



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Via Certified Mail:
No. 7002 2410 0007 9790 9276
Return Receipt Requested

SEP 23 2013

Mr. Darren Wilson, P.E.
Engineering Services Manager
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

Re: City of Elk Grove Municipal Separate Storm Sewer System (MS4) Compliance
Audit Report

Dear Mr. Wilson:

Enclosed please find the final audit report for the City of Elk Grove Storm Water Management Program (Program). On August 7 and 8, 2012, EPA Region 9 (EPA) and representatives from PG Environmental, LLC, an EPA contractor, and the Central Valley Regional Water Quality Control Board (Regional Board) conducted an audit of the City's Program. The purpose of the audit was to assess the City's compliance with the requirements contained within the NPDES Storm Water Permit and Waste Discharge Requirements for the Municipal Separate Storm Sewer Systems within Sacramento County (NPDES Permit No. CAS082597).

EPA's audit focused on evaluation of the City's compliance with the program management, construction, municipal operations, and illicit connection and illicit discharge (IC/ID) elimination requirements of the Permit, and entailed a review of documents, interviews of program management and field staff, and field verification.


EPA found potential permit violations. Most significantly, the City failed to:

- develop a storm water training program required by the permit;
- inspect or document inspections of City-owned construction projects; and
- refer chronic construction site violations to the Regional Board.

Please respond to the audit report with any updates on program enhancements or clarifying comments by Friday, November 1, 2013. Following receipt of the City's response, EPA will post the audit report along with the City's response on our website. Thereafter, EPA will follow-up with City management to ensure adequate resolution of all potential permit violations. If you

have concerns or questions, please call me at (415) 972-3873, or refer staff to Luis Garcia-Bakarich at (415) 972-3237 or via email at garcia-bakarich.luis@epa.gov.

Sincerely,



Kathleen H. Johnson, Director
Enforcement Division

Enclosures:

City of Elk Grove MS4 Audit Report (w/attachments)

Cc via email with enclosure:

Elizabeth Lee, Central Valley RWQCB
Dana Booth, County of Sacramento
Sherill Huun, City of Sacramento
Britton Snipes, City of Rancho Cordova
Sarah Staley, City of Folsom
Bill Forrest, City of Galt
Chris Fallbeck, City of Citrus Heights



U.S. Environmental Protection Agency
Region 9
Enforcement Division
75 Hawthorne Street
San Francisco, CA 94105-3901

**MUNICIPAL SEPARATE STORM
SEWER SYSTEM (MS4)
COMPLIANCE INSPECTION**

**CITY OF ELK GROVE,
CALIFORNIA**

INSPECTION REPORT

Inspection Date:
August 7–8, 2012

Report Date:
September 23, 2013

CONTENTS

	PAGE
SECTION 1.0 EXECUTIVE SUMMARY.....	1
SECTION 2.0 CITY OF ELK GROVE STORMWATER PROGRAM.....	2
2.1 Program Areas Evaluated.....	3
SECTION 3.0 EVALUATION FINDINGS.....	4
3.1 Program Management.....	4
3.2 Construction Program.....	8
3.3 Municipal Program.....	12
3.4 Illicit Discharge Program.....	13
APPENDIX A: ADDITIONAL INSPECTION REPORT MATERIALS	
APPENDIX B: CATALOG OF REFERENCE MATERIALS	

Section 1.0 Executive Summary

The U.S. Environmental Protection Agency (EPA) conducted an inspection on August 7–8, 2012, of the City of Elk Grove, California (hereinafter, City), Municipal Separate Storm Sewer System (MS4) Program.

EPA reviewed documents, met and interviewed staff to gather information on overall program management, and conducted field activities to review the City’s MS4 Program. The inspection focused on the following MS4 Program Elements: (1) Program Management, (2) Construction Program, (3) Municipal Program, and (4) Illicit Discharge Program. At the conclusion of the audit, EPA discussed preliminary observations with City representatives.

In this report, where applicable, EPA has identified recommendations for program improvement, program deficiencies, and potential permit violations. Although this report includes potential permit violations, it is not a formal finding of violation. Significantly, the EPA observed that the City failed to:

- develop a storm water training program required by the permit;
- inspect or document inspections of City-owned construction projects; and
- refer chronic construction site violations to the Regional Board.

Section 2.0 City of Elk Grove Stormwater Program

On August 7–8, 2012, representatives from the U.S. Environmental Protection Agency (EPA), the Central Valley Regional Water Quality Control Board (RWQCB), and an EPA contractor, PG Environmental, LLC (hereinafter, collectively, the EPA Inspection Team) conducted an evaluation of the City’s MS4 Program. A similar audit was conducted August 15-16, 2012 of the County of Sacramento’s storm water program.

Stormwater discharges from the City’s MS4 and six other entities (hereinafter, Permittees) are regulated under *Waste Discharge Requirements, Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova, Sacramento, and County of Sacramento, Storm Water Discharges from Municipal Separate Storm Sewer System, Sacramento County*, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS082597, Order No. R5-2008-0142, (hereinafter, Permit). The Permit was adopted in September 2008 and expires in September 2013. The Permit was originally issued in 1990 and this is the Permittees’ fourth permit term. The City was incorporated on July 1, 2000, and officially became a Permittee when the Permit was reissued in December 2002. Prior to the City’s incorporation, the area currently within the City limits was within the jurisdiction of the County of Sacramento’s MS4 program.

Section D.2 of the Permit required the Permittees to develop and implement a Storm Water Quality Improvement Plan (hereinafter, SQIP) which includes program elements to reduce the discharge of pollutants in stormwater to the maximum extent practicable. The SQIP is required to contain the following components: Program Management, Program Effectiveness Assessment, as well as specific Program Elements. The SQIP was finalized in November 2009 and approved by the Regional Board in January 2010 (see Appendix B, B.1). Section D.3.c of the Permit requires the Permittees to implement the SQIP consistent with the schedule specified in the Permit. Furthermore, Section D.3.c of the Permit specifies that the SQIP is an enforceable part of the Permit.

The Permittees have formed a collaborative group called the Sacramento Stormwater Quality Partnership (hereinafter, Partnership), which consists of representatives from the seven Permittees subject to the Sacramento area-wide stormwater Permit. Each Permittee contributes funding to the Partnership, and Sacramento County and/or the City of Sacramento take the lead on implementing various regional stormwater program activities. The Permittees established a Memorandum of Understanding (MOU) on April 22, 2003, as required by Section D.3.e.i of the Permit, which defines the Permit requirements to be addressed via the Partnership and how the Permittees will share in their individual responsibilities to meet permit requirements. As explained in the Executive Summary of the SQIP, the SQIP describes two types of activities—those conducted collectively by all of the Permittees (i.e., Partnership or regional activities) and those conducted individually by each Permittee (i.e., Permittee-specific or individual activities).

City Information

According to the 2010 U.S. Census, the City encompasses approximately 42 square miles and has a population of 153,015 people. The City is located in the southern portion of the Sacramento metropolitan area. According to the SQIP, the land use in the City is about 74 percent residential, 10 percent commercial, 7 percent parks and open space, 4 percent industrial, and 5 percent other. The City's MS4 consists of about 400 miles of underground pipes, four stormwater pump stations, nine major natural creeks or open channels, and 482 outfalls which discharge to local creeks and man-made channels. The following are the primary receiving waters for discharges from the MS4: Deer Creek, Elk Grove Creek, Laguna Creek, Strawberry Creek, the Grant Line Channel, the Laguna West Channel, the Shed A Channel, the Shed B Channel, and the Shed C Channel.

City staff stated that the City experienced significant growth during 2004 to 2007. The majority of development during this time period consisted of construction for residential and commercial land uses. City staff stated that development has slowed significantly since that time.

According to City staff, the City is predominately a "contract city," meaning that it provides the majority of municipal services to its citizens through contracts with other government agencies, public agencies, or private organizations. This is further discussed below in Section 3.1, *Program Management*.

2.1 Program Areas Evaluated

The inspection included an evaluation of the City's compliance with portions of the following MS4 Program Elements included in the Permit:

- Program Management
- Construction Program
- Municipal Program
- Illicit Discharge Program

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 is organized to generally follow the structure of the Permit. For each section in the report, where notable, EPA has identified recommendations for program improvement, program deficiencies, and potential permit violations. Potential permit violations are areas where it appears the Permittee is not fulfilling requirements of the Permit and/or the SQIP. 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 non-compliance in the future. This report also provides recommendations for improved program implementation. Although this report may include potential permit violations, it is not a finding of violation.

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, fully document all lines of questioning conducted during personnel interviews, or document all in-field verification activities conducted during site visits.

Additional inspection report materials, including an inspection schedule, sign-in sheet, list of site visits conducted during the inspection, and site visit reports with photograph logs, are included in Appendix A.

Multiple documents were referenced by the EPA Inspection Team during the inspection process and development of this inspection 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 U.S. EPA Region 9 and can be made available upon request.

