

INSPECTION SERVICES

Internal Procedure

IS 2015 – 2: Performing Storm Water Inspections

Updated: January 22, 2025

Introduction

These storm water procedures have been prepared to provide inspectors guidance in performing storm water inspections. It is critical that storm water compliance be verified at every inspection, and that all inspection results are recorded in the City's Project Tracking System (PTS) and Accela. Additionally, inspectors shall be aware of the following requirements:

1. Projects Near Sensitive Water Bodies: storm water requirements for project sites near sensitive water bodies are more restrictive. In such cases, inspectors shall refer to the City's Stormwater Standards, Section 5.3.3 - Projects Discharging to Impaired or Sensitive Water Bodies (see Attachment A) to ensure proper requirements are implemented.
2. La Jolla Area of Biological Significance (ASBS): per the Construction General Permit (MS4) and the City's La Jolla ASBS Compliance Plan, projects in the ASBS (see Attachment B – ASBS Map) require weekly BMP inspections in the rainy season, and quarterly non-storm water visual inspections. Accordingly, non-stormwater discharges (including flushing of water and fire service lines) are prohibited from going into storm drains located within the ASBS.
3. Medium and High Priority Projects: All medium and high priority projects tagged in PTS and Accela will require a stormwater pre-construction meeting. A Tier 1 issue will be added in PTS to ensure that the pre-construction meeting takes place. The purpose of the meeting is to review all project requirements for implementing Construction Best Management Practices (BMPs).

Note: Review staff will be responsible for adding in PTS project priority tags, the associated fees for high priority projects, and adding a Tier 1 "issue class, Pre-con Stormwater" with a description specifying the reason for the required pre-construction meeting. The reviewer will add the pre-construction meeting in tier 1 and also clear the tier 1 issue.

Performing Stormwater Inspections

Upon arrival at the job site the inspector shall locate and review the project's Storm Water Pollution Prevention Plan (SWPPP) or Water Pollution Control Plan (WPCP) to ensure BMPs are properly implemented. At the first scheduled inspection, the inspector will provide a copy of the City's *Clean Construction* brochure. The inspector will proceed to either:

- Pass the storm water inspection, or
- Issue a *Storm Water Correction Notice (DS-3 or DS-3149)* for a job site that fails a storm water inspection. To complete a DS-3 or DS-3149, please refer to the section of this procedure entitled *Completing a Storm Water Correction Notice (DS-3)/BMP Inspection Notice (DS-3149)*.

Minor Violations: Permits with minor violations (i.e., general housekeeping) must have follow up stormwater inspections scheduled and performed by the same inspector by the third business day.

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Major Violations: Permits with major violations (i.e., erosion and sediment controls, cumulative violations, etc.) shall be referred to the DSD-BC&S Structural Inspection section as early as possible. The inspector will forward copies of all DS-3149s (including photos) that they issued for the project to the Senior Structural Inspector. The Senior Structural Inspector will coordinate the following:

- Scheduling follow-up stormwater inspections for engineering/ROW permits;
- Canceling other scheduled inspections, including adding a Tier 1 issue for each associated permit; and
- Clearing Tier 1 issues once all violations have been corrected, or recommend Escalated Enforcement Action, if necessary. Please refer to the Escalated Enforcement Action section of this procedure for a list of escalated enforcement actions.

Combination inspections with major (i.e., erosion and sediment controls, cumulative violations, etc.) or repeat stormwater violations shall refer to the *Escalated Enforcement Actions* section of this procedure for further instruction. Additionally, combination inspectors shall consult with their supervisor when recommending a significant (i.e., Stop Work warning letter) escalated enforcement action.

Commercial inspections with minor violations (i.e., general housekeeping) may have follow up stormwater inspections scheduled and performed by the same inspector, if authorized by their supervisor. All commercial inspections with major violations (i.e., erosion and sediment controls, cumulative violations, etc.) shall be referred to the Structural Inspection section as early as possible. The inspector will forward to the Senior Structural Inspector copies of all DS-3s or DS-3149s (including photos) that they issued for the project. The Senior Structural Inspector will coordinate the following:

- Scheduling follow up stormwater inspections for commercial and multi-family projects;
- Canceling other scheduled inspections, including adding a Tier 1 issue for each associated permit; and
- Clearing Tier 1 issues once all violations have been corrected, or recommend *Escalated Enforcement Action*, if necessary. Please refer to the *Escalated Enforcement Action* section of this procedure for a list of escalated enforcement actions.

Note: For miscellaneous permits (mechanical, plumbing, and electrical permits) not associated with a building permit, the Senior Inspector for the appropriate inspection discipline will coordinate follow up inspections for miscellaneous permitted projects that fail a storm water inspection.

