FALLS PARK, SIOUX FALLS, SOUTH DAKOTA

Stormwater Newsletter 2018

CITY OF SIOUX FALLS PUBLIC WORKS

June 6, 2018

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What's new for 2018?

The City of Sioux Falls Stormwater Program spent much of 2017 updating and revising programs and policies to help keep up with the blazing pace of construction within the city. The City made updates for 2018 to coincide with the re-release of the SDDENR General Permit for Stormwater Discharges Associated with Construction Activities. This newsletter will highlight all of the important information for 2018.

General Permit Update

The SDDENR recently released the new construction stormwater General Permit in January 2018. There are important updates regarding site best management practices (BMPs), both structural and nonstructural. Other important updates involve new dewatering policies and proper maintenance of damaged or ineffective controls. This year will also bring a big change in the form of permit fees for construction sites. Take a look at page 2 for the full story.

New Enforcement Policy

The City of Sioux Falls has seen an increase in certain common violations recently. This, in combination with an increase in citizen complaints, drove the Environmental Division to rethink the enforcement process. The hope is to tackle common issues throughout the city in a much more efficient manner. Page 5 has more information on this subject.

Erosion Control FAQ

Good resource for the public and contractors in regard to construction site stormwater regulation

See page 3

Regional BMP Construction

Update on construction of regional detention facilities and other important BMPs

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New SDDENR General Permit for Stormwater Discharges Associated with Construction Activities

The SDDENR finalized and released the updated General Permit for Stormwater Discharges Associated with Construction Activities on April 1, 2018. The following information contains highlights from the new permit worth sharing:

Discharges Covered under the new permit include discharge of stormwater from construction sites greater than one acre, construction support activities, larger common plan of development, designated sites, and construction dewatering with appropriate controls. An important component of the new permit is that a separate dewatering permit is no longer required if no suspicion of contamination exists and the proper controls are in place. **Discharges NOT Covered** include post construction discharges, dredge or fill activities (Section 404 Permitting), discharges threatening water quality, discharges of regulated substances (spills), and discharges threatening endangered species. It is important to follow the proper reporting rules for any spills or discharges of hazardous materials.

Guidelines for proper dewatering under the new permit include ensuring BMPs are in place such as using filtration at the pump intake and visually inspecting the pump effluent. If suspended solids are present, sampling of the effluent becomes mandatory until the solids in the discharge are effectively removed. **TSS Limits for the effluent** of construction dewatering are set at 53 mg/L. **If muddy water is being discharged into a storm sewer or nearby waterbody, then the pumping is to be ceased immediately.**

Another big change for 2018 is the implementation of fees for stormwater permits. Effective July 1, 2018, new construction Notice of Intents (NOIs) must include the first year's fee, billed to the owner of the project as follows:

- < 5 acres = $100
- 5 to < 40 acres = $250
- 40 to < 80 acres = $500
- 80+ acres = $750

These fees are intended to support the state Stormwater Program.

Other new items to note include preserving native topsoil, unless infeasible. This is not required where the intended function of a specific area dictates the topsoil be disturbed or removed. Other important goals are to minimize the disturbance of slopes that are greater than 3:1 and to minimize run onto your site.

The new permit stressed the **importance of maintenance of controls**. Important information is as follows: Maintenance on noneffective controls must be initiated within the same working day. Repair and stabilize eroded areas by end of same workday or implement alternative controls. If new controls need to be installed, work must be completed within seven days or before the next anticipated storm event, whichever comes first. Finally, you must modify your SWPPP within seven days of completing the work.

For more useful information regarding the new General Permit for Stormwater Discharges Associated with Construction Activities, please go to the SDDENR stormwater permitting page at this link: http://denr.sd.gov/des/sw/stormwater.aspx.