3.1 Program Management

Permit Sections D.2-D.7 requires an implementation schedule containing identifiable milestones, performance standards, and compliance with the terms of the Order and the SQIP. Specifically, Section D.2 of Permit requires that each Permittee's SQIP identify all departments within the jurisdiction that conduct activities which may impact urban runoff quality, their roles and responsibilities under the Permit, and an updated organizational chart, identifying key personnel responsible for issuing enforcement actions, in each annual report. Chapter 6.2 of the SQIP, *Program Management and Related Activities*, provides information about the organization and staffing of the City's MS4 program. It states that the City has a designated staff whose responsibilities include management of the Stormwater Drainage Program and compliance with the NPDES permit. According to Table 6.1 in the SQIP (City of Elk Grove NPDES Stormwater Permit Program Responsibilities), the Public Works Director oversees compliance with the Permit, while Water Resources, located in the Public Works Department, administers and manages the City's stormwater program. Figure 6.2 in the SQIP, the City's Organizational Chart,

identifies a Stormwater Program Manager under the Public Works Department; however the City stated that it had not designated staff to fill this role. The SQIP and the 2009/2010 and 2010/2011 Annual Reports do not provide a clear picture of how roles and responsibilities, including enforcement, are distributed among City departments.

The City explained that it uses numerous contractors to provide municipal services and implement the MS4 program. In essence, the City is a “contract city,” meaning that it provides the majority of municipal services to its citizens through contracts with other government agencies, public agencies, and private organizations. For example, the City contracts with the Cosumnes Community Services District (CCSD) to provide landscaping maintenance (including herbicide and pesticide application) for City parks, and with a Ford dealership to provide fleet maintenance services. Additionally, the City has an overall “Professional Services Contract” with Willdan Engineering (hereinafter, Willdan). The services provided under this contract include, but are not limited to, engineering services, capital improvements, and municipal operations and maintenance. The Willdan Construction and Maintenance Manager explained that Willdan uses its own staff, as well as six subcontracted companies to provide these services to the City. The contract took effect in January 2011 and has a three year duration, with three optional one-year extensions. The City Operations and Maintenance Contract Manager, within Public Works, oversees this contract.

During the discussion of the contractor/City relationship, EPA learned that Willdan employees who perform services on behalf of the City, report to supervisors within Willdan and often copy City managers and staff as they report to Willdan management. While, the Willdan Construction and Maintenance Manager stated that he issues enforcement actions at construction sites; it was not clear to the EPA Inspection Team exactly how potential enforcement cases were reported to City officials and how decisions about escalated enforcement are reached within the chain-of-command between the City and Willdan.

Potential Permit Violation

The City of Elk Grove had not fully implemented the SQIP as it failed to designate a stormwater program manager or coordinator. Section D.2 of the Permit and Chapter 6.2 of the SQIP.

Section D.2 of the Permit requires the Permittees to identify, in the SQIP, all departments with roles and/or responsibilities under the Permit, and to provide an up-to-date organization chart in the Annual Report. Chapter 6.2 of the SQIP states that there is a designated staff for management of Stormwater Drainage Program, and Figure 6.2 within the SQIP identifies a Stormwater Program Manager. The City stated that they had not designated staff to fill this role at the time of the EPA Inspection.

Program Deficiency

The 2009/2010 and 2010/2011 Annual Reports for the City identify the departments responsible for stormwater program implementation in a table which is similar to Table 6.1 in the SQIP; however the City does not provide an updated organizational chart similar to the one provided in Figure 6.2 of the SQIP. In light of the extensive use of

contracts for many municipal activities that have the potential to affect the quality of storm water discharges, clearly identifying the City's departments helps ensure that all permit requirements are addressed through program implementation.

Program Recommendation

The EPA recommends the City clarify the roles and responsibilities between City staff and contractors regarding, among other things, chain of command and decision-making to enforce City Ordinances. EPA recommends revising the SQIP to clarify the contractor's role within the City and identify how the City will oversee the work performed by contracted staff, including enforcement decisions.

3.1.1 Training Program

Training requirements for the City's Construction Program, Municipal Program, and Illicit Discharge Program Elements, are included in the Permit and SQIP.¹ Specifically, Sections D.8.a.viii and D.8.b of the Permit require the City provide regular internal and external training on applicable components of the SQIP and related Permits for the Construction Program. Section D.10.a.x of the Permit requires the City to provide regular internal training on applicable components of the SQIP for the Municipal Program and Section D.11.b.vi of the permit requires the City include training as a component of the Illicit Discharge Program.

The section titled "Training for City Staff" on page 6-12 in Chapter 6.2 of the SQIP outlines the City's storm water training program and states the City provides targeted training for staff listed in Table 6.1, which includes, but is not limited to: planning, maintenance, drainage engineering, construction inspection and development staff. Chapter 6.2 of the SQIP further states that targeted City staff receives annual training for Construction, Municipal Operations, Illicit Discharge, and Development Planning. The SQIP states that training courses will generally cover the following topics: (1) general storm water quality awareness objectives (where stormwater goes, how it becomes polluted, and how to prevent pollution); (2) background regulatory information appropriate to the audience; (3) how to report/refer observed problems in the field; and (4) information about enforcement and penalties appropriate to the audience. The City also provided the EPA Inspection Team with a copy of the 2012/2013 annual workplan which contained a general statement that the City would continue to implement the training program for City staff and provide regular training.

Table 6.3-1 (Construction Element) of the SQIP states the City will conduct annual refresher training for City staff involved in construction and Table 6.5-1 (Municipal Operations) states the City will provide regular internal trainings on applicable components of the SQIP. Under both SQIP sections, the City is required to at least tabulate the number of staff trained under each program element to document and confirm Permit compliance. Under the Municipal Operations program element, the City is also required to monitor changes in awareness as a result of the training. See Table 6.5-1. The EPA Inspection Team requested documentation of training activities, including

¹ Because training is addressed in this section of the inspection report, it is not addressed below in the other individual program element sections.

training records and syllabi, for the City's Construction Program and Municipal Program for the 12 months prior to the inspection. In response, the City provided several documents such as training certificates, training presentation, and training sign-in sheets. (See Appendix B, B.71 through B.75, and B.83 through B.85, respectively). Additionally, three sections of the 2010/2011 Annual Report (CO.9.1, MO.10.1, and IL.8.2) state that training information is included in Appendix 6.2 of the document. The training documentation provided in Appendix 6.2 of the City's 2010/2011 Annual Report included three "Elk Grove Safety Meeting Sign In Sheets" for the entire year which each had a stormwater pollution prevention aspect to them. The sign-in sheets are dated "the week of December 6, 2010," May 4, 2011, and May 17, 2011. Nine or fewer staff were present for each of the training sessions. The hand-written notes on the sign-in sheets only state the specific BMP(s) that were reviewed during the training event, and do not specify which program element they attempt to address.

During the inspection, City and Willdan staff described various training activities which have occurred and requirements related to stormwater awareness training for contracted staff; however, the City Engineering Services Manager stated that the City did not have an established curriculum or forum for presenting stormwater-related information to all staff and generally relied on regional trainings provided by the Partnership. The Willdan Project Manager stated that they planned on conducting stormwater awareness training in September 2012, and this would likely include operations and maintenance staff, building, and facilities staff.

In contrast, the City has developed a structured training program for its code enforcement officers. The City Code Enforcement Manager explained that newly-hired code enforcement officers go through an 8-week training program which covers all areas of the Municipal Code. The training program includes a stormwater component to address Section 15.12 of the Municipal Code, which prohibits illicit discharges to the storm sewer system and describes enforcement capabilities. Code Enforcement also has an established weekly review of the Municipal Code for all enforcers, where Section 15.12 becomes the topic of review approximately every 18-24 months.

Potential Permit Violation

The City failed to develop a training program in accordance with various portions of the SQIP. Permit Sections D.8.a.viii, D.8.b, D.10.a.x, and SQIP Chapter 6.2, Tables 6.2-1 and 6.2-5.

The City must develop a training program covering the topics required by the Permit and SQIP that also includes a process to maintain records of training tabulating the number of employees trained and changes in awareness.

3.1.1.1 Stormwater Training for Contractors

The SQIP does not specify whether contracted staff must receive specific stormwater-related training; however, City staff explained that each service contract that the City enters into for contracted services includes a provision that the contractor must provide training for its own staff. The City provided the EPA Inspection Team with several

contracts to review including the *Contractor Contract for Szeremi Sweeping Services*, dated July 15, 2010 (see [Appendix B, B.3](#)). The EPA Inspection Team performed a review of this contract and noted that Section 16, *Compliance with the Law*, of the contract states that the contractor must comply with all applicable laws, ordinances, and codes of federal, state, and local governments. Page 15 of Exhibit A to the contract in the section titled “Environmental Controls at Work Site,” the contract also specifies that the contractor is responsible for protecting the local storm drain system from pollution and is to employ best management practices as applicable. The EPA Inspection Team did not, however, identify anywhere in the contract requirements that the contractor must provide specific training to its employees.

Program Recommendation

EPA recommends the City include specific stormwater-related training requirements for City contractors in future SQIP revisions and/or contracts for City services that implement stormwater requirements. Due to the City’s reliance on contracted services for operation and maintenance, as well as implementation of multiple aspects of its MS4 program, the SQIP and/or future contracts should clearly state the stormwater training requirements for personnel that carry out stormwater-related duties. These requirements should clearly state recordkeeping and reporting requirements to ensure that the City is provided with adequate information to document its training program.

