Past, Present and Future – City of Westminster Stormwater Construction Program

Mountain States IECA Conference

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OVERVIEW

- Municipal Separate Storm Sewer System (MS4) Phase II Discharge Permit Requirements
- Self Audit findings – December 2016
- New FTE in works for 2020 and beyond
- Construction site inspection program – September 2017
- Future of the Stormwater Construction Program
Westminster has an “MS4” permit from the Colorado Department of Health and Environment.
MS4 PERMIT

- The City of Westminster holds a permit from the Colorado Department of Public Health and Environment (CDPHE) to discharge stormwater from our storm drain system.
- Only stormwater (and a few other allowable discharges) can be discharged into the storm drain system.
- Pollutants are strictly prohibited from being disposed of in our storm drains.
- As part of the MS4 permit, we must implement the following programs to prevent pollutants from entering the storm drain system:
  - Construction sites program
  - Post-construction program
  - Illicit discharges program
  - Public education and involvement program.
  - Municipal facilities program
  - Employee training program.
WHAT KINDS OF THINGS DOES THE CITY HAVE TO DO?

- Program Management
- Educate the public
- Enforce illegal discharge violations
- Inspect and care for municipal facilities
- Inspections of permanent infrastructure
- Inspections of active construction sites
2016 SELF AUDIT

- In-person interviews with individuals and teams in:
  - Community Development, Engineering Division
  - Public Works and Utilities, Streets Division
  - Public Works and Utilities, Operations Division
  - General Services, Building Operations and Maintenance
  - General Services, Fleet
  - General Services, Risk Management
  - PR&L: Parks Division
  - PR&L: Golf Division

- File reviews of over 52 documents, including design standards, city code

- Site visits to:
  - City Hall, new residential construction, Downtown parking garage construction, Legacy Ridge Golf Course, MSC, Parks Braugh property, Parks shops
...SO WHAT DID THE AUDIT SAY?

- There were 53 compliance gaps across the MS4 program

- Program Management (4)
- Inspect and care for municipal facilities (10)
- Inspections of active construction sites (12)
- Inspections of permanent infrastructure (11)
- Enforce illegal discharge violations (11)
- Educate the public (5)
SO WE WENT TO CITY MANAGERS OFFICE WITH THE AUDIT

CMO Direction:

- The city must comply with the permit
- **Highest priorities: construction site compliance program, illegal dumping, enforcement**
- Prepare a business case for FTE in 2019-2020 budget cycle
- Utilize and restructure revenue from “Stormwater Enterprise Fund”
RESOURCE NEEDS

Previous (2016) 3.5 FTE:
• 1 FTE for program management, asset management – currently funded from general fund
• 1 FTE for capital planning and project management
• 0.5 FTE for floodplain management
• 1 FTE for GIS and data management

Current (2019) 4.5 FTE
• 1 FTE for program management, asset management – funded out of enterprise.
• 2 FTE for program compliance (construction, post-construction, IDDE, education and outreach, Municipal Facilities.
• 1 FTE for capital planning, project management and floodplain management.
• 0.5 FTE for Administrative duties

Compliance Focus (4 FTE)
• 2 FTE for construction site compliance program, including SWMP reviews
• 1 FTE for compliance program management, education and outreach, and construction site compliance program
• 1 FTE for post-construction, IDDE, city facility compliance, and training

Operational Focus (4 FTE)
• 1 FTE for maintenance and repair and replacement contract management – open drainageways
• 3 FTE for maintenance and repair and replacement for engineered infrastructure and streets contract management.
Stormwater Utility Administrator
Stormwater Utility Coordinator
Stormwater Utility Analyst
Stormwater Inspector
Stormwater Inspector
Principal Stormwater Engineer
Senior Stormwater Engineer
Administrative Assistant
Stormwater Operations Coordinator
Stormwater Utility Functions
Long Term Planning and CIP Workgroup
Compliance Workgroup
Operations Workgroup
Stormwater Specialist
Stormwater Specialist
Stormwater Specialist
Administrative Assistant

2019-2020 Budget Request: 4 FTE

Future Needs
Compliance Priority: Construction Sites
A FRESH START FOR CONSTRUCTION SITE COMPLIANCE

- One of the highest priorities from the audit.
- Third party consultant hired in August 2017, started inspections September 2017
- All projects >1 acre will have state permit AND city land disturbance permit
A FRESH START FOR CONSTRUCTION SITE COMPLIANCE

- Standard Operating Procedures (review and inspections)
- Construction Program Plan
- Updated Construction Standards and Specifications
- Updated Drainage Criteria
A FRESH START FOR CONSTRUCTION SITE COMPLIANCE

- Routine, compliance, complaint and reduced site inspections
- Routine inspection form w/ pictures
- Operator Compliance Follow-Up Form
ENFORCEMENT STRATEGY

- Enforcement Response Plan
- Updated Westminster Municipal Code (Title 8, Chapter 11)
- Seek Voluntary Compliance
ENFORCEMENT ESCALATION

- Compliance Assistance
- On-Site Meeting/Mandatory Training
- Notice of Violation
- Increased Inspection Frequency
- Stop Work Order
- Administrative Penalty
FUTURE OF THE CONSTRUCTION PROGRAM

- Training videos for operator and internal staff
- Certification program for operators (Preferred Contractor List)
- Using TrakiT to help track deficiencies to obtain statistics to help focus training efforts
- Evaluate construction permit re-inspection fees to make the program financially self-sustainable
- Implement guidance documents for City Stormwater requirements and Land Disturbance Permit process
- Changing culture by building better relationships with operators and obtaining feedback
We are moving toward a compliant and sustainable utility...Questions?