



**KEEP IT CLEAN  
PARTNERSHIP**  
**Stormwater Protection**  
 BOULDER • BOULDER COUNTY • LONGMONT  
 ERIE • LAFAYETTE • LOUISVILLE • SUPERIOR  
 KeepItCleanPartnership.org 303-441-1439

## CDPS MS4 Phase II STORMWATER MANAGEMENT PROGRAM DESCRIPTIONS FOR CITIES AND COUNTIES March 2008 – March 2013

### Resubmitted October 20, 2008

Redlined November, 2008

Redlined November, 2012

Agency Name	
Permit Certification Number	COR - 090022
MS4 Location Description <i>(most permit certifications will cover a single city or county)</i>	City(s) Permitted: County Permitted: Non-Standard MS4(s) Permitted (including location descriptions):
Map	Submitted with original program description dated June 10, 2008.
CDPS Program Descriptions	Includes original program descriptions submitted June 10, 2008. In addition, the details requested in the September 8, 2008 CDPHE's letter have been addressed in italics and bold text within the document.
Program Implementation Area (Counties only)	<input type="checkbox"/> Permitted Area <input type="checkbox"/> Entire Jurisdiction
Joint Submittal	<input type="checkbox"/> No <input type="checkbox"/> Yes

**Certification:** The following certification must be signed by the Legally Responsible Person. The signer must be either a principal executive officer, ranking elected official or other duly authorized employee.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name (printed):

Title:

Signature: \_\_\_\_\_

Date:

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# Keep it Clean Partnership Permit Implementation

## **The Keep it Clean Partnership**

The Keep it Clean Partnership (KICP) is a regional stormwater quality management program serving the communities of Boulder, [Lafayette](#), Longmont, Louisville, Erie, Superior, and Boulder County (the Partners). The primary goal of the KICP is to implement a regional stormwater management program, to comply with federal Phase II stormwater regulations, and to address broader water quality issues in the Boulder and St. Vrain watersheds.

## **Boulder and St. Vrain Watersheds and Communities**

The Boulder and St. Vrain watersheds are large (encompassing 741 square miles) and diverse, starting from elevations over 14,000 feet in the high alpine areas in Rocky Mountain National Park down to the semi-arid desert plains region at elevations less than 5,000 feet. Land uses include national forest and local parkland and open space, agriculture, and urban and industrial areas representing one of the nation's largest concentrations of research laboratories and high-tech industries.

The KICP has developed programs that meet the requirements of the six minimum measures and protect state waters. The initial steps have begun in addressing water quality concerns, with the primary focus on impacts of urban development on water quality. To further focus efforts, a 2006 Water Quality Roundtable was conducted where experts from local, federal, and state agencies identified six areas of concern typical of urban runoff. These include: pathogens (e.g. E. coli), sediment, nutrients, flow modification, metals, and pesticides. These impacts are considered when implementing programs.

## **Program Implementation**

Implementation of KICP programs is governed by a five-year intergovernmental agreement (IGA) and supporting bylaws. The 2008-2012 IGA was adopted by each of the Partners on December 12, 2007 [and readopted with the addition of Lafayette on April 1, 2011](#). The IGA identifies the Steering Committee as the managing entity; it is made up of one voting representative from each Partner community. The Steering Committee directs the KICP Coordinator, who provides administrative and management services to implement the KICP programs and budget. The IGA identifies Boulder County Public Health (BCPH) as the contracting/fiscal agent. BCPH is also the employer of the KICP Coordinator. Each of the Partner communities provides staff, which participates in workgroups. These workgroups direct the work or implement activities of the KICP Stormwater Management Program.

## **Permit Compliance**

Implementation of each of the programs uses a variety of approaches, including the following:

*Individual Programs:* Program elements that are exclusively the responsibility of individual Partners to implement. An example is the local adoption and enforcement of an erosion control ordinance. The Partner communities have assigned responsibilities to various departments to ensure compliance with the state stormwater discharge permit and improved water quality.

*Common Elements:* Program elements that have common themes and common implementation procedures. An example is the development of model municipal contract language to prevent stormwater pollution.

*Shared Programs:* Program elements that are shared by all Partners; examples include:

- The City of Boulder Water Education Program, which provides community outreach materials and school programs in each of the Partner jurisdictions.
- Boulder County's Partners for a Clean Environment (PACE) Program, which provides outreach materials and conducts site visits for Keep it Clean Partners, addressing commercial and municipal operations.

### **Individual and Shared Responsibilities**

Although the state does not issue joint permits or watershed-wide permits, the KICP Stormwater Management Program is implemented as such. Therefore, the program descriptions included in this permit application include a description of the shared and individual responsibilities.

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**A. Program Perspective**

The goal of the Public Education and Outreach Program is to increase public awareness of local water quality problems and garner public support for local stormwater quality programs.

**B. Program Requirements**

The regulation (CCR 61.8(11)(a)(ii)(A)) is as follows:

- (A) *Public education and outreach on stormwater impacts. The permittee must implement a public education program to:*
  - (I) *Distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff; and*
  - (II) *Inform businesses and the general public of impacts associated with illegal dischargers and improper disposal of waste.*

The 2008-2013 permit requires:

*The permittee must implement a public education program in an effort to promote behavior change by the public to reduce water quality impacts associated with pollutants in stormwater runoff and illicit discharges that includes:*

- 1) *Targeting specific pollutants and pollutant sources determined by the permittee to be impacting, or to have the potential to impact, the beneficial uses of receiving waters;*
- 2) *Conducting outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff; and*
- 3) *Informing businesses and the general public of the municipality’s prohibitions against and/or the water quality impacts associated with illegal discharges and improper disposal of waste.*

**C. Programs:**

1. Partnerships

1.a	The KICP Partners consist of Boulder, <a href="#">Lafayette</a> , Longmont, Louisville, Erie, Superior, and Boulder County.	Ongoing
1.b	Both Longmont and Erie have partnered with Weld County to ensure that the citizens of their communities residing in Weld County also receive stormwater outreach.	Ongoing
1.c.	The KICP Education Program works cooperatively with Boulder Valley School District (BVSD) and St. Vrain Valley School District (SVVSD).	Ongoing

2. Using educational materials and strategies – The KICP Education Program conducts school-based education and community-based outreach programs to educate teachers, students, and families (adults) on ways to change their behavior to reduce water pollutants.

2.a	<p><b>School-based education programs include the following:</b></p> <ol style="list-style-type: none"> <li>1. <b>Operation Water Festival:</b> <i>Annually, two</i> day-long events with hands-on water quality activities will be conducted. The festival is provided for BVSD and SVVSD students.</li> <li>2. <b>School-Based Education Programs:</b> <i>Annually, a minimum of 60</i> classroom and/or field-based programs will be offered to BVSD and SVVSD teachers and students.</li> <li>3. <b>Teacher Workshop:</b> <i>Annually, one</i> training will be offered to BVSD and SVVSD K-12 teachers on the use of KICP-sponsored and other water quality curriculum.</li> </ol>	Ongoing
2.b	<p><b>Community-based outreach programs include the following:</b></p> <ol style="list-style-type: none"> <li>1. <b>Outreach Booth:</b> Provides stormwater pollution prevention materials to the public. <i>Annually, a staffed booth travels to at least one</i> special event in each of the partner communities.</li> </ol> <p><b>Community-based outreach programs may include the following:</b></p> <ol style="list-style-type: none"> <li>1. <b>Speakers Program:</b> Staff and expert speakers attend events in each of the KICP communities to present water quality information to various community groups.</li> <li>2. <b>Watershed Stewardship Program:</b> Trains volunteers to be neighborhood water quality advocates. Staff will offer programs in each KICP community.</li> <li>3. <b>StreamTeams:</b> Provides community volunteers the opportunity to be involved in water protection activities by providing resources and training for creek cleanups, water quality monitoring, and more. Staff will support</li> </ol>	Ongoing

	teams in each KICP community.	
2.c.	<b>Informational and promotional materials</b> Brochures, fact sheets, and product give-aways are produced as needed for distribution at school and community events. At a minimum, distribution will take place <i>annually</i> at special events in each partner community. <i>Distribution also takes place through the school based education programs and within public municipal areas.</i>	Ongoing

3. Tributary signage and storm drain marking

3.a	In the first permit term, 25% of all the KICP storm drains were marked KICP education staff will maintain equipment and support volunteer groups to mark an <i>additional 3%</i> of the storm drains in each KICP community. Where appropriate, program participants may also post door hangers that explain the stormwater pollution prevention message.	Ongoing
3.b.	<b>A minimum of 5</b> tributary signs are posted within each of the KICP Partner communities in prominent locations.	Ongoing

4. Reaching diverse audiences

Businesses, teachers, students, and residents of diverse backgrounds are reached through the programs mentioned above. In addition, the KICP program has published and distributed two brochures that were translated into Spanish.

5. Illicit discharge education to businesses and the public

Partner for a Clean Environment (PACE) program reaches ~~restaurants, vehicle service facilities, and a variety of other~~ businesses that have the potential to adversely impact water quality. Outreach is performed either by direct personal contact, educational materials, or web resources.

The KICP Education Program informs residents of the impact of improper disposal of wastes. This is done through direct personal contact, educational materials, or web resources. (updated January 2013)

**D. Measurable Goals**

Measurable goals are not necessary, as the elements described above constitute full program implementation and a commitment to continue these elements.

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**II. PUBLIC PARTICIPATION/INVOLVEMENT**

**A. Program Perspective**

Public participation/involvement is often discussed in the context of the public education measure because they share a common goal – reaching out to citizens to improve awareness and achieve program compliance. The distinction between the two programs is that public participation/involvement provides a conduit for citizens to participate in the development and implementation of the publicly funded stormwater program.

**B. Program Requirements**

The regulation (CCR 61.8(11)(a)(ii)(B)) is as follows:

*(B) Public involvement/participation. The permittee, must at a minimum comply with State and local public notice requirements when implementing the stormwater management programs required under this permit. Notice of all public hearings should be published in a community publication or newspaper of general circulation, to provide opportunities for public involvement that reach a majority of citizens through the notification process.*

The 2008-2013 permit requires:

*(B) Public involvement/participation. The permittee must implement a public involvement program as follows:*

- 1) The permittee must comply with the State and local public notice requirements when implementing the CDPS Stormwater Management Programs required under this permit. Notice of all public hearings should be published in a community publication or newspaper of general circulation, to provide opportunities for public involvement that reach a majority of citizens through the notification process.*
- 2) The permittee must provide a mechanism and process to allow the public to review and provide input on the CDPS Stormwater Management Program.*

### C. Programs:

#### 1. Public notices

The KICP Steering Committee agendas and minutes are posted monthly online. All individual KICP Partner's meetings are publicly noticed, as required by local ordinance.
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#### 2. Providing a mechanism for public involvement/feedback

2.a	Either the general KICP or the KICP education phone number is listed on publications.	Ongoing
2.b	The KICP website lists all the contact information for all Partners. Each Partner's website provides a link to the KICP website.	Ongoing
2.c.	The KICP Stormwater Management Program Descriptions' Document is posted on the KICP website.	Ongoing
2.d.	An outreach booth (see MCM 1) is sponsored annually in each Partner community, when program feedback and suggestions are welcomed from the public.	Ongoing

### D. Measurable Goals

Measurable goals are not necessary, as the elements described above constitute full program implementation and a commitment to continue these elements.

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**A. Program Perspective**

The goal of the Illicit Discharge Detection and Elimination Program is, to the maximum extent practicable, reduce the frequency and environmental impact of illicit discharges in which pollutants are intentionally or accidentally discharged into the municipal separate storm sewer system.