3.2 Construction Program

As required by Section D.8.c of the Permit, the City must implement and enforce a program to control runoff from all construction sites subject to the NPDES General Construction Permit (CGP). The Permit includes specific objectives for the program at Section D.8.a–f, including, but not limited to: adequate legal authority; construction plan review; specific BMP requirements; inventory of active sites; inspection of construction sites; enforcement actions; and a tracking system for inspection and enforcement data and training activities. These elements are discussed in more detail below. Chapter 6.3 of the SQIP states that, in general, inspection and enforcement activities will focus on sites that disturb at least 350 cubic yards and/or disturb at least one acre, but notes that smaller sites must still comply with the City’s stormwater ordinance and operators of small sites will be educated and informed about ways to prevent erosion and prevent pollution.

The City experienced significant growth during 2004 to 2007. City and Willdan staff explained that in the past they issued 400 to 500 building permits per month and had as many as 250 active construction projects at one time. They had a staff of 35 full-time construction inspectors and four staff dedicated to conducting stormwater inspections. The Willdan Construction and Maintenance Manager explained that at the time of the EPA inspection, the City had about 17 or 18 active construction projects and one dedicated construction stormwater inspector.

The EPA Inspection Team visited five private construction sites: (1) Franklin Crossing Construction Project, (2) Walmart Construction Project, (3) Laguna Ridge Village Construction Project, (4) Laguna Ridge Apartments Construction Project, and (5) the

Laguna Springs Corporate Center. In addition, the EPA Inspection Team visited one City-sponsored construction project, the Longleaf Drive Bridge Construction Project. Individual write-ups and photographs for these construction site inspections are included in this inspection report in Appendix A.

3.2.1 Construction Plan Review and Permitting

Section D.8.c.v states that the City must require the submittal of an erosion and sediment control plan that complies with City requirements and verify that the operator has submitted an application for coverage under the CGP, if necessary, prior to issuing a grading permit. According the Chapter 6.3 of the SQIP, the City established mechanisms in Chapter 16.44, *Land Grading and Erosion Control*, of its Municipal Code to require grading and erosion control permits for any project that results in land disturbance of one acre or greater, or any project that involves grading, filling, excavating, storing, or disposing of 350 cubic yards or more of soil or earthy material. Section 16.44.090.J of the Municipal Code requires that project plans submitted to the City include the location, implementation schedule, and maintenance schedule of all erosion control measures and sediment control measures to be implemented or constructed prior to, during or after the proposed activity. Chapter 6.3 of the SQIP requires the City to verify during its review that a Notice of Intent (NOI) has been filed by the applicant for coverage under the CGP.

City and Willdan staff explained that City contract staff review plans for private development projects to assess the adequacy of erosion and sediment controls. City and Willdan staff explained that for City-sponsored projects, the plans and SWPPPs submitted with the application undergo an internal review process. The City has established and maintained an inventory of active construction sites which includes information on the most recent inspection, next scheduled inspection, and site conditions.

3.2.2 Construction Site Inspections

Section D.8.e of the Permit requires the City include an inspection frequency for construction sites in its SQIP and inspect each site for compliance with local ordinances and the erosion sediment control plan for the project until construction activities are completed and the site has been stabilized. The Permit states that inspections shall occur at a frequency determined to be effective by the Permittees and shall include a higher inspection frequency in the winter months (wet season) than during summer months (dry season). Chapter 6.3 of SQIP states that the City will continue to inspect all construction projects in the City and that all construction sites in the City will be prioritized based on the threat to water quality, taking into consideration project size, amount and nature of site activity, sensitive site conditions, and prior history of violations by the contractor. According to Chapter 6.3 of the SQIP, the City inspects high priority construction sites twice per month during the wet season and monthly during the dry season. Moderate priority sites will be inspected monthly throughout the year.

The Willdan Construction and Maintenance Manager explained that the City conducts a preconstruction kickoff meeting and inspection for each private construction project, and an inspection prior to the first rain event of the season. A brief review of construction inspection records provided by the City indicated that inspections of private construction

sites had been conducted during July 2012 and were scheduled to be conducted one month later in August 2012.

3.2.2.1 City-Sponsored Construction Site Inspection

The EPA Inspection Team visited a City-sponsored capital improvement construction project—the Longleaf Drive Bridge Construction Project—and multiple site deficiencies were observed during the site visit. A site visit write-up and photograph log is included in [Appendix A.10](#). During the site visit, the Willdan Construction and Maintenance Manager explained that this City-sponsored project had not received stormwater inspections by City or Willdan staff. In fact, City and Willdan staff explained that the City had not conducted stormwater-specific inspections for any City-sponsored construction sites.

Potential Permit Violation

The City failed to conduct construction stormwater inspections on City-sponsored project as required by Permit Section D.8.e and Chapter 6.3 of the SQIP.

Chapter 6.3 of the SQIP states that the City will conduct inspections of all construction projects. The Chapter further states that all City construction projects are subject the same ordinances and standards as private projects, and it goes on to say that City inspectors will inspect and conduct enforcement for these projects. The City must implement the construction inspection program that includes inspecting City-sponsored construction sites.

3.2.3 Enforcement of Construction Site Stormwater Runoff Controls

Sections D.8.a.vii and D.8.b of the Permit require the City to have a construction program that includes enforcement of City requirements and referral to the RWQCB of sites that violate CGP requirements. Section D.8.c requires the City to implement and enforce a program to control runoff from all construction sites subject to the CGP. Section D.8.e requires the City to notify the RWQCB if there are chronic violations (e.g. three or more) of City stormwater ordinances at a specific site and to use its legal authority to promptly and effectively enforce its stormwater ordinance to correct any violations observed during inspections.

Page 6-19 of the SQIP, in the section titled “Inspection and Enforcement,” states that progressive enforcement action will be taken by the construction inspectors when violations of local ordinances are observed and that repeat offenders will be referred to the Regional Water Board as required by the Permit. The City’s enforcement process is described in Chapter 6.2, page 6-10 of the SQIP. This process is also described in detail in the City Ordinance No. 22-2003 (Article 5 Sections 15.12.400-15.12.480). The Willdan Construction and Maintenance Manager explained that enforcement is a progressive process that escalates from Notice of Correction, to Notice of Non-Compliance, to Manager-to-Manager Phone Call/Site Visit, and finally to Cease and Desist Order.

The Willdan Construction and Maintenance Manager explained that he typically gets involved in enforcement activities when a construction project has not responded to issues identified by the Willdan construction stormwater inspector. City and Willdan staff stated that no Cease and Desist Orders had been issued in the previous five years and that fewer than three had been issued in the previous ten years. City and Willdan staff could not identify any specific criteria stemming from Notice of Correction noncompliance that would trigger escalating enforcement proceedings. Further, the EPA Inspection Team observed that the Notice of Correction forms contained different information and may not be complete, depending on which inspector was completing the form. For example, some inspectors write down the details of a violation or site observation but do not specify a time frame for resolution (see [Appendix B.69](#)).

Table 6.3.1 of the SQIP states the City will tabulate enforcement actions taken to measure changes over time to determine if construction contractor behavior changes and to track referrals made to the Regional Board in an effort to decrease chronic violations. However, the 2010/2011 Annual Report reports only the actions taken within the reporting period without comparison to a baseline of previous years' enforcement actions as the SQIP requires. Further, the Annual Report fails to state how many violations have been cited against specific sites, a key indicator of chronic violations.

During an inspection of the Laguna Ridge Apartments Construction Project, the EPA Inspection Team observed that appropriate perimeter control BMPs had not been implemented (see [Appendix A.9](#)). The Willdan Construction and Maintenance Manager and Willdan Construction Stormwater Inspector stated that the lack of BMPs was an ongoing problem with this specific construction site. The City representative stated that the City had issued multiple Notices of Correction, but had not issued a Notice of Non-Compliance and/or Cease and Desist Order, and had not referred the site to the Regional Water Board. While onsite, the Willdan Construction and Maintenance Manager agreed that this case should have been escalated to a Notice of Non-Compliance. Subsequent to the inspection, the EPA Inspection Team received documentation of a Notice of Non-Compliance issued to the Laguna Ridge Apartments Construction Project on August 9, 2012 (see [Appendix B.104](#)).

The 2010/2011 Annual Report Section 6.3, CO.7.2 (Notify Regional Water Board about CGP non-filers and when three or more violations of local stormwater ordinance at a site) notes that some notices identified in Table 6.3-4 cover multiple violations; however, it does not state if any projects were actually referred to the Regional Board. This information in the Annual Report indicates there may have been other construction sites that also should have been referred to the Regional Board.

Program Deficiency

The City did not follow the enforcement escalation policy set forth in Chapter 6.2 of the SQIP. Multiple Notices of Correction for the Laguna Ridge Apartments had been issued when the City could have escalated the matter to a Notice of Non-Compliance.

Potential Permit Violation

The City failed to report repeat violators to the Regional Board in accordance with Permit Section D.8.e.

As described above, the City identified a construction project (Laguna Ridge Apartments) with on-going violations, had issued multiple Notices of Correction, but had not referred the site to the Regional Board. The City must develop a clear mechanism for referring sites with chronic violations to the Regional Water Board. The procedure should be shared with construction project managers at the pre-construction meeting so it is clear how enforcement activities, including referring cases to the Regional Board, will be conducted.