Sioux Falls Stormwater Web Page Construction Site Erosion and Private BMP FAQs

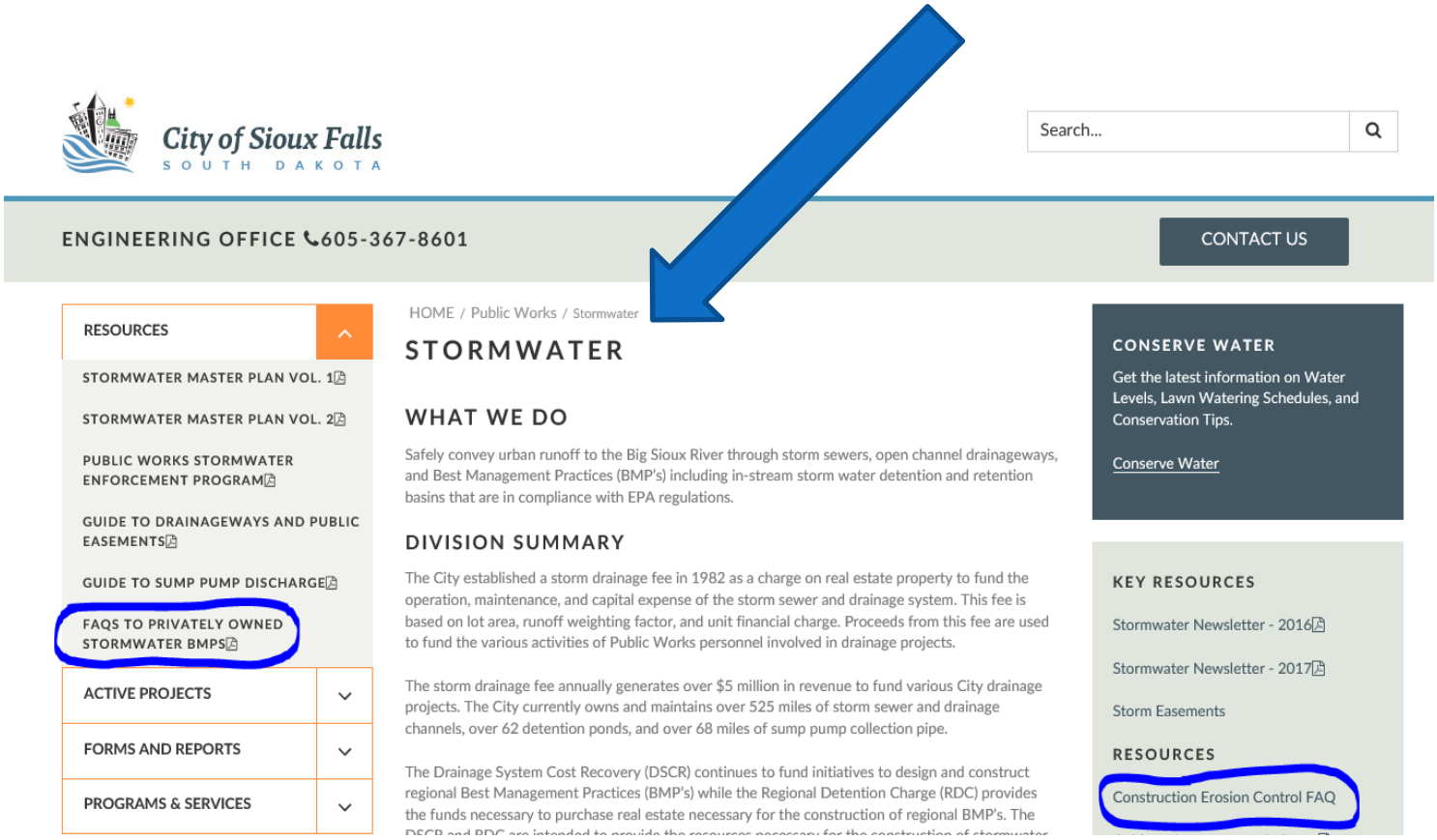
The City's Stormwater web page has a lot of information to offer. If you're looking for standard erosion control plates, proper BMP installation, or general stormwater information, it can be found here.

This year the Environmental Division created an interactive **Construction Erosion Control FAQ**. This FAQ covers topics such as paperwork with the SDDENR, proper stabilization, and even good housekeeping on construction sites.

The FAQ was created in hopes that it will help to close the gap of knowledge between the public, contractors, and the Public Works Environmental Division. It is also intended to aid the City's efforts in educating contractors and the public on relevant stormwater regulation and best management practices (BMPs).