**B. Program Requirements**

The regulation (CCR 61.8(11)(a)(ii)(C)) is as follows:

*(C) The permittee must develop, implement and enforce a program to detect and eliminate illicit discharges (as defined at 61.2) into the permittee’s MS4.*

*The permittee must:*

- (a) Develop, if not already completed, a storm sewer system map, showing the location of all municipal storm sewer outfalls and the names and location of all state waters that receive discharges from those outfalls;*
- (b) To the extent allowable under State or local law, effectively prohibit, through ordinance or other regulatory mechanism, non-stormwater discharges into the storm sewer system, and implement appropriate enforcement procedures and actions; and*
- (c) Develop and implement a plan to detect and address non-stormwater discharges, including illicit discharges and illegal dumping, to the system. The plan must include the following three components: procedures for locating priority areas likely to have illicit discharges; procedures for tracing the source of an illicit discharge; and procedures for removing the source of the discharge.*

The 2008-2013 permit requires:

*(C) The permittee must develop, implement and enforce a program to detect and eliminate illicit discharges (as defined at 61.2) into the permittee’s MS4. Illicit discharges do not include discharges or flows from fire fighting activities, or other activities specifically authorized by a separate CDPS permit.*

*The permittee must:*

- 1) *Develop and maintain a current storm sewer system map, showing the location of all municipal storm sewer outfalls and the names and location of all state waters that receive discharges from those outfalls.*
- 2) *To the extent allowable under State or local law, effectively prohibit, through ordinance or other regulatory mechanism, illicit discharges (except those identified in subparagraph 5 and 6 of this section) into the storm sewer system, and implement appropriate enforcement procedures and actions.*
- 3) *Develop, implement, and document a plan to detect and address non-stormwater discharges, including illicit discharges and illegal dumping, to the system. The plan must include the following three components: procedures for locating priority areas likely to have illicit discharges, including areas with higher likelihood of illicit connections; procedures for tracing the source of an illicit discharge; and procedures for removing the source of the discharge.*
- 4) *Develop and implement a program to train municipal staff to recognize and appropriately respond to illicit discharges observed during typical duties. The program must address who will be likely to make such observation and therefore receive training, and how staff will report observed suspected illicit discharges.*
  - i) *Specific Deadline for Renewal Permittees: Renewal Permittees must comply with the requirement of subparagraph (4) by no later than December 31, 2009.*
- 5) *Address the following categories of non-stormwater discharges or flows (i.e., illicit discharges) only if the permittee identifies them as significant contributors of pollutants to the permittee's MS4: landscape irrigation, lawn watering, diverted stream flows, irrigation return flow, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), uncontaminated pumped ground water, springs, flows from riparian habitats and wetlands, water line flushing, discharges from potable water sources, foundation drains, air conditioning condensation, water from crawl space pumps, footing drains, individual residential car washing, dechlorinated swimming pool discharges, and water incidental to street sweeping (including associated side walks and medians) and that is not associated with construction.*

*The permittee may also develop a list of occasional incidental non-stormwater discharges similar to those in the above paragraph, (e.g., non-commercial or charity car washes, etc.) that will not be addressed as illicit discharges. These non-stormwater discharges must not be reasonably expected (based on information available to the permittee) to be significant sources of pollutants to the MS4, because of either the nature of the discharges or conditions the permittee has established for allowing these discharges to the MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to sensitive water bodies, BMPs, etc.). The permittee must document in their program any local controls or conditions placed on the discharges. The permittee must include a provision prohibiting any individual non-*

stormwater discharge that is determined to be contributing significant amounts of pollutants to the MS4.

6) The following sources are excluded from the prohibition against non-stormwater discharges and the requirements of subsections (2) and (3) above:

- i) Discharges resulting from emergency fire fighting activities. Such discharges are specifically authorized under this permit (see Part I.A.2)
- ii) Discharges specifically authorized by a separate CDPS permit.

**C. Programs:**

1. Outfall map

All KICP Partners have completed their outfall maps, which are updated on an as-needed basis.

<i>Partner</i>	<i>Description of outfall map updating process. (details requested by CDPHE 9/08)</i>
<i>Boulder County</i>	<p><i>Boulder County’s Transportation Department was instrumental in completing an outfall map of its urbanized area utilizing GIS.</i></p> <p><i>By clicking on either the outfall or inlet on the map, an investigator can determine the details of a particular structure. New construction within the urbanized stormwater infrastructure will be very limited. However, a cross-referral process with Boulder County Land Use, Transportation, and Public Health assures that new structures are revealed during their planning and construction, and are included on the map.</i></p>
<i>Boulder</i>	<p><i>All outfalls within the city are located in GIS mapping software. All new development is required to go through the Engineering Review process identified in the Boulder Revised Code, 1981. When a project is completed, the developer submits as-built drawings. These as-built drawings are used to identify new outfall locations and are then put in the GIS mapping software. This software is available to city staff as well as the public through the city’s website.</i></p>
<i>Longmont</i>	<p><i>All information is recorded in the GIS database and Public Works/Water Utilities mapping staff verifies and reconciles field locations. Questions about field data are referred back to the O&amp;M staff for review and correction.</i></p> <p><i>For new development, development plans are reviewed by the City Development Review Committee, which includes Public Works/Water Utilities engineers and technicians. When the final plans have been approved, they are submitted to the mapping staff, who add the new lines and features to the system map and GIS database. As-built information is provided to the mapping staff by field inspectors and O&amp;M staff. The mapping staff maintains the system maps and GIS database on the City’s network server.</i></p>
<i>Louisville</i>	<p><i>The City of Louisville updates their outfall maps on a frequent basis and makes appropriate changes to the maps, which illustrates new construction or modifications to existing infrastructure. As-built information is provided to the Engineering mapping staff by field inspectors and Public Works Operations staff.</i></p>
<i>Superior</i>	<p><i>All storm sewer outfalls within the boundaries of Superior have been mapped. This storm sewer system map is maintained by the Town’s contracted Engineer. All new developments are reviewed by the Town’s contracted Engineer prior to and during construction. As new utilities are installed, this information is added to the utility system maps, including the storm sewer system map.</i></p>

<i>Erie</i>	<p><i>Public Works O&amp;M staff conducts an ongoing inspection program for storm sewers that includes a visual inspection of storm inlets. The storm sewer maps are used during maintenance, and if updates are needed to the maps, the information is given to our GIS person to make adjustments.</i></p> <p><i>When new development, which includes storm sewer, is constructed, prior to construction acceptance, the developer is required to submit as-built plans and auto cad files. The as-built plans are used to update the storm sewer maps by the Town's GIS person. The maps are available on the Town's server so all divisions of Public Works have access to the most updated version of the maps.</i></p>
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## 2. Regulatory mechanism

*Each of the KICP Partners utilized a template ordinance that provides definitions of illicit discharge prohibitions and exemptions and authority for access, inspection, enforcement and penalties.*

<b>Partner</b>	<b>Ordinance Adopted</b>	<b>Web Link and Code Citation</b>
Boulder County	September 13, 2005	<a href="http://www.bouldercounty.org/bocc/Ordinances/illicit%20stormwater%20discharge.htm">http://www.bouldercounty.org/bocc/Ordinances/illicit%20stormwater%20discharge.htm</a> Ordinance 2005-1, Illicit Stormwater Discharge
Boulder	December 6, 2004	<a href="http://www.colocode.com/boulder2/chapter11-5.htm#section11_5_5">http://www.colocode.com/boulder2/chapter11-5.htm#section11_5_5</a> Boulder Revised Code 1981, Title 11, Chapter 5, Section 5 (b) (BRC 11-5-5b)
Longmont	January 12, 2005	<a href="http://www.ci.longmont.co.us/city_clerk/municipal_code.htm">http://www.ci.longmont.co.us/city_clerk/municipal_code.htm</a> Chapter 14.26, Stormwater Illicit Discharges and Permit Requirements
Louisville	December 21, 2004	<a href="http://www.ci.louisville.co.us/cityclerk/municode.htm">http://www.ci.louisville.co.us/cityclerk/municode.htm</a> Title 13, Water/Sewer, Chapter 13.36
Superior	December 13, 2004	<a href="http://www.colocode.com/superior.html">http://www.colocode.com/superior.html</a> Chapter 11, Article IV
Erie	November 9, 2004	<a href="http://66.113.195.234/CO/Erie/index.htm">http://66.113.195.234/CO/Erie/index.htm</a> Title 12, Chapter 2, Illicit Discharges and Storm Water Quality Permit Requirements

## 3. Illicit discharge detection and elimination plan

Each KICP Partner has developed and is implementing a plan that addresses illicit discharges and illegal dumping to their storm drainage systems. The plans include the following three components: procedures for locating priority areas likely to have illicit discharges, procedures for tracing the source of an illicit discharge, and procedures for removing the source of the discharge. *In addition, Boulder County's Partners for a Clean Environment (PACE) Program assists in identifying illicit and threatened discharges. They educate the offender and refer the information to the enforcing community. Discharges that are unknown or hazardous in nature are responded to by the local municipal fire department with assistance from the County's Environmental Emergency Response Team.*

<i>Partner</i>	<i>Description of plans and procedures in place for locating, tracing and removing illicit discharges. (details requested by CDPHE 9/08)</i>
<i>Boulder County</i>	<p><i>Boulder County Public Health employees in the Water Quality Program within the Environmental Health Division are responsible for tracing the sources of detected illicit discharges. Some of the methods to be included in this source location are listed below.</i></p> <p><i>Use of storm sewer outfall maps to trace suspected discharges to a point of origin</i></p> <p><i>Use of water quality data to determine potential household or industrial sources of detected</i></p>

	<p><i>chemicals, and trace them upstream.</i></p> <p><i>On-the-ground physical investigation of outfalls and storm sewer inputs for evidence of prohibited discharges (discoloration of ground, odors, leaky containers, flowing water during dry periods, etc.)</i></p> <p><i>Once an illicit discharge has occurred, various methods will be used to ascertain its source in accordance with the County's more detailed Illicit Discharge Detection and Elimination (IDDE) Plan.</i></p> <p><i>Once illicit discharges are located and traced to their source Boulder County Public Health employees or their contracted agents will act to remove them. This can be accomplished with the contractor that is on retainer for hazardous materials spills and using existing nuisance and public health laws to charge the perpetrator.</i></p> <p><i>Response and enforcement actions are tracked and submitted to CDPHE in the annual report.</i></p>
<i>Boulder</i>	<p><i>Illicit discharges are located using information received from complaints, reports of spill or discharges. Priority areas may be identified using information from outfall inventory and land-use maps. Chemical or biological testing may be used to identify a source or if sanitary sewer source is suspected.</i></p> <p><i>Procedure to trace the source of an illicit discharge may include using GIS maps, following discharge upstream, and/or identifying activity, which created the discharge.</i></p> <p><i>Procedure for removing sources of discharges include; direct removal by city staff or by responsible party. This may be followed by violator education and/or enforcement.</i></p> <p><i>The city maintains an IDDE Plan and Spill Response SOP, which is periodically updated to incorporate new procedures and/or policies.</i></p> <p><i>Response and enforcement actions are tracked and submitted to CDPHE in the annual report.</i></p>
<i>Longmont</i>	<p><i>Video camera inspections of all lines and manholes in the system are used to identify direct connections as well as verify system information and details. Illegal connections are reported by the video inspection crew and corrected as soon as they are found by the City O&amp;M crew.</i></p> <p><i>Outfalls have been identified from major sub-areas within the storm drainage system that represent different land uses. Grab samples of dry weather flows have been collected to provide base information. In 2009, several autosamplers will be installed to collect more data. If contamination is found, successive upstream location will be targeted.</i></p> <p><i>Field staff, including project inspectors, O&amp;M techs and sanitation drivers have been trained to look for, report and document illicit discharges. The training is provided by the PACE program.</i></p> <p><i>Removal of any illicit connection or discharges is accomplished through a combination of methods depending on type. Examples include enforcement, disconnection and education.</i></p> <p><i>Nonhazardous illicit discharges are responded to by Public Works and Water Utilities O&amp;M staff. Hazardous discharges are handled in accordance with the City spill response procedures and are primarily the responsibility of the Fire Department.</i></p> <p><i>Further details can be found in the IDDE and Enforcement Plans maintained by Water Resources and Environmental Services staff.</i></p> <p><i>Response and enforcement actions are tracked and submitted to CDPHE in the annual report.</i></p>
<i>Louisville</i>	<p><i>Public works stormwater department tracks and responds to illicit discharges. They have a formal plan in place that outlines specific actions to be taken to eliminate illicit discharges and</i></p>

	<p><i>identification of possible sources within the city.</i></p> <p><i>The City conducts field investigations to locate and verify priority areas. Field investigations may include the following activities, and others as deemed practicable by the City.</i></p> <ol style="list-style-type: none"> <li><i>1. Smoke or dye testing</i></li> <li><i>2. Water quality sampling at outfalls near suspected or repeat offenders (high priority sites)</i></li> <li><i>3. Investigative sampling at suspect outfalls to determine potential sources when practicable</i></li> <li><i>4. Internal review of past illicit discharge offenses and community notifications</i></li> <li><i>5. General observations of outfalls at pre-determined intervals during day-to-day field operations.</i></li> </ol> <p><i>City of Louisville employees trace the sources of detected illicit discharges. Use of storm sewer outfall maps to trace suspected discharges to a point of origin</i></p> <ol style="list-style-type: none"> <li><i>1. Use of water quality data to determine potential household or industrial sources of detected chemicals.</i></li> <li><i>2. On-the-ground physical investigation of outfalls and storm sewer inputs for evidence of prohibited discharges.</i></li> </ol> <p><i>Once an illicit discharge has occurred, various methods will be used to ascertain its source.</i></p> <ul style="list-style-type: none"> <li><i>• Conducting dye-testing, Conducting smoke tests to delineate potential source areas;</i></li> <li><i>• Collecting samples of the discharge and of potential sources of the discharge, Using TV or video cameras to inspect storm sewers; and</i></li> <li><i>• Interviewing the individual reporting the discharge.</i></li> </ul> <p><i>If a specific discharger is identified as the source of a flow, they will be contacted by staff in the field and informed that it is illegal to discharge anything but stormwater to the conveyance system without a valid NPDES permit. Investigators will work with the responsible party to find out what they are discharging and whether or not the discharge is permitted.</i></p> <p><i>Response and enforcement actions are tracked and submitted to CDPHE in the annual report.</i></p>
<p><b>Superior</b></p>	<p><i>Nonhazardous illicit discharges are responded to by Public Works/Utilities and Parks Recreation &amp; Open Space field staff.</i></p> <p><i>Field staff and our contract inspectors have been trained to look for, report and document illicit discharges. The training is provided by the PACE Program.</i></p> <p><i>Removal of any illicit connection or discharges is accomplished through a combination of methods depending on type. Examples include enforcement, disconnection and education.</i></p> <p><i>Further details can be found in the IDDE and Enforcement Plans maintained by Town staff.</i></p> <p><i>Response and enforcement actions are tracked and submitted to CDPHE in the annual report.</i>  <i>(Illicit discharges are located by several methods; complaints or reports from the public, annual inspections of the open conveyance systems during maintenance activities and by scheduled staff outfall inspections.</i></p> <p><i>The oldest portions of the storm sewer system for the Town of Superior are less than 25 years old with the majority of the system less than 15 years old. No illicit connections to the system exist. All illicit discharges would be from surface drainage sources.</i></p> <p><i>Nonhazardous illicit discharges are responded to by Public Works/Utilities and Parks Recreation &amp; Open Space field staff.</i></p> <p><i>Illicit discharge sources are traced using GIS mapping of the storm sewer system to follow the discharge upstream to its source.</i></p>