Potential Permit Violation

The City failed to track past enforcement actions in their annual reports to measure changes in behavior or to track referrals to the Regional Board to decrease chronic violations as required by Permit Section D.8.a and SQIP Chapter 6.3.

By failing to track information from year to year, the City is unable to measure changes in behavior within the construction industry. While the Annual Report does state that City is tracking referrals to the Regional Board, the report does not list past referrals or discuss the status of or outcomes from the cases. The City's future Annual Reports must provide a clear report of the enforcement cases taken that identifies the sites, the number of enforcement actions taken per site, which sites have been referred to the Regional Board, and updates on the cases the City is tracking to demonstrate outcomes of the Enforcement Program.

Program Deficiency

The City lacks a standard operating procedure for the Notice of Correction form to enable, consistent and effective follow-up to violations identified during the inspection. The first formal step of the enforcement process, the Notice of Correction, is a written form filled out by the inspector, a Willdan employee, while on site. As discussed above, the EPA observed inconsistent use of the Notice of Correction form by the construction site inspectors during their inspections.

3.3 Municipal Program

Section D.10 of the Permit requires the City to implement the Municipal Program in its SQIP to effectively prohibit non-stormwater discharges and prevent or reduce pollutants in runoff from all municipal land use areas, facilities and activities to the maximum extent practicable. The City's program must include, among other things: pollution prevention BMPs for City facilities; marking of storm drain inlets; maintenance of the storm drain system; street sweeping activities; and maintenance of public parking facilities.

City and Willdan staff explained that the City has been developing its geographic information system (GIS)-based map of the City since at least 2006. The map includes manholes, storm sewer pipes, outfalls, City-owned detention basins, catch basins, and culverts. City and Willdan staff demonstrated that the City was in the process of adding private permanent stormwater management structures (i.e., post-construction BMPs) into

the GIS-based map with photographs of the structures. There are approximately four GIS contract staff housed at the City's offices that update the map as needed, primarily based on electronic as-built plans and field verification information.

The City has established five distinct maintenance zones within its jurisdiction. The Willdan Construction and Maintenance Manager explained that each year the contracted maintenance crews are assigned a specific zone (or zones) to focus on for storm drain system maintenance and that the City addresses the entire system on a 3 to 4 year cycle. According to City staff, the City has stamped or stenciled all of its storm drain inlets and conducts street sweeping activities throughout the City, following the prioritization schedule described in Chapter 6.5 of the SQIP. The EPA Inspection Team, however, did not verify sweeper activities through records review.

The EPA Inspection Team conducted a site visit at the City's Corporation Yard. A site visit write-up and photograph log for the inspection is included as [Appendix A.4](#). The EPA Inspection Team also observed one of the City's MS4 outfalls to Shed B during the inspection. A site visit write-up and photograph log is included as [Appendix A.6](#).

3.3.1 Inspection and Maintenance of City-Owned Parking Lots

Section D.10.b.vi of the Permit requires the City to implement a Parking Facilities Maintenance Program. Chapter 6.5 of the SQIP, page 6-27, states that City-owned parking lots exposed to rainfall will be inspected and maintained at least annually prior to the wet season. Maintenance activities will include trash/debris removal, sweeping and removal of oil stains involving collection and proper disposal of the waste water.

The EPA Inspection Team requested copies of records for municipal facility inspections for the 12 months prior to the inspection. While the City provided multiple records for catch basin cleaning, street sweeping, and examples of inspection forms, the City did not provide records of inspection and maintenance of City-owned parking lots. When asked about City-owned parking lots, City and Willdan staff were unable to describe the City's process or program for ensuring that City-owned parking lots are maintained.

Potential Permit Violation

The City failed to implement a program for inspection and maintenance of City-owned parking lots as required by Section D.10.b.vi of the Permit.

According to the SQIP, page 6-26, the City owns and operates the City Hall complex, the Police Service Center, and a Corporation Yard. As discussed above, the City failed to develop and implement a program for inspecting and maintaining these parking lots.

3.4 Illicit Discharge Program

Section D.11 of the Permit requires the City to update and continue to implement the Illicit Discharge Program component of the SQIP to actively seek and eliminate illegal connections and illicit discharges (IC/IDs) to the MS4. The City's IC/ID program includes but is not limited to the following elements: adequate legal authority to prohibit illicit discharges; proactive detection of IC/IDs; investigation and elimination of IC/IDs;

a public reporting hotline; and a database for maintaining information about IC/ID occurrences.

The City Code Enforcement Manager explained that Section 15.12 of the Municipal Code prohibits illicit discharges to the storm sewer system and describes the City's enforcement capabilities. He added that typically a team responding to a report of an illicit discharge would consist of a representative from the City Public Works Department and the City Code Enforcement Department. Examples of the types of illicit discharges that City staff described that had been responded to include swimming pool water discharges to storm drains, oil spills, and concrete/cement spills. City staff stated that the Sacramento County Environmental Management Division provides support to the City for discharges or spills of potentially hazardous materials.

City and Willdan staff explained that they have included public outreach and education for stormwater issues, including prevention of illicit discharges, in newsletters distributed to City staff and with utility bills mailed to the community. In addition, City and Willdan staff presented the EPA Inspection Team with a variety of informational materials developed through the Partnership that are provided to businesses and citizens regarding water quality and illicit discharges. For example, City and Willdan staff explained that when organizations talk to the City about holding a car wash event, they are encouraged to conduct car washes at commercial establishments which do not drain to the MS4.

3.4.1 Public Reporting

Section D.11.a.ii of the Permit states that one of the objectives of the Illicit Discharge Program Element is to proactively detect illicit discharges and illegal connections through public reporting. Section D.12.a.ii requires the City to promote the use of the 24-hour illicit discharge reporting hotline. Page 6-32 of the SQIP, in the section titled "Reporting of Illicit Discharges," it states that the City will continue to operate a stormwater hotline (687-3005) to facilitate public reporting of problems in the City. According to City and Willdan staff, the City still uses the stormwater hotline, which directs calls to the maintenance hotline at the City's Corporation Yard. In addition, they stated that citizens also report issues directly through City Hall.

As a newer tool for public reporting, the City has established a website with an online reporting mechanism called "Ask Elk Grove" for the public or staff to report issues or ask questions. The website provides contact information and telephone numbers for the public to access. The online reporting tool interface allows a user to select from a drop-down menu of issues or fill out a free-form narrative section. In addition, the City had developed a mobile application for Ask Elk Grove so the public could report issues directly through their mobile phones.

City and Willdan staff stated the telephone hotline and the online Ask Elk Grove reporting tool is monitored by a customer service staff member during business hours (i.e., Monday – Friday, 8:00 a.m. – 5:00 p.m.) who then notifies the appropriate City staff members to address the identified issue. After hours and on weekends, the stormwater hotline directs callers to the maintenance hotline at the City's Corporation Yard.

3.4.2 Dry Weather Field Screening Program

Section D.11.a.ii of the Permit states that one of the objectives of the Illicit Discharge Program Element is to proactively detect illicit discharges and illegal connections through dry weather monitoring and field crew inspections. Page 6-30 of the SQIP requires maintenance crews to conduct on-going field screening to detect illicit discharges and connections as a part of routine maintenance and repair of the storm drain system and local creeks. On page 2 of Table 6.6-1 of the SQIP, it states that illicit discharges will be investigated by the City within one business day for hazardous materials, and five business days for non-hazardous materials, and twenty-one days of discovery or report of illicit connections.

The Willdan Construction and Maintenance Operations Manager explained that the contractor responsible for storm drain system maintenance observes, as part of routine maintenance, storm drain inlets for sediment and trash deposition and then cleans the catch basin, if needed. He stated that as part of the process, the contractor would observe the downgradient outfall to see if it is clear and open. If a dry weather flow is observed from the outfall the contractor reports it to his/her supervisor.

During the field component of the inspection, the EPA Inspection Team, along with City and Willdan staff, observed an outfall from the MS4 to the Shed B Channel. A site visit write-up and photograph log is included as Appendix A.6. The site visit occurred during dry weather conditions and flow was observed discharging from the outfall to the Shed B Channel. The EPA Inspection Team asked if this outfall would be one that the maintenance contractor would inspect as a component of its maintenance duties. In contrast to what he said earlier, the Willdan Construction and Maintenance Operations Manager stated that the maintenance crew might not observe this outfall since it was not visible from the roadway.

Program Deficiency

The City must include in its illicit discharge program, proactive dry weather outfall screening, and adequate training for staff to inspect outfalls, identify suspicious flows, document their observations, and refer certain observations of dry weather flows to appropriate City staff for follow-up. The City should also develop tools to help inspectors screen outfalls for dry weather flows. The City could utilize information in its GIS-based map to identify outfalls to be screened, including attributes for each outfall to aid field crews when they conduct and document outfall screening activities.