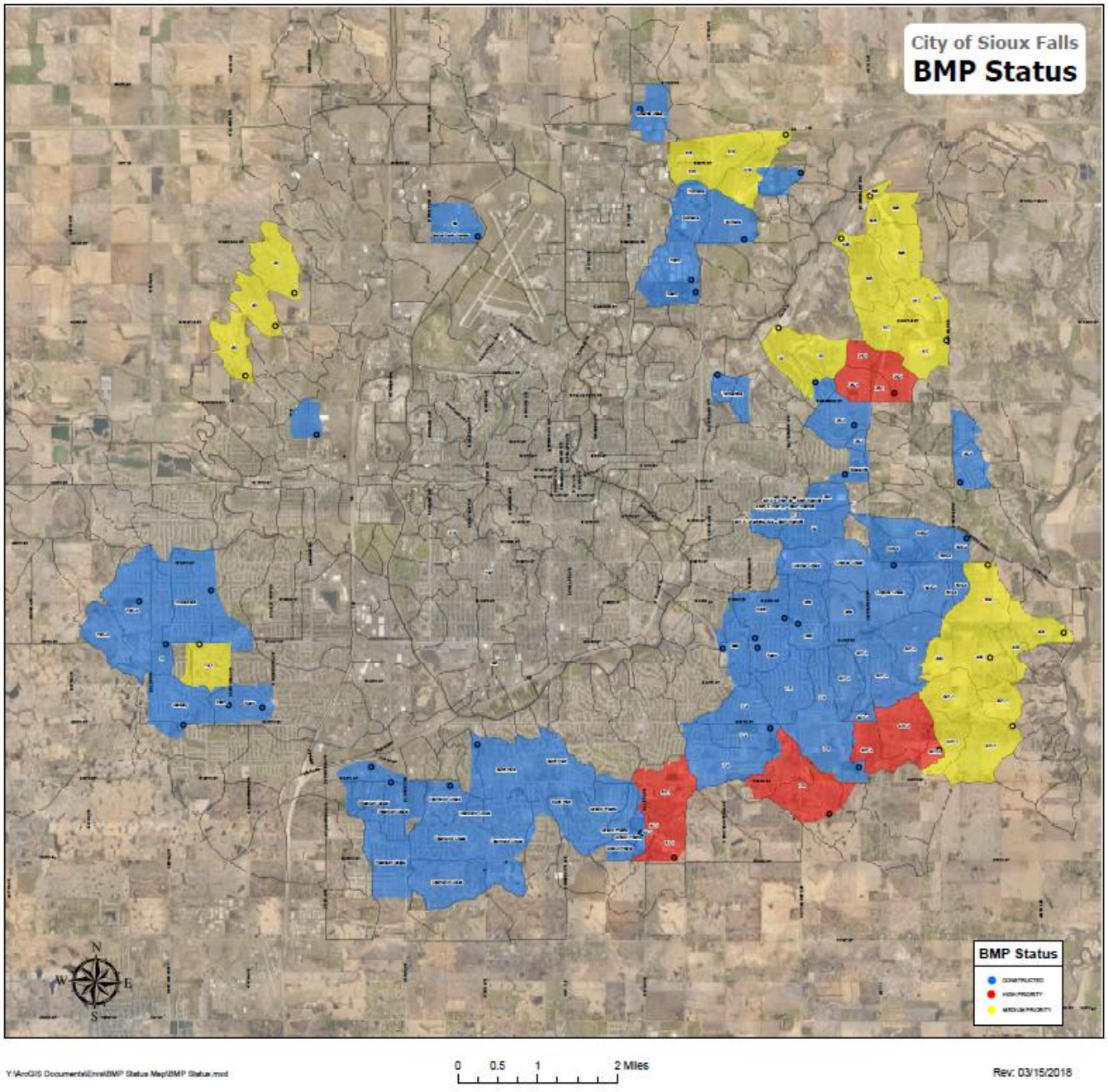
Another important resource found on the stormwater webpage is **FAQs to Privately Owned Stormwater BMPs**. In 2017, the City clarified the City's inspection and regulatory authority to ensure privately owned BMPs are operated and maintained to achieve stormwater treatment guidelines. The City has been inspecting privately owned stormwater BMPs and developed the FAQ resource to answer BMP owners' common questions.

The City's Stormwater page can be found at: siouxfalls.org/stormwater.



Regional BMP Construction Update

Water quality was improved for 900+ acres in 2017 with the substantial completion of Regional BMP 303-4 and Regional BMP 25-3. Regional BMP planning continues in 2018 with the summer/fall construction of Regional BMP 25-1W to provide stormwater treatment and detention for the watershed near Veterans Parkway and East Madison Street. The Stormwater Division is pursuing land acquisition in 2018 for 2019 construction of Regional BMP 7-4 near 69th Street and Sycamore Avenue. In advance of development, additional Regional BMPs are in various stages of planning throughout Sioux Falls as indicated on the below BMP Status map. Red on the below map anticipates construction within five years, yellow anticipates construction greater than five years, and blue is constructed. The below map is for general information, and specific questions regarding Regional BMP coverage should be directed to Engineering at 367-8601.



Enforcement Policy Updates

The City of Sioux Falls Environmental Division spent the winter months developing a strategy to ensure public complaints were being handled in the best possible manner. City staff and the public alike were continually noticing common issues such as tracking mud into the roadway, and a goal was set to make the enforcement process more efficient yet still fair.