	<p><i>Removal of any illicit connection or discharges is accomplished through a combination of methods depending on type. Examples include enforcement, disconnection and education.</i></p> <p><i>Field staff and our contract inspectors have been trained to look for, report and document illicit discharges. The training is provided by the PACE Program.</i></p> <p><i>Further details can be found in the IDDE and Enforcement Plans maintained by Town staff.</i></p> <p><i>Response and enforcement actions are tracked and submitted to CDPHE in the annual report.) Added in response to Division's request in 2008- not required to submit updated version per letter from the Division)</i></p>
<p><b>Erie</b></p>	<p><i>Nonhazardous illicit discharges are responded to by Public Works staff.</i></p> <p><i>Public Works staff has been trained to look for, report and document illicit discharges. The training is provided by the PACE program.</i></p> <p><i>All of Erie's storm sewer system is less than 15 years old. There are no old illicit connections that have to be identified. Potential illicit discharges into the system would be from surface drainage, which are identifiable on the surface. When a report of an illicit discharge is made, or evidence of an illicit discharge exists, Public Works staff makes every effort to determine the source of the discharge and the responsible party. The responsible party is then required to cease the activity causing the discharge, and depending upon the circumstances, may be required to clean the discharge.</i></p> <p><i>Additional information is in the Town's IDDE and Enforcement Plan.</i></p> <p><i>Response and enforcement actions are tracked and submitted to CDPHE in the annual report.</i></p>

4. Municipal staff education

***PACE provides yearly and as-requested training to KICP Partners municipal staff on observing and reporting illicit discharges. This training is provided to field personnel during classroom and/or tail-gate sessions.***

**D. Measurable Goals**

Measurable goals are required for Staff Education as per Part I.B.3(a)(4) of the permit (Permit Requirement [4], in Part B, above), unless this new permit condition is already being met. Additional measurable goals should not be necessary if the elements described in Part C, above, constitute full program implementation and a commitment to continue these elements for all additional permit requirements.

**Check Box 1 or 2, below. The Table in Part 3 must be filled out if you check Box 2.**

- 1. Staff training program(s) listed in Part C.4, above, have been fully implemented and are ongoing.

**(It is not necessary to complete Part 3 below if you check this box.)**

- 2. One or more staff training program(s) have **NOT** been fully implemented and measurable goals have been provided in Part 3 below for each of the pending programs.

**(You must complete Part 3 below if you check this box.)**

- 3. Illicit Discharge Detection and Elimination Measurable Goals: Include those staff training program(s) that have **NOT** already been fully implemented, and provide the year by which implementation will occur. **Measurable Goals must be completed by 2009.**

	Illicit Discharge Detection and Elimination Measurable Goals - Training <i>List each program element, briefly describe. Provide the year(s) for implementation</i>	Implementation Year
3.a		
3.b		
<i>Add additional rows as needed.</i>		

 <p><b>KEEP IT CLEAN PARTNERSHIP</b> Communities in the Boulder and St. Vrain watersheds working together to protect our water quality. BOULDER • BOULDER COUNTY • ERIE LONGMONT • LOUISVILLE • SUPERIOR 303-441-1439 • keepitcleanpartnership.org</p>	<p><b>CONSTRUCTION SITE RUNOFF CONTROL</b></p>	<p>STORMWATER DISCHARGES ASSOCIATED WITH MS4s Program Descriptions 2008 - 2013</p>
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**A. Program Perspective**

The goal of the Construction Site Runoff Control Program is to reduce, to the maximum extent practicable, sediment and other construction-related pollutants from entering the municipal separate storm sewer system.

**B. Program Requirements**

The regulation (CCR 61.8(11)(a)(ii)(D)) is as follows:

*(D) Construction site stormwater runoff control.*

*(I) The permittee must develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of pollutants in stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. If the Division waives requirements for stormwater discharges associated with a small construction activity in accordance with 61.3(2) (f) (ii) (B), the permittee is not required to develop, implement, and/or enforce its program to reduce pollutant discharges from such a site.*

*(II) The program must be developed and implemented to assure adequate design, implementation, and maintenance of BMPs at construction sites within the MS4 to reduce pollutant discharges and protect water quality. The program must include the development and implementation of, at a minimum:*

- (a) An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State or local law;*
- (b) Requirements for construction site operators to implement appropriate erosion and sediment control BMPs;*
- (c) Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;*
- (d) Procedures for site plan review which incorporate consideration of potential water quality impacts;*

- (e) Procedures for receipt and consideration of information submitted by the public, and*
- (f) Procedures for site inspection and enforcement of control measures.*

The 2008-2013 permit requires:

*a) The permittee must:*

*1) Develop, implement, and enforce a program to reduce pollutants in any stormwater runoff, and to reduce pollutants in, or prevent when required in accordance with I.B.3, non-stormwater discharges that have the potential to result in water quality impacts (e.g., construction dewatering, wash water, etc.), to the MS4 from construction activities that result in a land disturbance of one or more acres. Reduction of pollutants in discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one or more acres. If the Division waives requirements for stormwater discharges associated with a small construction activity in accordance with 61.3(2)(f)(ii)(B) (the “R-Factor” waiver), the permittee is not required to develop, implement, and/ or enforce its program to reduce pollutant discharges from such a site.*

*2) Develop and implement the program to assure adequate design, implementation, and maintenance of BMP’s at construction sites within the MS4 to reduce pollutant discharges and protect water quality. The program must include, at a minimum, the development, implementation, and documentation of:*

*i) Program Requirements, including:*

*A) An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions and procedures adequate to ensure compliance, to the extent allowable under State or local law.*

*B) Requirements for construction site operators to implement appropriate erosion and sediment control BMP’s.*

*C) Requirements for construction site operators to implement BMP’s to control waste such as discarded building materials, concrete truck washout, chemicals, litter, sanitary waste, and other non-stormwater discharges including construction dewatering and wash water, at the construction site that may cause adverse impacts to water quality.*

*ii) Compliance Assessment, including:*

*A) Procedures for site plan review which incorporate consideration of potential water quality impacts.*

*B) Procedures for construction site compliance assessment, including*

*1) Site inspections; and*

2) *Receipt and consideration of information submitted by the public.*

iii) *Compliance Assurance, including:*

A) *Procedures for enforcement of control measures that includes documented procedures for response to violations of the permittee's program requirements. Procedures must include specific processes and sanctions adequate to minimize the occurrence of, and obtain compliance from, chronic and recalcitrant violators of control measures.*

1) *Specific Deadline for Renewal Permittees: Renewal Permittees must comply with the requirement of subparagraph (A) to develop, document and implement response procedures that specifically address chronic and recalcitrant violators by no later than December 31, 2009.*

B) *An education and training program for municipalities, their representatives and/or construction contractors. At a minimum, the program must include an information program for construction site operators unfamiliar with the reviewing authority's regulatory requirements.*

**C. Programs:**

1. Regulatory mechanism

Partner	Ordinance Adopted	Web Link and Code Citation
Boulder County	August 11, 2005	<a href="http://www.bouldercounty.org/lu/lucode/pdf/Boulder_County_Land_Use_Code_Article_7.pdf">http://www.bouldercounty.org/lu/lucode/pdf/Boulder_County_Land_Use_Code_Article_7.pdf</a> Article 7 Development Standards
Boulder	December 6, 2004	<a href="http://www.colocode.com/boulder2/chapter11-5.htm#section11_5_6">http://www.colocode.com/boulder2/chapter11-5.htm#section11_5_6</a> Boulder Revised Code 1981, Title 11, Chapter 5, Section 5 (b) (BRC 11-5-5b)
Longmont	January 12, 2005	<a href="http://www.ci.longmont.co.us/city_clerk/municipal_code.htm">http://www.ci.longmont.co.us/city_clerk/municipal_code.htm</a> Chapter 14.26, Stormwater Illicit Discharges and Permit Requirements
Louisville	December 21, 2004	<a href="http://www.ci.louisville.co.us/cityclerk/municode.htm">http://www.ci.louisville.co.us/cityclerk/municode.htm</a> Title 13, Water/Sewer, Chapter 13.36
Superior	December 13, 2004	<a href="http://www.colocode.com/superior.html">http://www.colocode.com/superior.html</a> Chapter 11, Article IV (ordinance updated November 2012)
Erie	November 9, 2004	<a href="http://66.113.195.234/CO/Erie/index.htm">http://66.113.195.234/CO/Erie/index.htm</a> Title 12, Chapter 2, Illicit Discharges and Storm Water Quality Permit Requirements

2. Requirements for construction site operators to implement appropriate erosion and sediment control BMPs and materials handling BMPs

All KICP Partners' ordinances require that stormwater management plans meet the requirements of the CDPS General Permit for Stormwater Discharges Associated with Construction Activities (Stormwater Construction Permit). All KICP Partners ordinances require that BMPs are designed to meet the technical standards of:

1. Urban Drainage and Flood Control District's Urban Storm Drainage Criteria Manual- Volume 3-BMP or its successor.
2. Any other alternative methodology approved by the jurisdiction, which is demonstrated to be effective.

3. Requirements for construction site operators to control waste including discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste

All KICP Partners' ordinances require that stormwater management plans meet the requirements of the CDPS General Permit for Stormwater Discharges Associated with Construction Activities (Stormwater Construction Permit). The Stormwater Construction Permit requires that Stormwater Management Plans (SWMPs) include practices for stormwater pollution prevention, which includes controlling waste, such as discarded building materials, concrete truck washout, chemicals, litter, sanitary waste, and other non-stormwater discharges, including construction dewatering and wash water.

**The Town of Superior requires SWMPs to meet CDPHE requirements, but do not review or approve SWMPs. The Town requires and reviews an Erosion Control Plan and inspections are conducted based on the approved Erosion Control Plan. (updated November 2012)**

4. Procedures for site plan review which incorporate consideration of potential water quality impacts –

Site Plan Development:

All KICP Partners’ ordinances require that stormwater management plans meet the requirements of the CDPS General Permit for Stormwater Discharges Associated with Construction Activities (Stormwater Construction Permit).

Site Plan Review:

Each KICP Partner has community specific procedures in place that address site plan review.

<i>Partner</i>	<i>Describe your construction site plan submittal, review and preliminary approval process; the system used to track status of stormwater control site plans; procedures for ongoing review of site plans during active construction and how consideration of potential water quality impacts are achieved. (details requested by CDPHE 9/08)</i>
<b>Boulder County</b>	<p><b>Owner/Operator responsibilities:</b></p> <ul style="list-style-type: none"> <li>• <i>Submit a Stormwater Management Plan (SWMP) including erosion control practices and proposed permanent stormwater quality controls, or Best Management Practices (BMPs).</i></li> <li>• <i>Provide a copy of the application submittal for coverage under the State’s General Permit of Construction Activities [www.cdph.state.co.us/wq/PermitsUnit/wqcdpmt.html].</i></li> <li>• <i>Provide documentation of certification in erosion and sediment control training, or acceptable equivalent, for personnel responsible for supervising the installation, inspection and maintenance of sediment and erosion control practices.</i></li> <li>• <i>Maintain a copy of the SWMP onsite at all times. The approved SWMP must be maintained and made available to county inspectors upon request.</i></li> <li>• <i>Install and maintain erosion and sediment control BMPs as specified in the SWMP.</i></li> <li>• <i>Maintain inspection and maintenance records of BMPs onsite with the SWMP, in accordance with the County’s storm water quality standards and the State permit requirements.</i></li> </ul> <p><b>County Staff (Land Use Dept. Planners and Transportation Dept. Engineering Staff) responsibilities:</b></p> <ul style="list-style-type: none"> <li>• <i>Review SWMP and proposed permanent BMPs for consistency with local design and construction standards and appropriate engineering standards and criteria.</i></li> <li>• <i>Prepare and execute a maintenance agreement with the Owner to ensure future inspection, maintenance, repairs and proper functioning of permanent BMPs.</i></li> <li>• <i>Provide an explanation of the county’s expectations for erosion and sediment control practices and the enforcement consequences.</i></li> <li>• <i>Ensure that the personnel responsible for supervising the installation and maintenance of sediment and erosion control practices are certified, or have an acceptable equivalent.</i></li> <li>• <i>Implement inspection and tracking procedures to ensure that:</i> <ul style="list-style-type: none"> <li>• <i>sediment, debris or other pollutants from construction operations are managed to prevent their flow to the storm drainage system.</i></li> <li>• <i>erosion and sediment BMPs are installed and maintained as specified in the SWMP.</i></li> </ul> </li> <li>• <i>(Building inspectors check SWMP plans and consider the potential water quality impacts, as well as the operator records and site conditions each time they are on site for any type of inspection. Transportation Dept. engineering staff, Land Use Planners, or Zoning Enforcement officer, do spot inspections and follow up on issues that the building inspectors find to be inadequate or questionable. The Land Use Department’s project database is used for tracking projects.)</i></li> <li>• <i>Inspect permanent BMPs and final site stabilization prior to issuance of a certificate of occupancy. (Transportation Dept. Engineering Staff)</i></li> <li>• <i>Implement enforcement actions when necessary. (Transportation Dept. Engineering staff,</i></li> </ul>