3.4.3 Tracking Illicit Discharges and Illegal Connections

Section D.11.a.v of the Permit states that one of the objectives of the Illicit Discharge Program Element is to maintain a database for recording the information related to illicit discharges and illegal connections. Page 6-32 of the SQIP states that the City will continue to track illicit discharge data and update an illicit discharge map to show locations of illicit discharges. The City Operations and Maintenance Contract Manager explained that the City uses its electronic work order system to document the occurrence of an IC/ID and actions taken regarding an IC/ID, and the system can be queried to

generate an inventory of spill and illicit discharges. He provided the EPA Inspection Team with an inventory of “Spills and Discharges” that occurred from January 1, 2008 through July 20, 2012 (see Appendix B, B.29). The EPA inspection team noted the City used multiple identifiers for similar incidents and information collected from incidents were inconsistent. For example, in the past the City used a Work Type titled “Illicit Discharge” or “Hazardous Materials” to identify entries related to illicit discharges and spills. He explained the City has changed the way some items are put into the system and “Illicit Discharge” was no longer used as an active work type. It was unclear to the EPA Inspection Team how illicit discharges are tracked in the system.

Program Recommendation

The EPA recommends the City develop a clear method and standard for entering illicit discharge-related information into the City’s electronic work order system. The City should develop a clear method and standard for entering IC/ID information into the work order system to ensure illegal connections and illicit discharges are appropriately tracked and eliminated.

Appendix A – Additional Inspection Report Materials

	Page
A.1 – INSPECTION SCHEDULE.....	2
A.2 – INSPECTION SIGN-IN SHEETS.....	3
A.3 – LIST OF SITE VISITS CONDUCTED DURING THE INSPECTION	5
A.4 – CITY OF ELK GROVE CORPORATION YARD SITE VISIT REPORT AND PHOTOGRAPH LOG	6
A.5 – FRANKLIN CROSSING CONSTRUCTION PROJECT SITE VISIT REPORT AND PHOTOGRAPH LOG	14
A.6 – OUTFALL TO SHED B CHANNEL SITE VISIT REPORT AND PHOTOGRAPH LOG.....	18
A.7 – WALMART CONSTRUCTION PROJECT SITE VISIT REPORT AND PHOTOGRAPH LOG.....	22
A.8 – LAGUNA RIDGE VILLAGE CONSTRUCTION PROJECT SITE VISIT REPORT AND PHOTOGRAPH LOG	27
A.9 – LAGUNA RIDGE APARTMENTS CONSTRUCTION PROJECT SITE VISIT REPORT AND PHOTOGRAPH LOG	31
A.10 – LONGLEAF DRIVE BRIDGE AND LAGUNA SPRINGS CORPORATE CENTER CONSTRUCTION PROJECTS SITE VISIT REPORT AND PHOTOGRAPH LOG.....	34

A.1 – Inspection Schedule

Tentative Agenda for MS4 Program Inspection City of Elk Grove, California August 7—8, 2012		
Day	Time	Program/Agenda Item
Tuesday August 7, 2012	8:00 am - 8:45 am	Kick-off Meeting & Program Management Overview (Office)
	8:45 am - 10:15 am	Illicit Discharge (Office)
	10:15 am - 12:00 pm	Construction (Office)
	12:00 pm - 1:00 pm	Lunch Break
	1:00 pm - 2:00 pm	Municipal Facilities and Operations (Office)
	2:00 pm - 4:00 pm	Construction and/or Municipal Facilities and Operations (Field)
	4:00 pm - 4:30 pm	Recap and Logistics Planning for Wednesday
Wednesday August 8, 2012	8:00 am - 12:00 pm	Construction and/or Municipal Facilities and Operations (Field)
	12:00 pm - 1:00 pm	Lunch Break
	1:00 pm - 3:00 pm	Open Period for Additional Activities ¹ (Tentative time slot)
	3:00 pm - 3:45 pm	Internal Discussion ²
	3:45 pm - 4:30 pm	Closing Conference ³ (Tentative time slot)

¹ Open Period for Additional Activities – Will be decided by the EPA Inspection Team during the inspection activity in collaboration with City staff.

² Internal Discussion – Time for inspectors to arrange notes and prepare information to be discussed with the City at the Closing Conference. City participation is not expected.

³ The City is encouraged to invite representatives from applicable organizational divisions/departments.

A.2 - Inspection Sign-in Sheets

INSPECTION SIGN-IN SHEET (PLEASE PRINT)				
Name of Facility: CITY OF ELK GROVE MS4			Date Conducted: 8/7/12	
Name	Title	Entity	Phone	E-Mail
BOBBY JACOBSEN	EPA CONTRACTOR	PG ENVIRONMENTAL	303 279 1778 x107	—
AMITTOJ THANDI	ASSOC. ENGR.	CITY OF ELK GROVE	(916) 478-2252	athandi@elkgrovecity.org
John R. Scott	CONTRACT MGR. O&M	CITY OF ELK GROVE	(916) 687-3041	JR.Scott@ElkGrove.org
FERNANDO DUEÑAS	SENIOR ENGINEER	CITY OF ELK GROVE	916-627-3434	fduenas@ elkgrovecity.org
Luis Garcia-Bakanich	EPA Inspector	EPA	415 972-3237	garcia-bakanich.luis@ epa.gov
Elizabeth Sablad	EPA Environmental Scientist	EPA	415-972-3044	Sablade.lizabete@ epa.gov
ELIZABETH (LIZ) LEE	MUNICIPAL STORM WATER UNIT SUP. - SR ENGR	CENTRAL VALLEY WATER BOARD	916. 404. 4787	emlee@ waterboards.ca.gov
Matt Pavelchik	Student Assistant	Central Valley Water Board	916-208-8827	mpavelchik@ mpavelchik@ waterboards.ca.gov
Gen Sparks	Environmental Scientist	Central Valley Water Board	(916) 464-4745	gsparks@ waterboards. ca.gov
Sean Cross	W.R.C. Engineer	Central Valley Water Board	(916) 464-4709	scross@ waterboards.ca.gov
John Humphrey	CONSTR. MAINTENANCE MGR CITY OF ELK GROVE	CITY OF ELK GROVE	(916) 687-3069	JHumphrey@elkgrovecity.org

INSPECTION SIGN-IN SHEET (PLEASE PRINT)				
Name of Facility:	Name	Title	Company	Date Conducted: ___/___/___ Phone: _____ E-Mail: _____
	Tiffany Piper	Exec. Admin	CITY OF ELK GROVE	916-487-3013 TPiper@elkgrovecity.org
	Richard Shepard	Public Works Director	City of Elk Grove	916-478-2256 RShepard@elkgrovecity.org
	Connie Nelson	Project Manager	CITY OF ELK GROVE	916-478-3633 cnelson@elkgrovecity.org
	JAMES ASHBY	EPA Contractor	PG Environmental	303-274-1778 x113
	Cindy Nelson	Commercial Programs Coordinator	Integrated Waste City of Elk Grove	(916) 027-3452 cknelson@elkgrovecity.org
	SHAPE DILLER	CODE ENFORCEMENT MANAGER	CITY OF ELK GROVE	916-487-3002 SDILLER@ELKGROVECITY.ORG
	DOUGLAS SCOTT	FACILITY & FLEET MANAGER	CITY OF ELK GROVE	916-487-3443 dscott@elkgrovecity.org

A.3 – List of Site Visits Conducted during the Inspection

The EPA Inspection Team visited the following sites during the inspection:

- City Rain Garden Demonstration Area
- City of Elk Grove Corporation Yard
- Franklin Crossing Construction Project
- Outfall to Shed B Channel
- Walmart Construction Project
- Laguna Ridge Village Construction Project
- Laguna Ridge Apartments Construction Project
- Longleaf Drive Bridge and Laguna Springs Corporate Center Construction Projects

The EPA Inspection Team generated site visit write-ups for the sites listed above, except for the City Rain Garden Demonstration Area. These site visits are included as Appendices A.4 – A.10.

A.4 – City of Elk Grove Corporation Yard Site Visit Report and Photograph Log

Site Name: City of Elk Grove Corporation Yard

Site Location: 10250 Iron Rock Way, Elk Grove, CA

Date of Visit: August 7, 2012

Entry Time: 1500 hrs (approx)

Exit Time: 1600 hrs (approx)

Site Owner and/or Operator: City of Elk Grove

Site Contact: Douglas Scott (Facilities and Fleet Manager)

Conducted by: Bobby Jacobsen (PG Environmental, LLC), Luis Garcia-Bakarich (U.S. EPA Region 9), and James Ashby (PG Environmental, LLC)

Accompanied by: Elizabeth Sablad (U.S. EPA Region 9), Elizabeth Lee (Central Valley RWQCB), Sean Cross (Central Valley RWQCB), Gen Sparks (Central Valley RWQCB), Matt Pavelchik (Central Valley RWQCB)

Site Visit Report Prepared by: Bobby Jacobsen (PG Environmental, LLC) and James Ashby (PG Environmental, LLC)

Site Summary

- The Corporation Yard encompasses an area of about 13 acres and houses the City's Public Works Maintenance Operations and Construction Divisions, and includes the City's Transit Facility and Police Department Fleet Facility.
- The Corporation Yard has an on-site warehouse which encompasses about 60,000 square feet and provides the City with a significant amount of indoor space (see [Photographs 1, 2, and 3](#)). According to the City Facilities and Fleet Manager, about a third of the warehouse is used for vehicle maintenance and about two thirds of the warehouse is used for storage.
- There is an outdoor, covered wash bay for vehicle washing at the facility. According to City staff, the wash bay flows to an oil / water separator and discharges to the sanitary sewer (see [Photograph 4](#)).

