date:

COMMENTS: Tracking and Dust Control bmps at this site needs constant (daily) attention. Please maintain construction entrance, street sweeping, and existing adjacent bmps. Keep inlet area clean. Keep silt fencing in good condition.

PROJECT DETAIL

ASSIGNED RE: Wright, Ken

PRJ ID: 1057

PROJECT OWNER: City of San Diego - Public Works Department

PROJECT ADDRESS: Poway Road (Southside) between Interstate 15N and Sabre Springs Parkway

CONTRACTOR NAME: Ramona Paving and Construction Corp.

PHONE: 1-(760)788-2847

SITE CONTACT: Jess Libsack, Project Manager

PHONE: 1-(760)788-2847

ATTACHMENTS:

STORM WATER POLLUTION PREVENTION INSPECTION

ID:

PROJECT: S-00943 - Poway Road Bicycle Path - Class I

INSPECTION DATE: 10/24/2014

SITE STATUS: Active Grading

WEATHER: Ptly Cldy

% COMPLETE: 5

INSPECTION LOCATION: Poway Road (Southside) between Interstate 15N and Sabre Springs Parkway

Condition Satisfactory

May Require Follow-Up

CORRECTIVE ACTIONS:

- Existing BMP adequately maintained
- BMP inadequate, adjustments needed

- Maintain SWPP Documents
- Improve Erosion Control BMP
- Improve Sediment Control BMP
- Improve Perimeter Control BMP
- Improve Materials Handling
- Maintain Street Sweeping
- Maintain Construction Access

FOLLOW-UP REQUIRED: YES NO

STOP WORK ORDER: YES NO

Compliance Date:

COMMENTS:

Perimeter, Tracking and Dust Control bmps at this site needs constant (daily) attention. Please maintain construction entrance, street sweeping, and existing adjacent bmps. Keep inlet area clean. Keep silt fencing maintained and in good condition.

PROJECT DETAIL

ASSIGNED RE: Wright, Ken

PRJ ID: 1057

PROJECT OWNER: City of San Diego - Public Works Department

PROJECT ADDRESS: Poway Road (Southside) between Interstate 15N and Sabre Springs Parkway

CONTRACTOR NAME: Ramona Paving and Construction Corp.

PHONE: 1-(760)788-2847

SITE CONTACT: Jess Libsack, Project Manager

PHONE: 1-(760)788-2847

ATTACHMENTS:

 File Attachment

STORM WATER POLLUTION PREVENTION INSPECTION

ID:

PROJECT: S-00943 - Poway Road Bicycle Path - Class I

INSPECTION DATE: 11/7/2014

SITE STATUS: Active Grading

WEATHER: Ptlly Cldy

% COMPLETE: 10

INSPECTION LOCATION: Poway Road (Southside) between Interstate 15N and Sabre Springs Parkway

Condition Satisfactory

May Require Follow-Up

CORRECTIVE ACTIONS:

- Existing BMP adequately maintained
- BMP inadequate, adjustments needed

- Maintain SWPP Documents
- Improve Erosion Control BMP
- Improve Sediment Control BMP
- Improve Perimeter Control BMP
- Improve Materials Handling
- Maintain Street Sweeping
- Maintain Construction Access

FOLLOW-UP REQUIRED: YES NO

STOP WORK ORDER: YES NO

Compliance Date:

COMMENTS:

Perimeter, Tracking and Dust Control bmps at this site needs constant (daily) attention. Please maintain construction entrance, street sweeping, and existing adjacent bmps. Keep inlet area clean and working stockpiles wet and protected from erosion. Keep silt fencing maintained and in good condition.

PROJECT DETAIL

ASSIGNED RE: Wright, Ken

PRJ ID: 1057

PROJECT OWNER: City of San Diego - Public Works Department

PROJECT ADDRESS: Poway Road (Southside) between Interstate 15N and Sabre Springs Parkway

CONTRACTOR NAME: Ramona Paving and Construction Corp.

PHONE: 1-(760)788-2847

SITE CONTACT: Jess Libsack, Project Manager

PHONE: 1-(760)788-2847

ATTACHMENTS:

File Attachment

PROJECT INFORMATION

TITLE	Poway Road Bicycle Path - Class I	ACTUAL START DATE	8/25/2014
WBS	S-00943	ACTUAL FINISH DATE	
ASSIGNED RE	Wright, Ken		
SECTION	Districts 2 & 4		
PRIORITY	<input checked="" type="radio"/> HIGH <input type="radio"/> MEDIUM <input type="radio"/> LOW		

LOCATION (site address)	Poway Road (Southside) between Interstate 15N and Sabre Springs Parkway
PERMIT NUMBER	K-14-5963-DBB-3
PROJECT OWNER	City of San Diego - Public Works Department

ADV TX REQ	<input type="checkbox"/> Advanced Treatment Required
Permanent BMP	<input type="checkbox"/> Check if Required
RAINY SEASON GRADING LIMITATION REQUIREMENT	
NOT REQUIRED	<input checked="" type="radio"/> Total project < 5 acres
PHASED GRADING	<input type="radio"/> Total project > 5 acres, but < 5 acres at any one time.
WTAP & BIP	<input type="radio"/> Total project > 5 acres at any one time

WATERSHED MANAGEMENT AREA

- (check all that apply)
- Mission Bay | La Jolla
 - Penasquitos
 - San Diego Bay
 - San Diego River
 - San Dieguito
 - Tijuana River

CONTRACTOR INFORMATION		CONTACT INFORMATION	
NAME	Ramona Paving and Construction Corp.	NAME	Jess Libsack, Project Manager
PHONE	1-(760)788-2847	PHONE	1-(760)788-2847
EMAIL	jlibsack@ramonapaving.com	FAX	1-(760)789 9935

PROJECT COMMENTS	
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