	<p><i>Land Use planners, Zoning Enforcement officer, and/or Building official)</i></p> <ul style="list-style-type: none"> <li>• <i>Receive and consider information and complaints submitted by the public. (Transportation Dept. Engineering staff, Land Use Planners, Zoning Enforcement officer, Building official. A database is used to track violations and complaints.)</i></li> </ul>
<b>Boulder</b>	<p><i>The Owner/Applicant is required to</i></p> <ul style="list-style-type: none"> <li>• <i>obtain a Stormwater Discharge Permit Associated with Construction Activities from CDPHE.</i></li> <li>• <i>complete a Planning and Development Review Application.</i></li> <li>• <i>submit a SWMP</i></li> </ul> <p><i>The Engineering Review staff and/or Project Manager</i></p> <ul style="list-style-type: none"> <li>• <i>reviews the SWMP</i></li> <li>• <i>completes SWMP review and considers potential water quality impacts</i></li> <li>• <i>informs applicant of any deficiencies</i></li> <li>• <i>verifies ownership and maintenance responsibilities for permanent BMPs are understood by owner.</i></li> </ul> <p><i>Inspections</i></p> <ul style="list-style-type: none"> <li>• <i>Owner/Operator provides evidence that a certified Erosion Control Supervisor is responsible for inspecting and maintaining the BMPs on the site.</i></li> <li>• <i>Exceptions and requirements for erosion control and sediment removal BMP installation and maintenance are reviewed</i></li> <li>• <i>Inspections are performed at least every 30 days by Engineering Review staff.</i></li> <li>• <i>Additional inspections may be performed based on complaints, precipitation events, or as necessary.</i></li> <li>• <i>Staff will notify responsible party of any violations and a time frame for obtaining compliance.</i></li> <li>• <i>Staff will conduct follow up inspections as necessary to ensure compliance.</i></li> </ul> <p><i>Failure to comply may result in enforcement actions as allowed by the Boulder Revised Code, 1981, International Building Code, and any applicable permits or agreements.</i></p> <p><i>A tracking system is in place.</i></p>
<b>Longmont</b>	<p><i>The Owner/Operator is required to</i></p> <ul style="list-style-type: none"> <li>• <i>obtain a Stormwater Discharge Permit Associated with Construction Activities from CDPHE.</i></li> <li>• <i>complete a Public Works Development Permit Application.</i></li> <li>• <i>submit a SWMP</i></li> </ul> <p><i>The Development Review engineers and/or Project Manager</i></p> <ul style="list-style-type: none"> <li>• <i>reviews the SWMP</i></li> <li>• <i>completes SWMP review checklist and considers potential water quality impacts</i></li> <li>• <i>informs applicant of any deficiencies</i></li> <li>• <i>verifies ownership and maintenance responsibilities for permanent BMPs are understood by owner and are memorialized</i></li> </ul> <p><i>Permit approval and issuance after SWMP meets requirements</i></p> <ul style="list-style-type: none"> <li>• <i>Project Manager provides written acceptance of SWMP</i></li> <li>• <i>Project Manager signs the approval portion of the Development Application</i></li> <li>• <i>Administrative staff enters approval in database, collects fees and issues City Permit.</i></li> </ul> <p><i>Pre-construction Meeting</i></p> <ul style="list-style-type: none"> <li>• <i>Owner/Operator provides evidence that a certified Erosion Control Supervisor will be responsible for inspecting and maintaining the BMPs on the site for the duration of the project.</i></li> <li>• <i>Exceptions and requirements for erosion control and sediment removal BMP installation and maintenance are reviewed</i></li> <li>• <i>Inspection frequencies of both the City and contractor are reviewed</i></li> <li>• <i>Inspection checklist that will be used by the City is reviewed</i></li> <li>• <i>Enforcement consequences are reviewed</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Annual renewal requirements for the City’s Stormwater Discharge Permit are reviewed</li> <li>• Any additional permits or approvals that may still be needed, such as 404 permits, wetland or floodplain permits, etc.</li> <li>• Requirements (including completion and submittal of forms) for transferring and termination the permit.</li> </ul>
<p><b>Louisville</b></p>	<p><i>Detail procedures addressing construction site plan submittal, review and preliminary approval process; the system tracks status of stormwater control site plans; procedures for ongoing review of site plans, etc exist.</i></p> <p><i>The Owner/Operator is required to:</i></p> <ul style="list-style-type: none"> <li>• obtain a Stormwater Discharge Permit Associated with Construction Activities from CDPHE.</li> <li>• complete a Public Works Development Permit Application.</li> <li>• submit a SWMP.</li> </ul> <p><i>The Development Review engineers and/or Project Manager</i></p> <ul style="list-style-type: none"> <li>• reviews the SWMP.</li> <li>• completes SWMP review checklist and considers potential water quality impacts.</li> <li>• informs applicant of any deficiencies.</li> <li>• verifies ownership and maintenance responsibilities for permanent BMPs are understood by owner and are memorialized.</li> </ul> <p><i>Permit approval and issuance after SWMP meets requirements</i></p> <ul style="list-style-type: none"> <li>• Project Manager provides written acceptance of SWMP.</li> <li>• Project Manager signs the approval portion of the Development Application.</li> <li>• Administrative staff enters approval in database, collects fees and issues City Permit.</li> </ul> <p><i>Pre-construction Meeting</i></p> <ul style="list-style-type: none"> <li>• Owner/Operator provides evidence that an Erosion Control Supervisor will be responsible for inspecting and maintaining the BMPs on the site for the duration of the project.</li> <li>• Exceptions and requirements for erosion control and sediment removal BMP installation and maintenance are reviewed.</li> <li>• Inspection frequencies of both the City and contractor are reviewed.</li> <li>• Inspection checklist that will be used by the City is reviewed.</li> <li>• Enforcement consequences are reviewed.</li> <li>• Annual renewal requirements for the City’s Stormwater Discharge Permit are reviewed.</li> </ul> <p><i>Any additional permits or approvals that may still be needed, such as 404 permits, wetland or floodplain permits, etc.</i></p>
<p><b>Superior</b></p>	<p><i>Permitting Requirements</i></p> <ul style="list-style-type: none"> <li>• Contractor must submit an Erosion and Sediment Control Plan to the Town as part of the construction plan submittal process. The Erosion and Sediment Control Plan must be signed and sealed by a licensed Colorado Professional Engineer. The Erosion and Sediment Control Plan must be reviewed and approved by the Town, prior to obtaining a Construction Permit.</li> <li>• In addition to submitting the Erosion and Sediment Control Plan referenced above, the Contractor must also submit documentation of the CDPHE application, the SWMP submitted to the CDPHE, and a copy of the Colorado Stormwater Discharge Permit for Construction Activities, issued by the CDPHE, to the Town of Superior in order to obtain a land disturbance and/or grading permit from the Town.</li> </ul> <p><i>Design Review</i></p> <ul style="list-style-type: none"> <li>• Town staff reviews the erosion control plan, SWMP and proposed BMP’s for consistency with the most recent edition of the Urban Drainage and Flood Control District’s Urban Storm Drainage Criteria Manual, Volume 3, the Superior Metropolitan District No. 1 Rules and Regulations, and the Town of Superior Municipal Code. The more stringent of these regulations shall be made to apply.</li> <li>• Maintenance agreements for permanent BMP’s to ensure future inspections, maintenance and repairs, will also need to be submitted to the Town of Superior for review and approval,</li> </ul>

	<p><i>prior to the issuance of a land disturbance and/or grading permit.</i></p> <p><i>A tracking system is in place.</i></p>
<b>Erie</b>	<p><i>All construction activities in Erie that disturb 1 acre or more shall obtain a Grading and Stormwater Quality Permit. If the construction activity is part of a Subdivision Plat or Site Plan, the plan for the stormwater quality permit is reviewed and potential water quality impacts considered by Community Development and Public Works during the review process for the development. If there are other public improvements required for the development, the grading and stormwater permit are combined with a public improvement permit. If the construction activity is not part of a subdivision plat or site plan, or if no public improvements are required, the contractor shall submit an application for a Stormwater Quality Permit to Public Works for review. The requirement of the Stormwater Quality Permit are identified in Section 151 of the Town's Standards and Specifications for Design and Construction of Public Improvements.</i></p> <p><i>After all comments have been addressed during the review of the permit application, and the permit fees have been paid, the applicant will receive either a Grading and Stormwater Permit or a Public Improvement Permit.</i></p> <p><i>Prior to construction the applicant must schedule a preconstruction meeting with a public works construction inspector. At the preconstruction meeting the Town's requirements are reviewed to insure all requirements are understood.</i></p> <p><i>A tracking system is in place.</i></p>

5. Procedures for receipt and consideration of information submitted by the public

Each KICP Partner has community specific procedures in place for receiving and recording public complaints.

<b>Partner</b>	<b>Describe procedures for processing inquiries, or tracking and documenting complaints received from the public. (details requested by CDPHE 9/08)</b>
<b>Boulder County</b>	<i>Land Use and Transportation Staff take phone calls and emails; Land Use enters individual complaints and track them using a database. In addition, when calls or emails are fielded from the Commissioners Office, Commissioners staff logs and tracks each complaint within a database program. In either case, appropriate staff in Land Use or Transportation are notified and tasked to follow up with the citizen by phone, email or in person. Based on the details of the complaint, the County Engineer or Land Use director may authorize staff to conduct a site inspection. Details of the follow up activities are then recorded and logged and/or reported back to the Commissioners Office, as needed.</i>
<b>Boulder</b>	<i>Complaints are forwarded to the appropriate Project Manager or Engineering Review Staff. Complaints are typically submitted in the form of email or telephone. The appropriate staff will discuss the complaint with the citizen and then perform a site inspection. A follow-up with the citizen is then performed once the complaint is addressed. Complaints that are not immediately resolved trigger enforcement procedures and are tracked accordingly.</i>
<b>Longmont</b>	<i>A City-wide tracking system is used to track inquiries/requests/complaints which can be submitted by email or telephone. The information is logged in and then assigned to the appropriate staff member(s) for response. A response, which can include direct communication with the citizen, requests for assistance or follow-up from other staff, or reassignment to more appropriate personnel, is required within one business day. A response to the person making the request is required.</i>
<b>Louisville</b>	<i>The City tracks inquiries/requests/complaints concerning stormwater issues at the Public Works, Operations Department office. The information is collected and entered into a software database and then assigned to appropriate personnel for response. Responses include direct communication with the citizen, requests for assistance or follow-up from other staff, or reassignment to more</i>

	<i>appropriate personnel.</i>
<i>Superior</i>	<i>The Town provides comment cards in the monthly newsletter mailed to all residents. In addition, the Town website also provides for e-mail comments. Each inquiry is assigned to the appropriate staff member and tracked in an Incident Log. A response is provided for every inquiry. Follow-up with the person making the inquiry is completed if contact information was included.</i>
<i>Erie</i>	<i>All inquiries and complaints of construction sites are directed to the construction inspector assigned to the construction site. The inspector notes in their daily diary the action taken to resolve the issue.</i>

6. Procedures for site inspection and enforcement of control measures –

Each KICP Partner has community-specific procedures in place for conducting construction site inspections and enforcement. The procedures may include how inspections are conducted, documented and how enforcement is carried out. The KICP Partners utilize verbal warnings through stop work orders. Enforcement options are described in each Partner’s ordinance.