Completing a Storm Water Correction Notice (DS-3)/BMP Inspection Notice (DS-3149)

A completed DS-3 or DS-3149 is required for all job sites that fail storm water inspections. Additionally, all inspection results shall be documented in PTS and Accela. A DS-3 must specify that the job site requires compliance within two (2) days maximum. A DS-3149 must specify that the job site requires

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compliance within 72 hours/3 business days. Immediate compliance is required when there is a 50% chance of rain in the forecast¹. At a minimum, a DS-3 or DS-3149 must include the following:

- ✓ Address
- ✓ Approval and Project numbers
- ✓ Inspection date
- ✓ Name and signature
- ✓ Description of discharges of sediment or other pollutants
- ✓ Identify BMPs that are missing or in need of maintenance within the project's Storm Water Pollution Prevention Plan (SWPPP) or Water Pollution Control Plan (WPCP)
- ✓ Identify location where additional BMPs will be required
- ✓ Corrective measures required for compliance
- ✓ A stormwater re-inspection fee warning
- ✓ Photos of violations, including photos of corrective actions. All before and after photos shall be attached to the DS-3 or DS-3149, and saved in the Inspection Services shared I: drive located at I:\DB&S\Inspection Services\Storm Water\Correction Notices or Field Inspection Team shared I: drive located at I:\TUD\FIT\Stormwater\BMP Inspection Notices

A copy of the DS-3 or DS-3149 must be provided to the customer. Inspectors will keep the white and blue copies of the DS-3 (including photos) together until compliance is achieved. Once compliance is achieved, the inspector will record on the white copy when corrective measures were approved. The white copy shall be placed in the stormwater collection box next to the senior inspector office, and the inspector shall keep blue copy in their file. Inspectors will upload the DS-3149 to Accela and send a copy to the contractor, CC'ing the Resident Engineer as well as the Stormwater team.

Escalated Enforcement Actions

The following enforcement actions are available to the inspector to correct storm water violations. The inspector may recommend one or more levels listed below depending on the severity of stormwater violations.

Level 1: A first minor storm water violation (i.e., general housekeeping) will result in a DS-3 with a stormwater re-inspection fee warning. The scheduled inspection will be performed, and the inspector will schedule a follow up stormwater inspection within two (2) business days.

Level 2: Project sites with major (i.e., erosion and sediment controls, cumulative violations, etc.) or repeat stormwater violations will result in the following:

- Issuing a DS-3, and failing all scheduled inspections in PTS;
- Withholding all project inspections by adding a Tier 1 issue in PTS;
- Scheduling a stormwater inspection for the next business day;

¹ Forecast per the National Oceanic and Atmospheric Administration (NOAA) service.

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- Assessing a stormwater re-inspection fee; and
- Issuing a Stop Work warning letter (see Attachment C). The case will be referred to the City Attorney's Office with all supporting documentation. Depending on the severity of violations, consideration will be made to issue an administrative citation or impose civil penalties.

Note: The inspector shall contact clerical staff (858-492-5071) as early as possible to have them add a Tier 1 issue in PTS to withhold further inspections, schedule the follow up stormwater inspection, and assess a stormwater re-inspection fee.

Level 3: Further non-compliance will result in implementing a *Stop Work Notice*, and issuing an administrative citation or imposing civil penalties.

Grading/Engineering Permits

Deficient construction BMPs directly related to an active Grading/Engineering Permit shall be referred to the City's DSD-Telecom Utility Division, Field Inspection Team (FIT). The inspector will coordinate the following:

- Notifying their senior inspector, the Resident Engineer (RE), and the FED Stormwater Section as soon as possible;
- Document and take photos of the violations; and
- Coordinate with their senior inspector to collect and email all pertinent information to the RE and the FED Stormwater Section.

Active Storm Water Discharges

In the event of an active storm water discharge, the inspector shall perform the following:

- Immediately contact the Storm Water Hotline at (619) 235-1000 to report the discharge;
- Take photos and email the Stormwater Division – swppp@sanidiego.gov, all pertinent information the following business day;
- Issue a DS-3 or DS-3149, and withhold all project inspections by adding a Tier 1 issue in PTS;
- Schedule a stormwater inspection for the next business day;
- Assess a stormwater re-inspection fee;
- Issue a Stop Work warning letter (see Attachment C). The case will be referred to the City Attorney's Office with all supporting documentation. Depending on the severity of violations, consideration will be made to issue an administrative citation or impose civil penalties;
- Save all the project information in the Inspection Services shared I: drive under I:\DB&S\Inspection Services\Storm Water\Discharges or the Field Inspection Team shared I:

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drive under I:\TUD\FIT\Stormwater\Discharges. The file shall be identified by the job address listed on the DS-3 or DS-3149.

Note: The inspector shall contact clerical staff (858-492-5071) as early as possible to have them add a Tier 1 issue in PTS to withhold further inspections, schedule the follow up stormwater inspection, and assess a stormwater re-inspection fee.

Attachments: Attachment A – City Storm Water Standards, Section 5.3.3 - Projects Discharging to Impaired or Sensitive Water Bodies
Attachment B - La Jolla Area of Biological Significance (ASBS) Map
Attachment C – Draft Stop Work warning letter