Site Observations

- An unlabeled container of fluid was stored in an uncovered area without secondary containment along the northwest side of the vehicle wash bay (see [Photographs 4 and 5](#)).
- A bus was parked directly over a storm drain inlet in the area of pervious pavement near the western edge of the facility (see [Photographs 6 and 7](#)). Staining was present on the

pervious and impervious ground surface adjacent and upgradient of the storm drain inlet (see Photographs 7 and 8).

- Staining on the impervious ground surface was observed in multiple locations throughout the bus storage and parking area at the facility (see Photographs 7 through 10).
- Storm drain inlet protection had not been provided for a storm drain inlet on the west side of the warehouse building between the personal vehicle parking area and the building itself (see Photograph 11).



Photograph 1. View of portion of warehouse used for vehicle maintenance.



Photograph 2. View of portion of warehouse used for storage.



Photograph 3. Additional view of portion of warehouse used for storage.



Container of fluid
without coverage
or containment

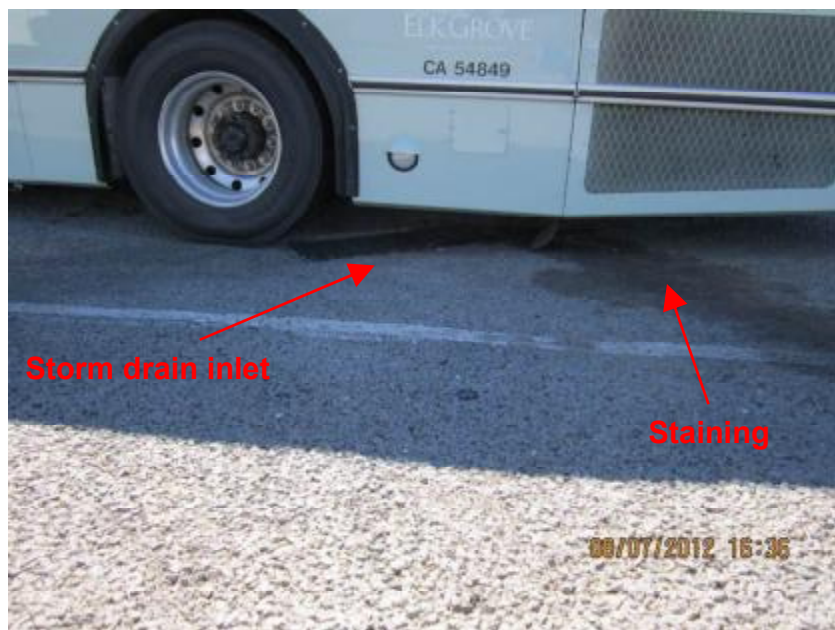
Photograph 4. View of covered vehicle wash bay at the facility.



Photograph 5. View of drum of unlabeled container of fluid stored in an uncovered area without secondary containment adjacent to the vehicle wash bay shown in Photograph 4.



Photograph 6. View of bus parked over a storm drain inlet in an area of pervious pavement.



Photograph 7. Closer view of storm drain inlet referenced in Photograph 6.



Photograph 8. View of staining on pervious and impervious ground surface upgradient of storm drain inlet shown in Photographs 6 and 7.



Photograph 9. Example of staining on impervious ground surface in bus storage and parking area.



Photograph 10. Closer view of staining shown in Photograph 9.



Photograph 11. View of storm drain inlet without BMPs for inlet protection.

A.5 – Franklin Crossing Construction Project Site Visit Report and Photograph Log

Site Name: Franklin Crossing Construction Project

Site Location: Near intersection of Fossil Way and Stovall Drive, Elk Grove, CA

Date and Time of Visit: August 8, 2012

Entry: 0840 hrs (approx)

Exit: 0925 hrs (approx)

Site Owner and/or Operator: Taylor Morrison, Inc.

Site Contact: Not obtained

Conducted By: Bobby Jacobsen (PG Environmental, LLC), Luis Garcia-Bakarich (U.S. EPA Region 9), James Ashby (PG Environmental, LLC)

Accompanied By: Elizabeth Sablad (U.S. EPA Region 9), Elizabeth Lee (Central Valley RWQCB), Sean Cross (Central Valley RWQCB), Gen Sparks (Central Valley RWQCB), Matt Pavelchik (Central Valley RWQCB)

Summary Prepared By: Bobby Jacobsen (PG Environmental, LLC) and James Ashby (PG Environmental, LLC)

Site Summary

- According to an on-site representative, construction started about 18 months prior to the inspection and the project was in the third of four phases. The project is a residential development.
- Stormwater runoff from the site flows to on-site storm drain inlets which discharge to the MS4 eventually to the Shed B Channel and Stone Lake.

Site Observations

- There was a container on site labeled “SWPPP” (see Photograph 1); however, the storm water pollution prevention plan (SWPPP) for the project was not located in the container at the time of the inspection. During the site visit, an on-site representative retrieved it from a nearby location.
- A “heavy weight wattle” sediment control BMP was not properly entrenched into the ground near the center of the active construction area (see Photograph 2).
- Two portable toilets observed on site were not staked into the ground or otherwise secured (see Photographs 3 and 4).
- Concrete was present on the ground adjacent to the concrete washout containment structure at the project site (see Photograph 5).



Photograph 1. View of container at construction site for the project's SWPPP.



Photograph 2. View of "heavy weight wattle" sediment control BMP which was not entrenched into the ground.



Photograph 3. View of portable toilet at the site which was not staked into the ground or otherwise secured.



Photograph 4. View of an additional portable toilet at the site which was not staked into the ground or otherwise secured.



Photograph 5. View of concrete washout area at the site. Note concrete waste material located adjacent to the washout containment structure.

A.6 – Outfall to Shed B Channel Site Visit Report and Photograph Log

Site Name: Outfall to Shed B Channel

Site Location: Near intersection of Willard Parkway and Matina Drive, Elk Grove, CA

Date and Time of Visit: August 8, 2012

Entry: 0930 hrs (approx)

Exit: 0950 hrs (approx)

Site Owner and/or Operator: City of Elk Grove

Site Contact: City of Elk Grove

Conducted By: Bobby Jacobsen (PG Environmental, LLC), Luis Garcia-Bakarich (U.S. EPA Region 9), James Ashby (PG Environmental, LLC)

Accompanied By: Elizabeth Sablad (U.S. EPA Region 9), Elizabeth Lee (Central Valley RWQCB), Sean Cross (Central Valley RWQCB), Gen Sparks (Central Valley RWQCB), Matt Pavelchik (Central Valley RWQCB)

Summary Prepared By: Bobby Jacobsen (PG Environmental, LLC) and James Ashby (PG Environmental, LLC)

Site Summary

- This outfall was identified by City staff as the outfall that would receive stormwater runoff flows from the Franklin Crossing Construction Project. The EPA Inspection Team visited this outfall after visiting the Franklin Crossing Construction Project (see [Photographs 1 and 2](#)).
- The outfall appeared to be about 48 inches in diameter and discharged to the Shed B Channel.

Site Observations

- Flow was observed discharging from the outfall, though dry weather conditions were experienced the day prior to and the day of the site visit (see [Photographs 3 and 4](#)).
- Evidence of irrigation flow from upstream turf areas along the roadway was present at the time of the site visit (see [Photographs 5 and 6](#)). City staff stated that they believed the flow from the outfall was from this irrigation water.



Photograph 1. View of access route to outfall.



Photograph 2. View of box culvert access to outfall.



Photograph 3. View of outfall to Shed B Channel. Note dry weather flow from outfall.



Photograph 4. Close-up view of dry weather flow from outfall.



Photograph 5. View of turf area along roadway upgradient of outfall. Note evidence of irrigation flows to the curb and gutter.



Photograph 6. Close-up view of storm drain inlet noted in Photograph 5. Note wetted area surrounding inlet.

A.7 – Walmart Construction Project Site Visit Report and Photograph Log

Site Name: Walmart Construction Project

Site Location: 10075 Bruceville Road, Elk Grove, CA

Date and Time of Visit: August 8, 2012

Entry: 1000 hrs (approx)

Exit: 1040 hrs (approx)

Site Owner and/or Operator: Shames Construction Company

Site Contact: Not obtained

Conducted By: Bobby Jacobsen (PG Environmental, LLC), Luis Garcia-Bakarich (U.S. EPA Region 9), James Ashby (PG Environmental, LLC)

Accompanied By: Elizabeth Sablad (U.S. EPA Region 9), Elizabeth Lee (Central Valley RWQCB), Sean Cross (Central Valley RWQCB), Gen Sparks (Central Valley RWQCB), Matt Pavelchik (Central Valley RWQCB)

Summary Prepared By: Bobby Jacobsen (PG Environmental, LLC) and James Ashby (PG Environmental, LLC)

Site Summary

- According to an on-site representative, construction on the project started in March 2010, and at the time of the site visit, the underground storm drain system had not been installed.