<i>Partner</i>	<i>Describe procedures used for inspections; include inspection documentation, frequency, prioritization, and how sites and inspections are tracked. Describe procedures for regularly scheduled compliance inspections, complaint response inspections, and reconnaissance inspections, as applicable to your program. In addition, describe procedures used for enforcement, to include any documentation used that dictates responses to non-compliance; tracking of enforcement actions; enforcement tools; and escalation procedures for chronic and recalcitrant violators. (details requested by CDPHE 9/08)</i>
<i>Boulder County</i>	<p><i>Performance under an approved SWMP shall be monitored and enforced as follows:</i></p> <ul style="list-style-type: none"> <li><i>• The owner must keep the approved SWMP on site at all times;</i></li> <li><i>• The owner or operator shall inspect all BMPs at least every 14 days and within 24 hours after precipitation or snowmelt that causes surface runoff.</i></li> <li><i>• An individual certified to inspect erosion and sediment control by a recognized organization must conduct all BMP inspections. Proof of certification shall be provided upon request.</i></li> <li><i>• The County may inspect the land or site covered by the SWMP at any time, without prior notice, for compliance with the SWMP.</i></li> <li><i>• If site conditions indicate that the objectives of this section are not being met, the owner shall meet with the County Engineer and make appropriate modifications to the SWMP. Any modification must be recorded on the owner's copy of the SWMP.</i></li> <li><i>• Owners or operators must maintain inspection records on site with the SWMP and such records must be provided to the County Engineer upon request.</i></li> <li><i>• When necessary the County Engineer may require the provision of a financial guarantee, which must be in the form of an acceptable letter of credit with a banking institution in the State of Colorado or a cash deposit. The amount of the financial guarantee may include warranty collateral to assure the performance of the required improvement for an appropriate period after completion or acceptance. The amount and term of the guarantee and provisions for its release shall be in the reasonable discretion of the County Engineer.</i></li> <li><i>• In addition to the foregoing enforcement provisions, violations of a SWMP shall be enforced in accordance with the Boulder County zoning enforcement provisions set forth in Article 17 of the Boulder County Land Use Code.</i></li> </ul> <p><i>Enforcement</i></p> <p><i>Inspection and Administrative Action against Violations</i></p> <ul style="list-style-type: none"> <li><i>• The Director, Building Official, County Engineer are empowered to act as or designate an Enforcing Official to inspect and examine any premises, concerning which they have</i></li> </ul>

	<p><i>reasonable cause to believe that a violation exists.</i></p> <ul style="list-style-type: none"> <li><i>If a violation exists, the Enforcing Official shall issue a stop work order and by written order direct that such remedial action be taken to result in full compliance with the applicable provisions of the Land Use Code.</i></li> <li><i>In addition to any other enforcement remedy specified, the Enforcing Official may withhold issuance of any building permit or other permit under the Land Use Code.</i></li> </ul> <p><b>Judicial Action against Violations</b></p> <ul style="list-style-type: none"> <li><i>Upon a finding of a violation by the Director, the Building Official, the County Engineer, or a County Commissioner the County Attorney is authorized to file lawsuits in county or district court to enforce the provisions of this code.</i></li> <li><i>Criminal violations of this code shall be punished by a fine in an amount not to exceed one hundred dollars (\$100.00) for each violation, such fine to inure to the County of Boulder, or by imprisonment in the County jail for not more than ten (10) days, or by both such fine and imprisonment, or by such other remedy as may be specified by amendment to C.R.S.30-28-124. Each day during which such illegal erection, construction, reconstruction, alteration, maintenance, or use continues shall be deemed a separate offense.</i></li> <li><i>Civil remedies against violations of this code may include civil penalties, injunction, mandamus, abatement or any other appropriate action to prevent, enjoin, abate, or remove the violation. Civil fines may be recovered in the same civil action where injunction, mandamus and/or abatement is sought, or separate proceedings may be instituted seeking varying forms of relief, as C.R.S. 30-28-124, 30-28-124.5 or any other applicable provision of law may allow.</i></li> <li><i>Unless the Director, Building Official, County Engineer, or the Board determines that immediate legal action is necessary to prevent imminent harm to the health safety, or welfare of the public or to prevent a violation from occurring, the enforcing official shall provide written notice of the alleged violation to the alleged violator at least ten days prior to requesting that the County Attorney proceed with judicial enforcement action.</i></li> </ul> <p><b>Appeals to the Board of Adjustment</b></p> <ul style="list-style-type: none"> <li><i>A determination by the Director that a zoning violation exists may be appealed to the Board of Adjustment as set forth in Article 4-1200 of this Code.</i></li> <li><i>Unless the Director, Building Official, or County Engineer determines that immediate legal action is necessary to prevent imminent harm to the health, safety, or welfare of the public or to prevent a violation from occurring, judicial enforcement action against the violator will be stayed in the event of a timely appeal to the Board of Adjustment until a final decision is rendered by the Board of Adjustment, and, if applicable, any reviewing court.</i></li> </ul> <p><i>Inspections and enforcement measures are tracked and reported to the CDPHE in the annual report.</i></p>
<p><b>Boulder</b></p>	<p><b>Inspections:</b></p> <p><b>Public</b></p> <ul style="list-style-type: none"> <li><i>Inspections are performed by Project Management staff or by consultants/contractors on their behalf as designated in the contract.</i></li> <li><i>Scope and interval of inspections are as defined in the construction contract documents.</i></li> <li><i>If inspections are performed by consultant or contractor staff, the project manager receives copies of all inspection reports and city project management staff accompany the inspector on periodic inspections.</i></li> <li><i>Project management staff generally monitor compliance of the timing and quality of inspections completed by consultants or contractors and that contractors complete follow up requirements documented on the inspection reports in a timely manner.</i></li> <li><i>Failure to comply may result in enforcement actions as allowed by the contract between the city and the contractor and by the Boulder Revised Code, 1981</i></li> <li><i>Supplementary inspections may be performed by the city's Water Quality workgroup.</i></li> </ul>

	<p><i>Private</i></p> <ul style="list-style-type: none"> <li>• <i>Inspections are performed by Engineering Review staff at least every 30 days.</i></li> <li>• <i>Additional inspections may be performed based on complaints, precipitation events, or as necessary.</i></li> <li>• <i>Staff will notify responsible party of any violations and a time frame for obtaining compliance.</i></li> <li>• <i>Staff will conduct follow up inspections as necessary to ensure compliance.</i></li> <li>• <i>Failure to comply may result in enforcement actions as allowed by the Boulder Revised Code, 1981, International Building Code, and any applicable permits or agreements.</i></li> </ul> <p><i>Enforcement:</i></p> <p><i>Public</i></p> <ul style="list-style-type: none"> <li>• <i>Typical compliance actions may include verbal warnings, written warnings, actions allowed under the applicable construction contract, and/or actions allowed under the Boulder Revised Code, 1981.</i></li> <li>• <i>Enforcement actions are documented in the project record as applicable.</i></li> </ul> <p><i>Private</i></p> <ul style="list-style-type: none"> <li>• <i>Typical compliance actions may include verbal warnings, written warnings, stop work orders, withholding of building occupancy, court summons, fines and/or other actions as allowed under the Boulder Revised Code, 1981 and International Building Codes.</i></li> <li>• <i>Enforcement actions are documented in inspector logs and in the city's permit tracking database as applicable.</i></li> </ul> <p><i>Inspections and enforcement measures are tracked and reported to the CDPHE in the annual report.</i></p>
<p><b>Longmont</b></p>	<p><i>The Project Inspector inspects the erosion and sediment control BMPs for compliance with the accepted SWMP at least once per month. The inspector meets on site with the certified erosion and sediment control supervisor to inspect the site and address changes or improvements to installed BMPs. At the same time, the inspector reviews the owner/operator's 14-day inspection records and revisions to the SWMP. The inspections are document using a Field Inspection Report. The reports are submitted to the Construction Inspection Supervisor who records and tracks the inspection in a database. Hard copies of the active SWMP documents and permit are in a central location at the Development Services Center. The Project Manager responds to any stormwater-related requests and complaints submitted by the public or municipal staff.</i></p> <p><i>Enforcement</i></p> <p><i>The Project Manager or Project Inspector</i></p> <ul style="list-style-type: none"> <li>• <i>initiates enforcement actions in accordance with the Enforcement Response Plan when necessary in response to actual or potential waste or sediment discharges to the storm drainage system.</i></li> <li>• <i>provides information for follow-up action to Water Resources and Environmental Services or Code Enforcement per the Enforcement Response Plan.</i></li> </ul> <p><i>Water Resources and Environmental Services or Code Enforcement staff issues NOVs, penalty assessments or takes other actions per the Enforcement Response Plan.</i></p> <p><i>The code provides the authority for specific actions to deal with the enforcement of violations. The purpose of these enforcement actions is to bring the violator back into compliance as quickly as possible and minimize and effects on the stormwater system, surface waters and the general public. The types of enforcement actions include:</i></p> <ul style="list-style-type: none"> <li>• <i>Verbal warning – personal notification in the field or by telephone</i></li> <li>• <i>Stop work order – written notification served, directing them to stop work immediately. The notice is also posted on the site. Work can only resume after the conditions and</i></li> </ul>

	<p><i>requirements of the stop work order have been met.</i></p> <ul style="list-style-type: none"> <li>• <i>NOV- formal written notification of violation(s) and an official record of the violation and any remedies required by the City. The time frame for responding will be based on the seriousness of the violation and whether or not immediate actions are required to address imminent or ongoing violations. The NOV shall state the nature of the violation(s) and may refer to the specific section of the Code that has been violated. The NOV is sent via certified mail or personal delivery.</i></li> <li>• <i>Referral to Code Enforcement – Public Nuisance – This is an action that is taken in response to conditions that are not specifically related to construction requirements.</i></li> <li>• <i>Referral to City Attorney – response to conditions that are a threat to public health, safety or welfare and not corrected immediately by the owner/operator.</i></li> <li>• <i>Revocation of Permit – based on seriousness of the violations and responsiveness of the permittee, the City may revoke the stormwater permit and require that the permittee re-submit a permit application and revise the SWMP that addresses and remedies the cause of the violations.</i></li> <li>• <i>Abatement – whenever a violation is identified which will result in immediate danger to public health and safety and the violation is not immediately corrected by the responsible party the City can take whatever measures are necessary to abate the violation. The cost of the abatement shall be charged to the responsible party.</i></li> </ul> <p><i>Level of enforcement and escalation</i>  <i>The following guidelines are considered in determining the level of enforcement and the need to escalate enforcement:</i></p> <ul style="list-style-type: none"> <li>• <i>Whether of not there are or have been recurring or chronic violations.</i></li> <li>• <i>The diligence of the owner/operator in responding to and solving the problem, which caused the violation(s) and how quickly compliance is achieved.</i></li> <li>• <i>Seriousness of the violation.</i></li> <li>• <i>Economic benefit. If the violation has resulted in avoidance of costs to comply with regulatory requirements or operate in an environmentally responsible way.</i></li> </ul> <p><i>Inspections and enforcement measures are tracked and reported to the CDPHE in the annual report.</i></p>	
<p><b>Louisville</b></p>	<p><i>Inspections:</i></p> <ul style="list-style-type: none"> <li>• <i>The City has procedures for inspections and uses inspection forms for site inspections.</i></li> <li>• <i>A database is used to track information pertaining to City-issued Stormwater Permit including the receipt of required submittals, when inspections are performed and schedules future inspections.</i></li> <li>• <i>Routine compliance inspections are performed on permitted sites to monitor BMPs.</i></li> <li>• <i>A complaint may warrant a field inspection, notification to a permittee or site personnel or other follow-up actions as appropriate to the situation.</i></li> <li>• <i>In addition to the above inspections, the City may monitor sites or activities regardless of the size of the disturbance and whether or not a stormwater or grading permit has been required. Inspections are not scheduled and occur without notice.</i></li> </ul> <p><i>Enforcement:</i></p> <ul style="list-style-type: none"> <li>• <i>Louisville’s municipal code under stormwater chapter outlines inspection and enforcement authority.</i></li> <li>• <i>The city’s Construction Site Inspection and Enforcement Plan outlines non-compliance</i></li> </ul>	

	<p><i>issues and enforcement actions.</i></p> <ul style="list-style-type: none"> <li>• <i>Enforcement actions are tracked in a database.</i></li> <li>• <i>Enforcement tools used include: verbal warning; written compliance order; revocation of permit(s); denial of further review or future inspections and/or permits; stop work order; using the performance security collected at the time of permit issuance to hire a contractor and/or utilize city crew to perform work.</i></li> <li>• <i>Enforcement actions are generally escalated in the order described above. However, flexibility is utilized to ensure that enforcement actions are carried out in a manner appropriate to the violation(s) and to the phase of construction.</i></li> </ul> <p><i>Inspections and enforcement measures are tracked and reported to the CDPHE in the annual report.</i></p>	
<p><b>Superior</b></p>	<p><i>Pre-Construction Meeting</i></p> <ul style="list-style-type: none"> <li>• <i>The Owner/Operator shall provide a copy of the Colorado Stormwater Discharge Permit issued by the CDPHE and a copy of the approved SWMP.</i></li> <li>• <i>The Owner/Operator shall have in his or her possession an approved set of the Construction Plans with signed approval blocks. The Final Set of Approved Construction Plans shall include the approved Erosion and Sediment Control Plan.</i></li> <li>• <i>The Owner/Operator shall provide documentation of approved erosion and sediment control training for personnel designated as responsible for supervision of installation and maintenance of sediment and erosion control measures, or provide evidence of acceptable equivalent training or education, or provide documentation that the responsible party is a licensed Colorado Professional Engineer. Contact information for the person responsible will also be required to be submitted to the Town of Superior.</i></li> </ul> <p><i>Owner/Operator is responsible for the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Maintain copy of the SWMP and approved construction plans that includes the Erosion and Sediment Control Plan on-site at all times.</i></li> <li>• <i>Apply and maintain erosion and sediment management practices as specified in the SWMP and Erosion and Sediment Control Plan.</i></li> <li>• <i>Keep inspection and maintenance records on-site at all times.</i></li> <li>• <i>Perform inspection of BMP's at least every 14 days and after each significant storm event. Inspections before rainfall events are encouraged to ensure that BMP's are in satisfactory condition prior to occurrence of any significant storm event.</i></li> </ul> <p><i>Town staff is responsible for:</i></p> <ul style="list-style-type: none"> <li>• <i>Inspection and tracking monthly and after storm events to verify that erosion and sediment management practices are applied as specified in the SWMP and Erosion and Sediment Control Plan.</i></li> <li>• <i>Implement enforcement actions when necessary to control waste or sediment discharge to the storm drainage systems.</i></li> <li>• <i>Verify removal of temporary BMP's upon acceptance of final site stabilization.</i></li> </ul> <p><b>Enforcement</b>  <i>The Superior Metropolitan District No. 1 Rules and Regulations include Sections on conditions of use, violation and hearing procedures.</i>  <i>The escalation of enforcement proceeds along the following order:</i></p> <ul style="list-style-type: none"> <li>• <i>Verbal Warning</i></li> <li>• <i>Stop Work Order and Notice of Violation</i></li> <li>• <i>Revocation of Permit</i></li> </ul>	

	<ul style="list-style-type: none"> <li>• <i>Use of Performance Bond to correct violation</i></li> </ul> <p><i>Inspections and enforcement measures are tracked and reported to the CDPHE in the annual report.</i></p>
<i>Erie</i>	<p><i>The inspection of the BMPs for the site is incorporated into the daily inspections of construction sites by the public works construction inspectors and tracked in their logs. In addition to the Public Works inspectors, all of the public works staff has been trained on construction BMP's and provide assistance to the construction inspectors when needed.</i></p> <p><i>Public Works Construction Inspectors strive to maintain a mutually respectful professional working relationship with contractors working in Erie. This had proven to be successful in achieving compliance in all areas of construction. The first step taken if a BMP is not implemented correctly is for a verbal direction to correct the deficiency. If the verbal direction is unsuccessful, the next step is for a written notice of violation. If the problem persists the Town will either shut the project down, or issue a fine in accordance with the Town's Municipal Code.</i></p> <p><i>Inspections and enforcement measures are tracked and reported to the CDPHE in the annual report.</i></p>

7. Training and Education for Construction Site Operators –

Each KICP Partner informs construction site operators of the regulatory requirements during the pre-construction meeting. The KICP website has a page specific to construction and lists link to each Partner's ordinance. The KICP Partners offer construction site stormwater management trainings which are open to both municipal and private entities.