With the goal of efficiency and fairness in mind, meetings were held with staff from the City's Attorney Office and the Building and Zoning Divisions to make sure the best policy was put in place. In November 2017, a letter was sent to 900+ individual homebuilders and contractors to reflect an internal shift in policy to address common complaints handled by our office.

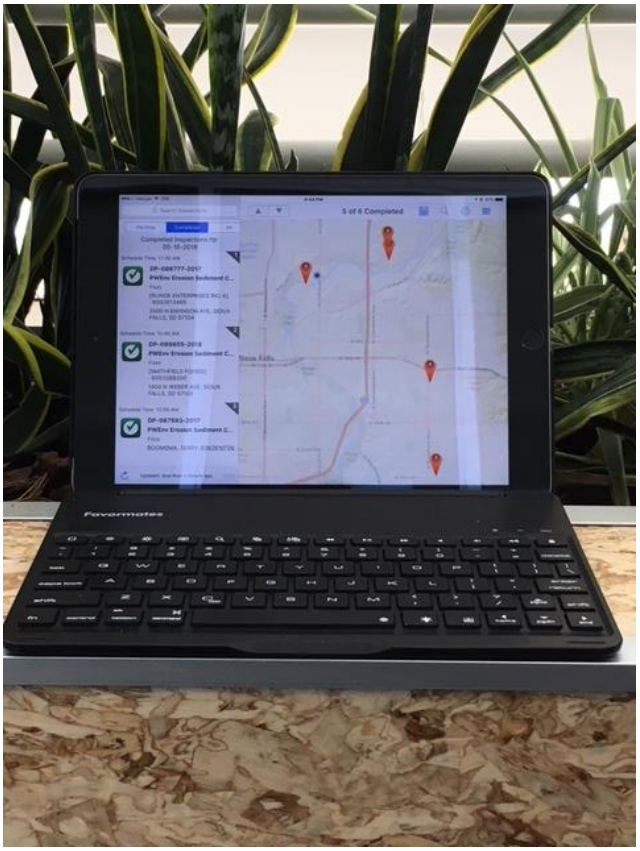
A highlight of the important information within the letter is below:

1. When an erosion and sediment control (ESC) violation is noticed by an inspector, the address and responsible party will be documented and contact will be made with the proper person(s).
2. A follow-up visit will be scheduled based on the nature of the violation.
    a. Example: For a tracking violation, a site visit will be scheduled the next working day to ensure the road was cleaned at the end of the previous day.
3. If the problem is not fixed at the follow-up inspection, the Environmental Division will move directly to a written notice of violation (NOV).
    a. This NOV will put the responsible party on notice for **all ongoing construction projects under said party's supervision throughout the city**.
    b. If the problem is deemed to have impacted downstream drainage within the City's storm drainage system, the responsible party will be held accountable for all necessary cleanup efforts.
4. If issues still exist after the issuance of the NOV, the responsible party will be moved to formal enforcement via citation. **Please note: The responsible party will receive an NOV and a citation for any site with problems similar to the initial NOV within the standard 12-month rolling period.**

New EnerGov Inspection Process

Starting last year, the City of Sioux Falls began the process of tracking all sites with stormwater discharge permits and performing the necessary inspection through the City's EnerGov software. To date, all commercial, industrial, or site-specific construction can be tracked in ENERGOV. The Environmental Division worked to establish its own process within EnerGov to allow for better tracking and administration of all sites within the City's MS4 System. The introduction of an iPad with the proper application to communicate with EnerGov has allowed for the inspection process to be highly efficient. In most cases, the inspector has already sent the report to the necessary individuals before even stepping off site. This is very similar to how the new inspection process is for Building Inspectors.

The use of the new system, iPad and all, has allowed for the Environmental Division to keep better watch over all of the construction in town while still maintaining a low level of intrusion into the process of issuing building permits to the builders.



PAM-12 Not Ideal for Steep Slopes

The City of Sioux Falls would like to make the announcement discouraging the use of PAM-12 on any slopes greater than 5:1. Past experience within the city has proven that Pam-12 is ineffective in most cases when applied to any slopes steeper than the mentioned 5:1. It may still work as a tacking agent for mulch, but it should not be used on its own. If the use of PAM-12 is suggested by any developers or builders in the area, then it will be reviewed on a case-by-case basis to ensure it is being used in the most beneficial way possible. PAM-12 has been proven to underperform without being used in conjunction with other surface stabilizing methods due to the nature of the weather in this region.

Slope too steep for PAM-12 application