Site Observations

- There was a concrete washout area with secondary containment at the site (see Photograph 1).
- A temporary sediment basin had been installed near the northwest corner of the site (see Photograph 2).
- Straw wattle BMPs installed for sediment control along the eastern edge of the site were not entrenched into the ground to retain sediment and prevent failure (see Photographs 3 and 4).
- A section of straw wattle BMPs installed near the northeast corner of the site had accumulated sediment to its full height and sediment had been transported beyond the straw wattle (see Photographs 5 and 6). Silt fence had been installed downgradient of the straw wattle BMPs along the site perimeter and it did not appear that sediment was transported beyond the site perimeter (see Photographs 5, 6, and 7).



Photograph 1. View of concrete washout area at the construction site.



Photograph 2. View of temporary sediment basin near the northwest corner of the site.



Photograph 3. View of straw wattle BMPs installed along the eastern edge of the site. Note that the straw wattles were not entrenched into the ground.



Photograph 4. Close-up view of straw wattles along the eastern edge of the site which were not entrenched into the ground.



Photograph 5. View of straw wattle BMPs and silt fence BMP installed near the northeast corner of the site. Note evidence of erosion in foreground of the photograph.



Photograph 6. Close-up view of straw wattle which had accumulated sediment to its full height.



Photograph 7. View of silt fence BMP installed downgradient of the straw wattles shown in Photographs 5 and 6.

A.8 – Laguna Ridge Village Construction Project Site Visit Report and Photograph Log

Site Name: Laguna Ridge Village Construction Project

Site Location: South of Elk Grove Boulevard and East of Bruceville Road, Elk Grove, CA

Date and Time of Visit: August 8, 2012

Entry: 1050 hrs (approx)

Exit: 1120 hrs (approx)

Site Owner and/or Operator: Not obtained

Site Contact: Not obtained

Conducted By: Bobby Jacobsen (PG Environmental, LLC), Luis Garcia-Bakarich (U.S. EPA Region 9), James Ashby (PG Environmental, LLC)

Accompanied By: Elizabeth Sablad (U.S. EPA Region 9), Elizabeth Lee (Central Valley RWQCB), Sean Cross (Central Valley RWQCB), Gen Sparks (Central Valley RWQCB), Matt Pavelchik (Central Valley RWQCB)

Summary Prepared By: Bobby Jacobsen (PG Environmental, LLC) and James Ashby (PG Environmental, LLC)

Site Summary

- The EPA Inspection Team visited two areas with active construction within the overall development. According to City staff, the development encompasses hundreds of acres of land. One of the areas that the EPA Inspection Team visited was referred to as “Grove Village 8” by City staff, and Taylor Morrison, Inc. was the prime contractor for that section of the development.

Site Observations

- A black geotextile fabric had been applied to cover the perimeter of lots within the development and used as vehicle access areas (see [Photographs 1, 2, and 3](#)). The City Construction Site Inspector stated that he would prefer to see rock-lined construction site entrances rather than the geotextile fabric used to stabilize entrances.
- Multiple gravel bags implemented on site for storm drain inlet protection were deteriorated (see [Photograph 4](#)).
- During the site visit, an on-site contractor demonstrated a “self-contained” cleaning procedure for a concrete truck chute (see [Photograph 5](#)).



Photograph 1. View of lots with geotextile fabric applied around the perimeter of an active lot.



Photograph 2. View of area with geotextile coverage that was used for vehicle access.



Photograph 3. Close-up view of area used for vehicle access shown in Photograph 2.



Photograph 4. View of deteriorated gravel bags used for storm drain inlet protection.



Photograph 5. View of contractor demonstrating how the “self-contained” cleaning procedure functioned on his concrete truck.

A.9 – Laguna Ridge Apartments Construction Project Site Visit Report and Photograph Log

Site Name: Laguna Ridge Apartments Construction Project

Site Location: 8151 Civic Center Drive, Elk Grove, CA

Date and Time of Visit: August 8, 2012

Entry: 1130 hrs (approx)

Exit: 1150 hrs (approx)

Site Owner and/or Operator: Hurley Construction

Site Contact: Not obtained

Conducted By: Bobby Jacobsen (PG Environmental, LLC), Luis Garcia-Bakarich (U.S. EPA Region 9), James Ashby (PG Environmental, LLC)

Accompanied By: Elizabeth Sablad (U.S. EPA Region 9), Elizabeth Lee (Central Valley RWQCB), Sean Cross (Central Valley RWQCB), Gen Sparks (Central Valley RWQCB), Matt Pavelchik (Central Valley RWQCB)

Summary Prepared By: Bobby Jacobsen (PG Environmental, LLC) and James Ashby (PG Environmental, LLC)

Site Summary

- According to City staff, construction on the project started about 18 months prior to the site visit.
- City staff explained that they had experienced numerous issues with this construction site regarding implementation of erosion and sediment control BMPs.
- The City Construction and Maintenance Manager stated that the City would issue a Notice of Violation to the project after the conclusion of the MS4 inspection.

Site Observations

- Perimeter control BMPs had not been implemented along the northern perimeter of the construction site (see [Photographs 1 and 2](#)).
- Straw wattle BMPs placed around multiple stockpiles at the site were not entrenched into the ground (see [Photographs 3 and 4](#)).



Photograph 1. View looking east of northern perimeter of the construction site. Note that BMPs had not been installed for perimeter control.



Photograph 2. View looking west of northern perimeter of the construction site. Note that BMPs had not been installed for perimeter control.



Photograph 3. View of stockpile along northern perimeter of the construction site. Note that the straw wattles placed around the stockpile were not entrenched into the ground.



Photograph 4. Additional example of stockpile surrounded by straw wattles which were not entrenched into the ground.

A.10 – Longleaf Drive Bridge and Laguna Springs Corporate Center Construction Projects Site Visit Report and Photograph Log

Site Name: Longleaf Drive Bridge and Laguna Springs Corporate Center Construction Projects

Site Location: Near intersection of Longleaf Drive and Laguna Springs Drive, Elk Grove, CA

Date and Time of Visit: August 8, 2012

Entry: 1155 hrs (approx)

Exit: 1250 hrs (approx)

Site Owner and/or Operator: Not obtained

Site Contact: Not obtained

Conducted By: Bobby Jacobsen (PG Environmental, LLC), Luis Garcia-Bakarich (U.S. EPA Region 9), James Ashby (PG Environmental, LLC)

Accompanied By: Elizabeth Sablad (U.S. EPA Region 9), Elizabeth Lee (Central Valley RWQCB), Sean Cross (Central Valley RWQCB), Gen Sparks (Central Valley RWQCB), Matt Pavelchik (Central Valley RWQCB)

Summary Prepared By: Bobby Jacobsen (PG Environmental, LLC) and James Ashby (PG Environmental, LLC)

Site Summary

- There were two distinct construction projects adjacent to one another in this area of active construction—Longleaf Drive Bridge Construction Project and the Laguna Corporate Center Construction Project. The EPA Inspection Team viewed both of the areas of active construction.
- According to City staff, one of the projects was private construction—Laguna Springs Corporate Center—and one of the projects was public—Longleaf Drive Bridge.

Site Observations

Longleaf Drive Bridge Project

- A section of silt fence installed below the bridge near the center of the Elk Grove Creek channel was collapsed due to pipes on the silt fence ([see Photograph 1](#)).
- A section of silt fence installed below the bridge along the eastern side of the Elk Grove Creek channel was not entrenched into the ground to retain sediment and prevent failure ([see Photographs 1, 2 and 3](#)).
- BMPs for erosion and sediment control had not been implemented for the abutments on the west end of the bridge ([see Photographs 4 and 5](#)).
- Inlet protection had not been installed for a storm drain inlet in a disturbed area along the south side of the roadway extension from the bridge ([see Photographs 6 and 7](#)).

Laguna Springs Corporate Center Project

- Straw wattles installed around multiple storm drain inlets in the area parking lot area toward the southern end of the project were not entrenched into the ground ([see Photographs 8 and 9](#)).



Photograph 1. Longleaf Drive Bridge Construction Project – View of area below the bridge where there was a section of collapsed silt fence and a section of silt fence that was not entrenched into the ground.



Photograph 2. Longleaf Drive Bridge Construction Project – Closer view of section of silt fence that was not entrenched into the ground noted in Photograph 1.



Photograph 3. Longleaf Drive Bridge Construction Project – Additional view of silt fence shown in Photographs 1 and 2 that was not entrenched into the ground.



Photograph 4. Longleaf Drive Bridge Construction Project – View of south abutment on west side of the bridge. Note lack of erosion and sediment control BMPs.



Photograph 5. Longleaf Drive Bridge Construction Project – View of north abutment on west side of the bridge. Note lack of erosion and sediment control BMPs.



Photograph 6. Laguna Corporate Center Construction Project – View of storm drain inlet without inlet protection along south side of the roadway extension construction from the bridge.



Photograph 7. Laguna Corporate Center Construction Project – Close-up view of storm drain inlet shown in Photograph 6.



Photograph 8. Laguna Corporate Center Construction Project – View of storm drain inlet in parking lot area surrounded by straw wattles which were not entrenched into the ground.



Photograph 9. Laguna Corporate Center Construction Project – Additional example of storm drain inlet in parking lot area surrounded by straw wattles which were not entrenched into the ground.

Appendix B – Catalog of Reference Materials

The materials listed in this appendix are relevant to the evaluation but have not been included in the submittal of this inspection report. Copies of materials noted below are maintained in U.S. EPA Region 9 records and can be made available upon request.