**D. Measurable Goals**

Measurable Goals are required for the requirement in Part I.B.4(a)(2)(iii) of the permit (Permit Requirement (2)(iii) in Part B, above) unless this new permit requirement is already being met. Additional measurable goals should not be necessary if the elements described in Part C, above, constitute full program implementation and a commitment to continue these elements for all additional permit requirements.

**Check Box 1 or 2, below. The Table in Part 3 must be filled out if you check Box 2.**

- 1. Procedures, as listed in Part C.6., above, have already been fully implemented to minimize the occurrence of, and obtain compliance from, chronic and recalcitrant violators of control measures.

**(It is not necessary to complete Part 3 below if you check this box.)**

- 2. Procedures have **NOT** already been fully implemented to minimize the occurrence of, and obtain compliance from, chronic and recalcitrant violators of control measures.

**(You must complete Part 3 below if you check this box.)**

- 3. Construction Sites Program Measurable Goals: The Measurable Goal has been provided. Include the year by which full implementation of procedures will be achieved to minimize the occurrence of, and obtain compliance from, chronic and recalcitrant violators of control measures will be implemented. **Measurable Goals must be completed by 2009.**

	Construction Sites Program Measurable Goals – Chronic and Recalcitrant Violators <i>Provide the year for implementation</i>	Implementation Year
3.a		

 <p><b>KEEP IT CLEAN PARTNERSHIP</b>  Communities in the Boulder and St. Vrain watersheds working together to protect our water quality.</p> <p>BOULDER • BOULDER COUNTY • ERIE  LONGMONT • LOUISVILLE • SUPERIOR</p> <p>303-441-1439 • keepitcleanpartnership.org</p>	<p><b>POST-CONSTRUCTION  STORMWATER  MANAGEMENT</b></p>	<p>STORMWATER DISCHARGES  ASSOCIATED WITH MS4s  Program Descriptions  2008 - 2013</p>
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**A. Program Perspective**

The goal of the Post-Construction Stormwater Management program is to implement planning procedures and enforcement mechanisms to reduce, to the maximum extent practicable, stormwater impacts resulting from areas of new development and significant redevelopment.

**B. Program Requirements**

The regulation (CCR 61.8(11)(a)(ii)(E)) is as follows:

*(E) Post-construction stormwater management in new development and redevelopment.*

*(I) The permittee must develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts.*

*(II) The permittee must:*

- (a) Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the community;*
- (b) Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State or local law; and*
- (c) Ensure adequate long-term operation and maintenance of BMPs.*

The 2008-2013 permit requires:

*The permittee must develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts. The permittee must:*

- 1) Develop, implement, and document strategies which include the use of structural and/or non-structural BMPs appropriate for the community that address the discharge of pollutants from new development and redevelopment projects, and/or*

*that maintain or restore hydrologic conditions at sites to minimize the discharge of pollutants and prevent in-channel impacts associated with increased imperviousness;*

- 2) Use an ordinance or other regulatory mechanism to address post- construction runoff from new development and redevelopment projects to the extent allowable under State or local law;*
- 3) Develop, implement, and document procedures to determine if the BMPs required under Item (1), above, are being installed according to specifications. (This may be developed in conjunction with the Construction program area, as described in Part I.B.4);*
- 4) Develop, Implement, and document procedures to ensure adequate long-term operation and maintenance of BMPs, including procedures to enforce the requirements for other parties to maintain BMPs when necessary;*
- 5) Develop, implement, and document an enforcement program, which addresses appropriate responses to common noncompliance issues, including those associated with both installation (subparagraph (3), above) and long term operation and maintenance (subparagraph (4), above) of the required control measures;*
- 6) Develop and implement procedures and mechanisms to track the location of and adequacy of operation of long-term BMPs implemented in accordance with the program.*

**C. Programs:**

1. Regulatory mechanism

Each of the KICP Partners utilized a template ordinance that provides the authority for access, inspection, enforcement and penalties. Land development that meets the requirements of these ordinances must address stormwater runoff quality through the use of permanent BMPs which shall be maintained in perpetuity.

Partner	Ordinance Adopted	Web link and Code Citation
Boulder County	August 11, 2005	<a href="http://www.bouldercounty.org/lu/lucode/pdf/Boulder_County_Land_Use_Code_Article_7.pdf">http://www.bouldercounty.org/lu/lucode/pdf/Boulder_County_Land_Use_Code_Article_7.pdf</a> Article 7, Development Standards
Boulder	December 6, 2004	<a href="http://www.colocode.com/boulder2/chapter11-5.htm#section11_5_6">http://www.colocode.com/boulder2/chapter11-5.htm#section11_5_6</a> Boulder Revised Code 1981, Title 11, Chapter 5, Section 5 (b) (BRC 11-5-5b)
Longmont	January 12, 2005	<a href="http://www.ci.longmont.co.us/city_clerk/municipal_code.htm">http://www.ci.longmont.co.us/city_clerk/municipal_code.htm</a> Chapter 14.26, Stormwater Illicit Discharges and Permit Requirements
Louisville	December 21, 2004	<a href="http://www.ci.louisville.co.us/cityclerk/municode.htm">http://www.ci.louisville.co.us/cityclerk/municode.htm</a> Title 13, Water/Sewer, Chapter 13.36
Superior	December 13, 2004	<a href="http://www.colocode.com/superior.html">http://www.colocode.com/superior.html</a> Chapter 11, Article IV
Erie	November 9, 2004	<a href="http://66.113.195.234/CO/Erie/index.htm">http://66.113.195.234/CO/Erie/index.htm</a> Title 12, Chapter 2, Illicit Discharges and Storm Water Quality Permit Requirements

2. Design criteria and standards

<p>All KICP Partners by ordinance have required BMPs designed to meet the technical standards of:</p> <ol style="list-style-type: none"> <li>1. Urban Drainage and Flood Control District's Urban Storm Drainage Criteria Manual-Volume 3-BMP or its successor.</li> <li>2. Any other alternative methodology approved by the jurisdiction, that is demonstrated to be effective.</li> </ol>
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3. Review and approval procedures

<p>Each KICP Partner has community-specific procedures and requirements in place that address how plans for both public and private BMPs are tracked, reviewed, and confirmed as built.</p>	
<b>Partner</b>	<b><i>Describe procedures for plan review process; the system implemented to track status of plans, how correct installation of BMPs is confirmed, and the enforcement procedures used when BMPs have not been built as approved. (details requested by CDPHE 9/08)</i></b>
<b>Boulder County</b>	<p><b><i>Owner/Operator:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Executes a Permanent Stormwater Best Management Practices Maintenance Agreement that allows for the yearly inspection of permanent BMPs by the County Engineer. The owner must also commit to adequately maintain the BMPs. The agreement shall be binding on subsequent property owners.</i></b></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Conducts ongoing inspections, maintenance, and repairs of permanent BMPs according to the maintenance agreement.</i></li> <li>• <i>Submits to County Engineer (prior to certificate of occupancy or final approval) “as-built” plans and a written certification by a licensed professional engineer or other person deemed qualified by the County Engineer stating that the completed project complies with the approved Final Drainage Plan (or the approved plans submitted in the Design Review phase).</i></li> </ul> <p><i>County Staff:</i></p> <ul style="list-style-type: none"> <li>• <i>Inspects permanent BMPs to ensure they function as designed and are maintained by the Owner/Operator according to the maintenance agreement. (Transportation Dept. Engineering Staff)</i></li> <li>• <i>The County Engineer performs a final inspection before releasing any financial guarantee.</i></li> <li>• <i>Implement enforcement procedures when a permanent BMP is not maintained by the Owner in accordance with the maintenance agreement. (Transportation Dept. Engineering Staff, Land Use planners, Zoning Enforcement officer, and/or Building official)</i></li> <li>• <i>Track new, permanent BMPs, including location, type, inspections performed and enforcement actions taken. Database is used to track violations and complaints.</i></li> </ul>
<b>Boulder</b>	<p><i>Administration</i>  <i>Post construction storm water facilities are the maintenance responsibility of the property owner unless otherwise assigned through an easement or other legal agreement. Facilities associated with Public Works projects are maintained by Public Works staff or by contractors working on their behalf. The city’s Engineering Review workgroup regulates maintenance of other facilities by the property owner. For the purposes of this document, Public Works facilities are listed as “public” while other projects are listed as “private”.</i></p> <p><i>Post Construction Inspection</i>  <i>Public</i></p> <ul style="list-style-type: none"> <li>• <i>Final inspections are completed by the Project Management staff or by consultants/contractors on their behalf.</i></li> <li>• <i>Warranty inspections are completed in accordance with applicable construction contracts.</i></li> <li>• <i>Projects are tracked using the city’s Project Tracking Database.</i></li> </ul> <p><i>Private</i></p> <ul style="list-style-type: none"> <li>• <i>Final inspections are completed by Engineering Review staff concurrent with the applicable preliminary acceptance process.</i></li> <li>• <i>Warranty inspections are completed by Engineering Review staff prior to expiration of any applicable warranty periods.</i></li> </ul> <p><i>Projects are tracked in the city’s Detention Pond/Water Quality Facility Database, or in the city’s Permit Tracking Database as applicable.</i></p>
<b>Longmont</b>	<p><i>The Owner submits:</i></p> <ul style="list-style-type: none"> <li>• <i>As-builts plans and certification by a professional engineer verifying that permanent BMPs have been installed per approved plans and specification to Project Manager.</i></li> <li>• <i>Inspection and maintenance agreement as required by City Code to the Project Manager.</i></li> </ul> <p><i>Verification</i>  <i>The Project Manager and Development Review Engineer inspect permanent BMPs to insure compliance with as-built plans</i></p> <p><i>Project Manager</i></p> <ul style="list-style-type: none"> <li>• <i>Files as-built plans, engineer’s certification and inspection and maintenance agreement in the project file</i></li> <li>• <i>Submits a copy of plans to Utility Engineering and Technical Services staff for mapping</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Provides a copy of inspection and maintenance agreement to Operations and Maintenance</li> <li>• Notifies Finance that financial security can be released.</li> </ul> <p><b>Enforcement</b> O&amp;M staff</p> <ul style="list-style-type: none"> <li>• documents violations of inspection and maintenance agreements to owner's failure to submit annual certification</li> <li>• provides documentation to Water Resources &amp; Environmental Services staff.</li> </ul> <p>Water Resources &amp; Environmental Services staff prepares and issues NOVs, penalty assessments or other enforcement action per Enforcement Response Plan</p> <p>Third party public reports of BMP malfunction or improper maintenance are also responded to.</p> <p>If Owner(s) do not comply, WR&amp;ES follows up with additional enforcement as outlined in Enforcement Response Plan.</p>	
Louisville	<p><b>Plan review</b> Construction Plans &amp; Reports are reviewed during design by city civil engineers to ensure compliance with City of Louisville criteria. The stormwater coordinator reviews SWMP for compliance with State and City requirements. Construction sites are visited at least monthly during construction to verify adequacy and compliance. Approval for minor revisions in response to ineffective BMPs is not required, while approval for major revisions may be required.</p> <p><b>Field Verification</b> The stormwater coordinator confirms correct installation, once features are constructed. Enforcement tools used include: verbal warning; written compliance order; revocation of permit(s); denial of further review or future inspections and/or permits; stop work order; using the performance security collected at the time of permit issuance to hire a contractor and/or utilize city crew to perform work. Flexibility is utilized to ensure that enforcement actions are carried out in a manner appropriate to the corrections needed and to the phase of construction.</p>	
Superior	<p><del>All BMPs constructed within Superior were constructed to Urban Drainage and Flood Control District standards and owned by the Town. They are added to the UDFCD mapping, inspection and maintenance programs. The Town of Superior requires development to create and utilize regional detention and water quality BMPs that will be dedicated to the Town. BMPs meet the requirements of the Superior Metropolitan District No 1 Standards and the Urban Drainage and Flood Control District standards.</del></p> <p><i>Development Agreements require a letter of credit be supplied to the Town to ensure proper construction of facilities to be dedicated to the Town.</i></p> <p><i>Developers are allowed to request private water quality BMPs. In these cases, the developer is required to sign a Maintenance Agreement binding on all future owners.</i></p> <p><i>Town staff inspects temporary and permanent BMP's and provides on-going enforcement to verify compliance with the SWMP, the Erosion and Sediment Control Plan and/or <del>the</del> maintenance agreements. (Updated 2008 per Division request. No re-submittal necessary.)</i></p>	
Erie	<p>All new development is required to implement permanent BMP's for water quality.</p> <p>During the subdivision plat or site plan review process the plans for permanent BMP's are reviewed by Community Development and Public Works. In the development agreement for the requirements for construction and maintenance of the improvements is defined. A letter of credit is required for all public improvements for subdivisions.</p>	

