



MEMORANDUM

To: Property Owners/Developers/Contractors

From: Erik Steenblock, Environmental Programs Manager

STORMWATER MINIMUM BMP REQUIREMENTS FOR CONSTRUCTION ACTIVITIES

The City of Encinitas (City) would like to take this opportunity, prior to the start of construction activities, to advise you of the Minimum Best Management Practices (BMPs) Requirements that may or may not be included on your approved permits, SWPPP, or other related construction documents. These minimum BMPs are required pursuant to the Encinitas Municipal Code Chapter 20.08, Municipal Permit Order 2013-0001, and/or the Construction General Permit Order 2009-0009-DWQ (City of Encinitas has local compliance requirements that are separate from those of the Construction General Permit). Property Owners/Developers/Contractors are required to comply with all applicable storm water regulations and implement BMPs in accordance with CASQA guidelines and City standards. Each operator must implement effective BMPs to prevent the discharge of pollutants from construction sites. Please note, that it is highly recommended that all construction sites have a professional erosion control company available to respond during emergency situations.

The following is a list of BMPs that must be properly installed and/or maintained at all times, throughout the course of construction. Each site inspection by the City will include, at a minimum, an evaluation of the following mandatory minimum BMPs:

- Stabilized Construction Entrance/Exit
- Perimeter Control(s)
- Waste Controls (trash container(s), concrete washout(s)...)

In addition to the BMPs listed above, appropriate site-specific conditions and construction phase-specific BMPs will be evaluated by City inspection staff through frequent site visits. These include, but are not limited to:

- Slope Protection / Stabilization
- Inlet Protection
- Sediment and Erosion Control

Lastly, the following expectations should be considered throughout the course of construction, and may dictate determination of compliance with applicable local construction BMP requirements.

- **All** inactive areas (defined as seven (7) days or more of inactivity) must be protected with the appropriate erosion and sediment control BMPs as described in the Erosion Control plan or SWPPP. This includes all building pads, unfinished roads, and slopes. The ability to install BMPs in a prompt manner is **NOT** sufficient; **BMPs must be installed for these areas.**
- Property Owners/Developers/Contractors shall be able to demonstrate the ability to deploy standby erosion control BMPs as needed to completely protect the exposed portions of the site within 24 hours of a predicted storm event (a predicted storm event is defined as 40% or greater chance of rain).

- **All construction workers**, including sub-contractors, must be trained on BMP implementation and maintenance prior to commencing construction activity.

The City will conduct scheduled and unscheduled inspections to verify compliance with storm water regulations. Please keep in mind that compliance is dependent on the continued use of BMPs. The City reserves the right to temporarily stop work on any construction site that may have the potential to discharge during a rain event due to lack of BMPs, proximity to an environmentally sensitive area, previous compliance issues, amount and duration of rain expected, and/or any storm water compliance issues. Each site will be evaluated on a case by case basis.

Failure to comply with the minimum BMPs requirements may result in escalated enforcement actions which may include, but not be limited to, Stop Work Notice, Notice of Violation, Assessment of Administrative Fines, Default of Erosion Control Bonds, and Referral to the San Diego Regional Water Quality Control Board. Please contact your Project Inspector to review your site-specific BMP requirements. Thank you in advance for your cooperation and compliance efforts.