- B.1 – Copermittees’ Storm Water Quality Improvement Plan, November 2009
- B.2 – City of Elk Grove *Stormwater Management Program Fiscal Year 2012-2013 Annual Work Plan*
- B.3 – *Contractor Contract for Szeremi Sweeping Services*, dated July 15, 2010
- B.4 – *Consultant Contract for Public Works Services* with Willdan Engineering, dated November 8, 2010
- B.5 – *Master Services Contract for Consumnes Community Services District*, dated August 15, 2011
- B.6 – Illicit Discharge Program PowerPoint Presentation
- B.7 – Construction Program PowerPoint Presentation
- B.8 – Municipal Facilities Program PowerPoint Presentation
- B.9 – Program Management PowerPoint Presentation
- B.10 – City of Elk Grove Organizational Chart
- B.11 – City of Elk Grove Description of Departments involved in MS4 Program
- B.12 – MS4 Permitted Area and Receiving Waters Map
- B.13 – City Land Use Map
- B.14 – Summary of City Background and NPDES History
- B.15 – Memorandum of Understanding with the Partnership (2003)
- B.16 – Memorandum of Understanding with the Sacramento County Environmental Management Division (EMD; 2011)
- B.17 – EMD Inspection and Enforcement Policy for Commercial and Industrial Sites
- B.18 – EMD HazMat Response Agreement (2009)
- B.19 – Sample Map of Storm Drain Infrastructure
- B.20 – City of Elk Grove Municipal Code Table of Contents
- B.21 – Chapter 1.12, *Administrative Citations*, of the City Municipal Code
- B.22 – Chapter 14.10, *Water Efficient Landscape Requirements*, of the City Municipal Code
- B.23 – Chapter 15.12, *Stormwater Management and Discharge Control*, of the City Municipal Code
- B.24 – Chapter 16.18, *Nuisance Code*, of the City Municipal Code

- B.25 – Ordinance No. 26-2004, *Urgency Ordinance*, to Chapter 15.12 of the City Municipal Code
- B.26 – EMD “Checklist Summary of Violations for Stormwater Program”
- B.27 – EMD “Food Facility Stormwater Inspection Checklist”
- B.28 – Samples of City’s Outfall Maps
- B.29 – Sample Illicit Discharge and Spills Summary Report for the City from January 1, 2008 to July 20, 2012
- B.30 – Sample Map Displaying Illicit Discharges in the City
- B.31 – City Description of “Procedures for Illicit Discharge and Illicit Connection Identification and Response”
- B.32 – City “Administrative Citation” Form
- B.33 – City “Notice and Order” Form
- B.34 – City Description of “Illicit Discharge Steps of Action”
- B.35 – Code Enforcement “Case Field Report” for Event during April 2012
- B.36 – Code Enforcement “Case Field Report” for Event during March 2011
- B.37 – City Description of “Procedures for Public Complaints for Spills and Illicit Discharges”
- B.38 – City “Ask Elk Grove” Screenshot
- B.39 – Sample of City’s Database for Illicit Discharges and Spills
- B.40 – Table of Contents for Title 22, *Land Development*, of the City Municipal Code
- B.41 – Table of Contents for Title 23, *Zoning Code*, of the City Municipal Code
- B.42 – Chapter 16.44, *Land Grading and Erosion Control* of the City Municipal Code
- B.43 – Cover Page and Table of Contents for NPDES Construction General Permit, adopted September 2, 2009
- B.44 – Cover Page for CASQA’s *Stormwater Best Management Practice Handbook Portal: Construction*, November 2009
- B.45 – Cover Page and Table of Contents for the City’s *Improvement Standards and Standard Drawings*, dated October 2007
- B.46 – Cover Page, Table of Contents and Excerpt from the City’s *Construction Specifications and Standard Drawings*, dated October 2007
- B.47 – Cover Page and Table of Contents for Caltrans’ *Standard Specifications*, dated May 2006
- B.48 – Cover Page and Table of Contents for Caltrans’ *Standard Specifications*, dated 2010
- B.49 – Cover Page and Table of Contents for Caltrans’ *Construction Manual*, dated June 2012

- B.50 – Cover Page for Caltrans’ *PPDG, Project Planning and Design Guide*, dated July 2010
- B.51 – Cover Page for CASQA’s *Stormwater Best Management Practice Handbook for New Development and Redevelopment*
- B.52 – Cover Page and Table of Contents for the *Stormwater Quality Design Manual for the Sacramento and South Placer Regions*, dated May 2007
- B.53 – City “Grading Plan Review Checklist”
- B.54 – City “SWPPP Review Checklist”
- B.55 – “Sacramento County Supplemental Application: Preliminary Stormwater Quality Compliance Form”
- B.56 – City Description of “Typical City of Elk Grove Development and Review Process”
- B.57 – City Description of “Storm Water Prevention Pollution Plan Procedures”
- B.58 – Sample “Notice of Corrections” Form
- B.59 – Sample “Notice of Non-Compliance” Form
- B.60 – Sample “Cease and Desist Order” Form
- B.61 – Sample “City of Elk Grove Daily Inspection Report Development Projects”
- B.62 – Sample “City of Elk Grove – Storm Water Pollution Prevention Inspection Report”
- B.63 – Sample “Summary of Best Management Practices” Form
- B.64 – Sample “SWPPP Compliance Inspection Release Form”
- B.65 – Sample “C.I.P. WPCP Compliance Inspection Release Form”
- B.66 – Sample “City of Elk Grove Pre-Construction Meeting Agenda Items Checklist”
- B.67 – Map of Active Construction Sites
- B.68 – Example of Construction Site Inspection Tracking Spreadsheet
- B.69 – Examples of Completed “Notice of Corrections” Forms for Multiple Construction Sites in the City
- B.70 – Examples of Completed “Notice of Non-Compliance” Forms for Multiple Construction Sites in the City
- B.71 – SWPPP Training Outreach Flyer, November 2011
- B.72 – SWPPP Training Sign-in Sheet, November 2011
- B.73 – QSD/QSP Certification for Fernando Duenas
- B.74 – QSP Certification for Jon Pumphrey
- B.75 – Course Completion Letter for QSD/QSP Training for Amittoj Thandi
- B.76 – Municipal Facilities Map

- B.77 – Corporation Yard Facility Site Diagram
- B.78 – City Description of “Storm Drain System Maintenance” Procedures and Goals
- B.79 – City Description of “Municipal Operations and Facilities Standard Operating Procedures”
- B.80 – “MV Transportation Hazardous Materials Emergency Response Procedures”
- B.81 – Corporation Yard SWPPP, dated August 2012
- B.82 – Schedule of Activities for Various Municipal Facilities
- B.83 – “MV Transportation Environmental Training Program” Presentation Slides
- B.84 – “DTSC Training Sign-in Sheet”
- B.85 – City Description of “Integrated Waste Pollution Prevention Plans and Program Materials”
- B.86 – Sample “Drop Inlet / Manhole Survey FY 2010-11” Form
- B.87 – Sample “Drop Inlet Survey / Minor Cleaning Debris Collection Information” Form
- B.88 – Example of Completed MV Transportation “Chemical Waste Management Weekly Inspection Log” for July 2012
- B.89 – Sample “Environmental Site Assessment Audit (Scoring)” Form
- B.90 – Street Sweeping Frequency Map
- B.91 – Summary of Street Sweeping Activities
- B.92 – Residential Street Sweeping Map for Fiscal Year 2012-2013
- B.93 – City of Elk Grove/MCE Corp “List of Storm Drain Line Cleaning for Root Intrusion FY 10-11”
- B.94 – Documentation of BaySaver Treatment Unit Maintenance Activities
- B.95 – Table Displaying Numbers of Complaints/Reports Received by the City from January 1, 2012 to August 8, 2012
- B.96 – Printout from City Website regarding Storm Drain Master Plan
- B.97 – SWPPP Review Checklist for “The Ridge Apartments,” dated March 21, 2011
- B.98 – Erosion Control Plan for “The Ridge Apartments,” dated April 13, 2011
- B.99 – Longleaf Bridge Project Erosion Control Plan
- B.100 – Notice of Intent Receipt for The Ridge Apartments, dated January 24, 2011
- B.101 – “Summary of Sacramento Stormwater Quality Partnership Monitoring Locations within the City of Elk Grove,” dated August 8, 2012
- B.102 – Description of Discharge to Elk Grove Creek on July 25, 2012
- B.103 – Outreach and Educational Materials Developed through the Partnership for Citizens and Businesses

- B.104 – Notice of Non-Compliance Issued to the Laguna Ridge Apartments on August 9, 2012
- B.105 – Daily Inspection Reports for the Laguna Ridge Apartments
- B.106 – Valley Green Pesticide Spraying Record for April 2012
- B.107 – Pesticide Program Recommendations for 2011
- B.108 – Pesticide Program Recommendations for 2012
- B.109 – Pesticide Program Recommendations for West Camden 2011
- B.110 – Crop Production Services Spraying Report January 2012
- B.111 – Pacheo Brothers Gardening, Inc. Spraying Reports from 2010
- B.112 – City Description of Public Outreach Events for Stormwater