	<p><i>To insure that improvements are in conformance with the design, upon construction acceptance as-built plans and certification of storm drainage facilities, which includes water quality BMP's, are required to be submitted, signed and stamped by the design engineer. The letter of credit for the development is reduced to 25 % when construction acceptance is issued, the remaining 25% is released after a 2-year warrantee period and final acceptance inspection is complete. If a site plan does not include public improvements, but does include private improvements, A certificate of occupancy is not issued until the site plan is final inspected to insure that all improvements are made.</i></p> <p><i>If the developer defaults on the development agreement the Town will use the letter of credit to complete the improvements for the development.</i></p>
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4. Tracking

Each KICP Partner has a system to track permanent BMP locations, and requirements for maintenance of BMPs installed since the adoption of their ordinance.

<i>Partner</i>	<i>Describe procedures for tracking permanent BMP locations and maintenance history. (details requested by CDPHE 9/08)</i>
<b>Boulder County</b>	<p><i>Land Use and Transportation/Engineering staff add BMPs to County's stormwater GIS. BMP information and maintenance agreements are linked to database.</i></p> <p><i>Transportation Engineering and Road Maintenance staff maintains records of permanent BMPs and status of maintenance agreements.</i></p>
<b>Boulder</b>	<p><b>Public</b></p> <ul style="list-style-type: none"> <li>• <i>Final inspections are completed by the Project Management staff or by consultants/contractors on their behalf.</i></li> <li>• <i>Warranty inspections are completed in accordance with applicable construction contracts.</i></li> <li>• <i>Projects are tracked using the city's Project Tracking Database.</i></li> </ul> <p><b>Private</b></p> <ul style="list-style-type: none"> <li>• <i>Final inspections are completed by Engineering Review staff concurrent with the applicable preliminary acceptance process.</i></li> <li>• <i>Warranty inspections are completed by Engineering Review staff prior to expiration of any applicable warranty periods.</i></li> <li>• <i>Projects are tracked in the city's Detention Pond/Water Quality Facility Database, or in the city's Permit Tracking Database as applicable.</i></li> </ul> <p><b>Maintenance Inspections</b></p> <p><b>Public</b></p> <ul style="list-style-type: none"> <li>• <i>Upon completion of contract obligations by the contractor, maintenance of facilities is assigned to the city's Public Works maintenance division.</i></li> <li>• <i>Inspection and maintenance occur as part of the city's ongoing maintenance operations.</i></li> <li>• <i>Maintenance inspections are tracked by the Public Works Department.</i></li> </ul> <p><b>Private</b></p> <ul style="list-style-type: none"> <li>• <i>Property owners are required to maintain facilities in accordance with approved maintenance plans and applicable city regulations.</i></li> <li>• <i>Engineering Review staff reviews documents required by city code and conducts field inspections to verify maintenance.</i></li> <li>• <i>Failure to comply with city regulations and approved plans may result in enforcement</i></li> </ul>

	<p><i>actions as allowed by the Boulder Revised Code, 1981 and any applicable easements or legal agreements.</i></p> <p><i>Maintenance inspections are documented in inspector logs, in the city's detention pond/water quality facility database, or in the city's permit tracking database as applicable.</i></p>
<b>Longmont</b>	<p><i>The Utility Engineering and Technical Services staff enters BMP locations and sizing information in stormwater GIS. BMP information and maintenance agreements are linked to database.</i></p> <p><i>Utility O&amp;M staff maintains records of BMP locations and status of maintenance agreements.</i></p>
<b>Louisville</b>	<p><i>Public Works Department monitor/track permanent BMP locations by using GPS and CAD mapping files. Maintenance history is tracked in a database.</i></p>
<b>Superior</b>	<p><i>The contracted Town Engineering staff enters BMP locations and sizing information in the storm sewer system maps. BMP maintenance requirements are tracked in a scheduled maintenance file.</i></p> <p><i>The Town's Planning Division maintains a file of BMP locations and status of maintenance agreements.</i></p> <p><i>Contractor must submit "Record Drawing Plans" for any permanent BMP's constructed.</i></p>
<b>Erie</b>	<p><i>The Public Works Department is implementing a method of recording and tracking the location and maintenance history of all permanent BMPs.</i></p>

5. Ensure long-term operation and maintenance of BMPs –

Each KICP Partner has procedures in place that require the legal titleholder be responsible for BMP maintenance. The legal authority has the right to inspect, require, perform maintenance, and recoup costs to ensure that BMPs are functioning as designed.

6. Monitor long-term compliance

a. Inspections

Each KICP Partner has community-specific procedures in place for conducting BMP inspections and enforcement. The procedures may include how inspections are conducted and documented.

<b>Partner</b>	<b>Describe inspection program including routine and complaint response inspections. (details requested by CDPHE 9/08)</b>
<b>Boulder County</b>	<p><b>County Owned Facilities</b></p> <p><b>Transportation/Road Maintenance staff:</b></p> <ul style="list-style-type: none"> <li>• Schedules, assigns and completes annual inspection of BMPs</li> <li>• Schedules, and performs maintenance of BMPs based on inspections</li> <li>• Tracks and records maintenance activities using database system</li> <li>• Keeps database of maintenance records</li> </ul> <p><b>Privately Owned Facilities</b></p> <ul style="list-style-type: none"> <li>• Transportation/Engineering staff annually inspect representative sample of private BMPs to determine compliance with maintenance agreements</li> <li>• Staff documents results of inspections and initiates enforcement for non-compliance in accordance with the Land Use Code zoning enforcement procedures.</li> <li>• Transportation/Engineering staff includes inspection data in Annual Report to CDPHE.</li> <li>• Transportation/Engineering staff maintains database of facilities and records of maintenance agreements.</li> </ul>

	<p><i>Inspections are tracked and submitted to CDPHE in the annual report.</i></p>
<b>Boulder</b>	<p><b>Public</b></p> <ul style="list-style-type: none"> <li>• <i>Upon completion of contract obligations by the contractor, maintenance of facilities is assigned to the city's Public Works maintenance division.</i></li> <li>• <i>Inspection and maintenance occur as part of the city's ongoing maintenance operations.</i></li> <li>• <i>Maintenance inspections are tracked by the Public Works Department.</i></li> </ul> <p><b>Private</b></p> <ul style="list-style-type: none"> <li>• <i>Property owners are required to maintain facilities in accordance with approved maintenance plans and applicable city regulations.</i></li> <li>• <i>Engineering Review staff reviews documents required by city code and conducts field inspections to verify maintenance.</i></li> <li>• <i>Failure to comply with city regulations and approved plans may result in enforcement actions as allowed by the Boulder Revised Code, 1981 and any applicable easements or legal agreements.</i></li> </ul> <p><i>Maintenance inspections are documented in inspector logs, in the city's detention pond/water quality facility database, or in the city's permit tracking database as applicable.</i></p> <p><i>Inspections are tracked and submitted to CDPHE in the annual report</i></p>
<b>Longmont</b>	<p><b>City Owned Facilities</b> O&amp;M staff:</p> <ul style="list-style-type: none"> <li>• <i>Schedules, assigns and completes annual inspection of BMPs.</i></li> <li>• <i>Schedules, and performs maintenance of BMPs based on inspections.</i></li> <li>• <i>Tracks and records maintenance activities using database system.</i></li> <li>• <i>Keeps database of maintenance records.</i></li> </ul> <p><b>Privately Owned Facilities</b></p> <ul style="list-style-type: none"> <li>• <i>O&amp;M staff annually inspect representative sample of private BMPs to determine compliance with maintenance agreements.</i></li> <li>• <i>Staff documents results of inspections and initiates enforcement for non-compliance in accordance with enforcement response plan.</i></li> <li>• <i>O&amp;M staff provides inspection data to Water Resource &amp; Environmental Services for inclusion in Annual Report to CDPHE.</i></li> <li>• <i>O&amp;M staff maintains database of facilities and records of maintenance agreement</i></li> </ul> <p><i>Inspections are tracked and submitted to CDPHE in the annual report.</i></p>
<b>Louisville</b>	<p><i>The Contractor is responsible for implementing ongoing inspection, maintenance, and repairs of temporary and permanent BMPs according to the maintenance agreement until final stabilization is achieved and Warranty Period has elapsed. Contractor must submit "Record Drawing Plans" for any permanent BMPs constructed. The owner of the site must execute an inspection and maintenance agreement that shall be binding on all subsequent owners of the permanent BMPs.</i></p> <p><i>For projects that include permanent BMPs to be dedicated to the City, the agreement shall be binding on the Contractor, until the BMP has been ultimately dedicated to and accepted by the City, and the Construction Warranty Period has elapsed. City staff will inspect the permanent BMPs and final site stabilization and, upon issuance of a certificate of completion, the financial security will be released in accordance with the requirement of the Construction Warranty Period. City staff inspects temporary and permanent BMPs and provides on-going enforcement to verify compliance with the SWMP, the Erosion and Sediment Control Plan and the maintenance agreement.</i></p> <p><b>City Owned Facilities:</b> City Staff</p> <ul style="list-style-type: none"> <li>• <i>Schedules, assigns and completes annual inspection of BMPs</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Schedules, and performs maintenance of BMPs based on inspections</li> <li>• Tracks and records maintenance activities using database system</li> <li>• Keeps database of maintenance records</li> </ul> <p><i>Complaint inspections are conducted if a complaint is received.</i></p> <p><i>Inspections are tracked and submitted to CDPHE in the annual report</i></p>
<b>Superior</b>	<p><i>All BMPs constructed within Superior were constructed to <b>Superior Metropolitan District No 1 and Urban Drainage and Flood Control District standards</b> and were subsequently added to the UDFCD mapping, inspection and maintenance programs.</i></p> <p><i>UDFCD provides an annual Memorandum of Understanding to perform maintenance and inspection activities on all facilities constructed to their standards and accepted for maintenance. A copy of the 2009 MOU is attached.</i></p> <p><i>UDFCD staff:</i></p> <ul style="list-style-type: none"> <li>• Schedules, assigns and completes annual inspection of BMPs</li> <li>• Schedules, and performs maintenance of BMPs based on inspections</li> <li>• Tracks and records maintenance activities using database system</li> <li>• Keeps database of maintenance records</li> </ul> <p><i>Post Construction and recording</i></p> <ul style="list-style-type: none"> <li>• <del>Developer Contractor</del> <i>is responsible for implementing on-going inspection, maintenance, and repairs of temporary and permanent BMP's according to the maintenance agreement until final stabilization is achieved and Warranty Period has elapsed.</i></li> </ul> <p><i>Town field staff performs inspections of all BMPs specific to inlets and outfalls on a three- year cycle based on a northern, central, and southern zone of the Town. Problems or other deficiencies are noticed to UDFCD. Any additional maintenance is performed by the Town.</i></p> <p><i>Private water quality BMPs are the responsibility of the property owner in accordance with their Maintenance Agreement and Town standards. Inspection of private water quality BMPs will be conducted in conjunction with the Town's outfall inspection program. There are currently no privately maintained water quality BMPs within the Town of Superior's jurisdiction.</i></p> <p><i>Inspections are tracked and submitted to CDPHE in the annual report (Updated 2008 per Division request. Division did not require resubmittal of the changes.)</i></p>
<b>Erie</b>	<p><i>Public Works staff is responsible for annual inspections of BMP's. Water quality improvements that are part of a regional detention facility and meet maintenance eligibility requirements of UDFCD, the inspection and maintenance is performed by UDFCD, for other public facilities not meeting the maintenance eligibility requirements inspections and maintenance are performed by Public Works staff. For private, or HOA maintained BMP's, Public Works Staff is responsible for annually inspecting the BMP's to insure that the improvements are maintained by the owner or HOA.</i></p> <p><i>When a complaint is made, Public Works staff will make an inspection and recommendation if maintenance is require to the appropriate entity.</i></p> <p><i>Inspections are tracked and submitted to CDPHE in the annual report</i></p>

b. Enforcement

Each KICP Partner has community-specific procedures for enforcement. Enforcement options are

described in each Partner's ordinance.

