

# Bureau of Development Services

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## Title 10 - Erosion and Sediment Control

Presentation to City Council

September 14, 2022



**Bureau of  
Development  
Services** FROM CONCEPT  
TO CONSTRUCTION



# Proposed Amendments to Title 10

## Context

- Part of larger project to update codes and rules that govern water quality under City's permits from State under the Clean Water Act (National Pollutant Discharge Elimination System Municipal Separate Stormwater Permit – “MS4 Permit”)
- Erosion and Sediment Control Manual (BDS)
- Enforcement Administrative Rule (BDS)
- Stormwater Management Plan (BES)

# Proposed Amendments to Title 10

## Context

- Manual is administrative rule; not voting on this or Enforcement Administrative Rule
- Manual and Enforcement Rule are where the details of program reside
- Public comment process
- Why Title 10 changes necessary

# Background



## What does Title 10 do?

- Provides requirements for ground-disturbing activities related to construction to:
  - Reduce sediment and pollutants contained in erosion caused by construction and development
  - Reduce sediment and pollutants entering storm drainage systems and surface waters from ground-disturbing activities

# Background

## Where Title 10 Applies

- All ground disturbing activities
- Permit and inspections required for disturbance over 500 square feet or Special Sites
- Applies to private and public projects

# Principles of Erosion and Sediment Control

- Best management practices to prevent discharges from leaving a development site
- Emphasize site planning and erosion prevention
- Inspect and maintain erosion and sediment control measures, particularly after heavy rains
- Manage construction site pollutants generated from equipment operations, concrete work, and trash and debris disposal, etc.
- Permanent site stabilization after project completion

# Proposed Amendments to Title 10

## Proposed Changes

- Move details regarding minimum requirements and procedures for revising erosion control plans to Erosion and Sediment Control Manual
- Clarifying that bureaus may adopt enforcement administrative rules
- Amending the BDS Enforcement Fee and Penalty Schedule
- Delete reference to review boards
- Add escalating penalties and fines for non-compliance

# Proposed Amendments to Title 10

## Timeline

- Effective by November 1, 2022 – Per MS4 Permit requirements
- Second reading of T10 amendments September 21, plus 30 days
- Erosion and Sediment Control Manual, Enforcement Administrative Rule, and Stormwater Management Plan out for public comment



# BDS Enforcement Administrative Rule

- Amending BDS Enforcement Fee and Penalty Schedule to support new BDS Enforcement Administrative Rule
- New rule reflects nature of continuing monitoring and maintenance needs throughout construction process
- Sets escalating penalties relative to nature and recurrence of violations
- Administrative review for cited violations



# QUESTIONS?