<b>Partner</b>	<i>Describe the enforcement process including a list of appropriate enforcement response used, such as verbal warning, letter of noncompliance, notice of violation, chargeback to contractor for work completed by MS4 representatives, and/or municipal summons. (details requested by CDPHE 9/08)</i>
<b>Boulder County</b>	<p><i>Boulder County enforcement activities are supported by ordinance that is based on State statute allowing Public Health officials as agents of the state to uphold water quality regulations.</i></p> <p><i>More serious violations, or situations where a reasonable attempt has been made to educate a responsible party, but compliance has not been achieved, may require a more aggressive and enforcement-oriented approach. Enforcement approaches and actions are based on several factors including the severity of the violation (environmental health threat), site-specific circumstances, and past compliance history.</i></p> <p><b>LEVEL OF ENFORCEMENT AND ESCALATION</b></p> <p><i>The following guidelines are considered in determining the level of enforcement and the need to escalate enforcement:</i></p> <ol style="list-style-type: none"> <li><i>1. Whether or not there are or have been recurring or chronic violations.</i></li> <li><i>2. The diligence of the owner/operator in responding to and solving the problem, which caused the violation(s) and how quickly compliance is achieved.</i></li> <li><i>3. Seriousness of the violation. For example, pollutants entering the storm sewer or surface waters are more significant than pollutants that have a potential to leave the site but are currently contained. Pollutants that endanger the public, workers or the environment due to lack of proper BMPs or poor BMP maintenance are serious problems whether or not they have left the site. Serious violations must be addressed immediately to prevent additional problems and to keep the County in compliance with its stormwater permit requirements. Less serious violations require enforcement that rapidly brings the construction activities into compliance and keeps them in compliance.</i></li> <li><i>4. Economic benefit – If the violation has resulted in avoidance of costs to comply with regulatory requirements or operate in an environmentally responsible way, this can be taken into account when determining enforcement actions and penalties.</i></li> </ol> <p><i>Enforcement actions are tracked and submitted to CDPHE in the annual report.</i></p>
<b>Boulder</b>	<p><b>Public</b></p> <ul style="list-style-type: none"> <li><i>• Maintenance issues and complaints are addressed administratively by Public Works staff.</i></li> <li><i>• Maintenance and complaints are tracked by the Public Works Department.</i></li> </ul> <p><b>Private</b></p> <ul style="list-style-type: none"> <li><i>• Typical compliance actions may include verbal warnings, written warnings, withholding of building permits, court summons, fines, completion of work at the property owner's expense and/or other actions as allowed under the Boulder Revised Code, 1981.</i></li> </ul> <p><i>Enforcement actions are documented in inspector logs, in the city's detention pond/water quality facility database, or in the city's permit tracking database as applicable.</i></p>

	<p><i>Enforcement actions are tracked and submitted to CDPHE in the annual report.</i></p>
<b>Longmont</b>	<p><i>The code provides the authority for specific actions to deal with the enforcement of violations. The purpose of these enforcement actions is to bring the violator back into compliance as quickly as possible and minimize and effects on the stormwater system, surface waters and the general public. The types of enforcement actions include:</i></p> <ul style="list-style-type: none"> <li>• <i>Verbal warning – personal notification in the field or by telephone</i></li> <li>• <i>NOV- formal written notification of violation(s) and an official record of the violation and any remedies required by the City. The time frame for responding will be based on the seriousness of the violation and whether or not immediate actions are required to address imminent or ongoing violations. The NOV shall state the nature of the violation(s) and may refer to the specific section of the Code that has been violated. The NOV is sent via certified mail or personal delivery.</i></li> <li>• <i>Referral to Code Enforcement – Public Nuisance – This is an action that is taken in response to conditions that are not specifically related to construction requirements.</i></li> <li>• <i>Referral to City Attorney – response to conditions that are a threat to public health, safety or welfare and not corrected immediately by the owner/operator.</i></li> <li>• <i>Abatement – whenever a violation is identified which will result in immediate danger to public health and safety and the violation is not immediately corrected by the responsible party the City can take whatever measures are necessary to abate the violation. The cost of the abatement shall be charged to the responsible party.</i></li> </ul> <p><i>Level of enforcement and escalation</i>  <i>The following guidelines are considered in determining the level of enforcement and the need to escalate enforcement:</i></p> <ul style="list-style-type: none"> <li>• <i>Whether of not there are or have been recurring or chronic violations.</i></li> <li>• <i>The diligence of the owner/operator in responding to and solving the problem, which caused the violation(s) and how quickly compliance is achieved.</i></li> <li>• <i>Seriousness of the violation.</i></li> <li>• <i>Economic benefit. If the violation has resulted in avoidance of costs to comply with regulatory requirements or operate in an environmentally responsible way.</i></li> </ul> <p><i>Water Resources &amp; Environmental Services staff prepares and issues NOV's, penalty assessments or other enforcement action per Enforcement Response Plan.</i></p> <p><i>Enforcement actions are tracked and submitted to CDPHE in the annual report.</i></p>
<b>Louisville</b>	<p><i>Enforcement responses may include: verbal request; written request; charging the owner for corrective work and issuing a summons. Flexibility is utilized to ensure that enforcement actions are carried out in a manner appropriate to the corrections needed.</i></p> <p><i>Enforcement actions are tracked by the Public Works Engineering Office.</i></p> <p><i>Enforcement actions are tracked and submitted to CDPHE in the annual report.</i></p>
<b>Superior</b>	<p><i>The Town of Superior requires development to create and utilize regional detention and water quality BMPs that will be dedicated to the Town. BMPs meet the requirements of the Superior Metropolitan District No 1 Standards and the Urban Drainage and Flood Control District standards.</i></p> <p><i>Development Agreements require a letter of credit be supplied to the Town to ensure proper construction of facilities to be dedicated to the Town.</i></p> <p><i>The Superior Metropolitan District No. 1 Rules and Regulations include Sections on facility ownership, conditions of use, violation and hearing procedures.</i></p> <ul style="list-style-type: none"> <li>• <i>For projects that include permanent BMP's to be dedicated to the Town, the agreement shall be binding on the Contractor, until the BMP has been ultimately dedicated to and</i></li> </ul>

	<p><i>accepted by the Town, and the Construction Warranty Period has elapsed.</i></p> <ul style="list-style-type: none"> <li>• <i>Town staff will inspect the permanent BMP's and final site stabilization and, upon issuance of a certificate of completion, the financial security will be released in accordance with the requirement of the Construction Warranty Period.</i></li> </ul> <p><i>Developers are allowed to request private water quality BMPs. In these cases, the developer is required to sign a Maintenance Agreement binding on all future owners.</i></p> <ul style="list-style-type: none"> <li>• <i>The owner of the site must execute an inspection and Maintenance Agreement that shall be binding on all subsequent owners of the permanent BMP's.</i></li> <li>• <del><i>Town staff inspects temporary and permanent BMP's and provides on-going enforcement to verify compliance with the SWMP, the Erosion and Sediment Control Plan and the maintenance agreement.</i></del></li> </ul> <p><i>Enforcement actions are tracked and submitted to CDPHE in the annual report. (updated 2008 per Division request. Division did not require resubmittal.)</i></p>
<i>Erie</i>	<p><i>Title 12 Chapter 2 of Erie's Municipal Code authorizes town staff under the direction of the director to have the power to conduct inspections, issue notices of violations and implement other enforcement actions.</i></p> <p><i>Enforcement actions include: verbal request for maintenance of the facility, written request for maintenance of the facility, in the event the owner of the facility refuses to perform maintenance, either a fine can be assessed in accordance with Title 1, Chapter 4 of Erie's municipal code, or the facility can be abated by the town and the cost of the abatement will be the responsibility of the facility owner.</i></p> <p><i>Enforcement actions are tracked and submitted to CDPHE in the annual report.</i></p>

#### D. Measurable Goals

Measurable goals are not necessary, as the elements described above constitute full program implementation and a commitment to continue these elements.

 <p><b>KEEP IT CLEAN PARTNERSHIP</b>  Communities in the Boulder and St. Vrain watersheds working together to protect our water quality.  BOULDER • BOULDER COUNTY • ERIE  LONGMONT • LOUISVILLE • SUPERIOR  303-441-1439 • keepitcleanpartnership.org</p>	<p><b>POLLUTION PREVENTION/  GOOD HOUSEKEEPING  FOR MUNICIPAL  OPERATIONS</b></p>	<p>STORMWATER DISCHARGES  ASSOCIATED WITH MS4s  Program Descriptions  2008 – 2013</p>
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**A. Program Perspective**

The goal of the Pollution Prevention/Good Housekeeping for Municipal Operations program is to reduce, to the maximum extent practicable, the amount and type of pollution that is generated by municipal operations or from municipally owned property.

**B. Program Requirements**

The regulation (CCR 61.8(11)(a)(ii)(F)) is as follows:

*(F) Pollution prevention/good housekeeping for municipal operations.*

*(1) The permittee must develop and implement an operation and maintenance program that includes an employee training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. The program must also inform public employees of impacts associated with illegal discharges and improper disposal of waste from municipal operations. The program must prevent and/or reduce stormwater pollution from facilities such as streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops with outdoor storage areas, salt/sand storage locations and snow disposal areas operated by the permittee, and waste transfer stations, and from activities such as park and open space maintenance, fleet and building maintenance, street maintenance, new construction of municipal facilities, and stormwater maintenance, as applicable.*

The 2008-2013 permit requires:

*Pollution prevention/good housekeeping for municipal operations.*

- a) *The permittee must develop and implement an operation and maintenance program that includes an employee training component and has the ultimate goal of preventing or reducing pollutants in runoff from municipal operations. The program must also inform public employees of impacts associated with illegal discharges and improper disposal of waste from municipal operations. The program must prevent and/or reduce stormwater pollution from facilities such as streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops with outdoor storage*

areas, salt/sand storage locations and snow disposal areas operated by the permittee, and waste transfer stations, and from activities such as park and open space maintenance, fleet and building maintenance, street maintenance, new construction of municipal facilities, and stormwater system maintenance, as applicable. The permittee must:

- 1) *Develop and maintain written procedures for the implementation of an operation and maintenance program to prevent or reduce pollutants in runoff from the permittee's municipal operations. The program must specifically list the municipal operations (i.e., activities and facilities) that are impacted by this operation and maintenance program. The program must also include a list of industrial facilities the permittee owns or operates that are subject to separate coverage under the State's general stormwater permits for discharges of stormwater associated with industrial activity;*
  - i) *Specific Deadline for Renewal Permittees: Renewal Permittees must comply with the requirement of subparagraph (1) by no later than December 31, 2009.*
- 2) *Develop and implement procedures to provide training to municipal employees as necessary to implement the program under Item 1, above.*

### **C. Programs:**

#### 1. Implementation of an operation and maintenance program

Partner for a Clean Environment (PACE) provides a stormwater pollution prevention program to KICP Partners' municipal facilities through *an inspection* and certification program. Certification is based on criteria developed specifically for the facility through industry standards and municipal staff recommendations. Facilities are targeted based on potential to impact water quality. PACE conducts *yearly or biannual* audits of municipal operations to ensure that procedures are being implemented that meet the self-imposed certification program. *PACE notifies the facility or operations manager as well as the KICP Partner's stormwater manager if any deficiencies are noted during sites visits.*

#### 2. Employee training

PACE provides *yearly and as-requested* training to municipal staff on operational BMPs and on observing and reporting illicit discharges. *This training is provided to field personnel during classroom and/or tail-gate sessions.*

Newsletters and recognition programs may be used to support this effort.

**D. Measurable Goals**

Measurable Goals are required as per Part I.B.6(a)(1) of the permit (Permit Requirement (a)(1) in Part B, above), unless this new permit requirement is already being met. Additional measurable goals should not be necessary if the elements described in Part C, above, constitute full program implementation and a commitment to continue these elements for all additional permit requirements.

**Check Box 1 or 2, below. The Table in Part 3 must be filled out if you check Box 2.**

1. Written procedures and lists, as listed in Part C.1, above, for the implementation of an operation and maintenance program to prevent or reduce pollutants in runoff from the permittee’s municipal operations, have already been developed.  
 **(It is not necessary to complete Part 3 below if you check this box.)**
  
2. Written procedures and lists for the implementation of an operation and maintenance program to prevent or reduce pollutants in runoff from the permittee’s municipal operations have **NOT** already been fully developed.  
 **(You must complete Part 3 below if you check this box.)**
  
3. Pollution Prevention/ Good Housekeeping Measurable Goals: The Measurable Goal has been provided. Include the year when written procedures for the implementation of an operation and maintenance program to prevent or reduce pollutants in runoff from the permittee’s municipal operations will be fully developed. **Measurable Goals must be completed by 2009.**

	Pollution Prevention/ Good Housekeeping Measurable Goals <i>Provide the year(s) for implementation</i>	Implementation Year
3.a	Review existing documented procedures, and develop new written procedures, as necessary, for the implementation of an operation and maintenance program to prevent or reduce pollutants in runoff from the permittee’s municipal operations. The documentation must specifically list the municipal operations (i.e., activities and facilities) that are impacted by this operation and maintenance program. The documentation must also include a list of the industrial facilities the permittee owns or operates that are subject to separate coverage under the State’s general stormwater permits for discharges of stormwater associated with industrial activity.	December 31, 2009