



SITE DISTURBANCE PERMIT OVERVIEW

The purpose of the Site Disturbance Permit is to establish a system of permitting, inspection, and enforcement to control soil erosion from wind and water on land that is undergoing earth disturbing activities and to prevent sediment and pollutants generally found on construction sites from being transported onto adjacent property, and into storm drainage systems, waterways, streams, rivers, ponds, or other areas.

The City is required under the Colorado Department of Public Health and Environment (CDPHE) Colorado Discharge Permit No. COR-090013 to oversee construction sites within its jurisdictional boundaries. Developers and owner/operators must implement best management practices (BMPs) at construction sites to reduce to the maximum extent practicable pollutant loading in the air and in receiving waters that may threaten aquatic life, wildlife, and human health.

A Site Disturbance Permit is required for all construction activities that create a disturbance of more than 10,000 square feet, including stockpiles and building material storage areas. Sites less than 10,000 square feet that were part of an active or incomplete larger development, must also apply for a Site Disturbance Permit.

SITE DISTURBANCE PERMIT PROCESS

The following documentation must be submitted to obtain a Site Disturbance Permit:

- Erosion and Sediment Control Plan for City review
- Grading Plan
- Truck Route Map to and from site
- Collateral in the form of a Letter of Credit or Cash Escrow
- Site Disturbance Permit Fee
- Narrative Stormwater Management Plan (*if greater than one acre*)
- Copy of State Stormwater Discharges Associated with Construction Activity Permit Certification page (*if greater than one acre*)
- State Dewatering Permit (*if discharge does not meet the criteria to be covered under the State Stormwater Discharges Associated with Construction Activity Permit*)
- Army Corps of Engineers 404 Permit (*if working within the boundaries of a waterway or wetland area*)

All forms, supporting documentation, and the Site Disturbance Permit Ordinance can be found on the City's website at www.arvada.org/business/permits-and-applications/site-disturbance-permit.

To get started, complete the Site Disturbance Permit Application online by pressing the green "eTRAKIT Application" button. It will be necessary to set up a User name and Password on eTRAKIT if you have not used this program in the past. Once an Application is submitted, a Site Disturbance Permit number will be assigned to the project, which will be used throughout the project for tracking inspections.

The City must review and approve Erosion and Sediment Control (ESC) Plans and Stormwater Management Plans (SWMP). In general, Arvada's development process, where a project is vetted through all applicable Programs in the City, is utilized to satisfy the needed reviews. Smaller sites can upload the erosion and sediment control plan with the Site Disturbance Permit application into eTRAKIT to be reviewed.

To begin the review process, the following documents must be submitted:

- An ESC Plan showing the BMPs proposed for the project. Plan requirements are found in the Site Disturbance Permit Ordinance and have been attached to this summary. Projects that disturb greater than 5 acres must submit three different phases of the erosion and sediment control plans:
 - Initial Grading (before any improvements),
 - During Construction (during utility and vertical construction), and
 - Final Stabilization.
- City of Arvada or Urban Drainage and Flood Control District BMP Details. If single family homes or duplexes will be constructed, a lot-specific detail such as Arvada Detail SW-11, must be included.
- Erosion and Sediment Control Plan Notes
- Narrative Stormwater Management Plan (A SWMP Template can be found on the City's Site Disturbance Permit website.)

Once the review comments have been addressed and the resubmittal is deemed complete, the City notifies the applicant that the plans have been approved. Escrow, fees, and remaining requirements must be submitted to obtain the Site Disturbance Permit. All fees can be submitted online as well.

An approved plan must be kept at the job site at all times.

Once the permit is approved, it is issued to the applicant who then installs initial BMPs and schedules an Initial Inspection with the assigned Municipal Inspector. Failure to contact the City to schedule an Initial Inspection could put the site in violation of Permit requirements and affect the ability to obtain other City permits.

SITE DISTURBANCE PERMIT INSPECTIONS

Routine inspections are required to ensure that BMPs are installed correctly, adequate, and functioning. Both the applicant and the City conduct inspections of the project. The City should be notified and an inspection scheduled by calling 720-898-7640 when the following occurs:

- After BMPs are installed but before the start of construction.
- When stabilization occurs and prior to removal of temporary BMPs or when final landscaping is complete.

Inspections Conducted by the Applicant or Their Designee

The applicant or his/her designee must conduct inspections of all erosion and sediment control measures at least every fourteen (14) days. Post-storm inspections must be conducted within 24 hours after the end of any precipitation, windstorm, or snowmelt event that causes surface erosion. Inspections shall include observations for evidence of, or potential for, pollutants entering the storm drainage system of:

- Construction site perimeter,
- Disturbed areas,
- Material storage areas that are exposed to precipitation,
- Discharge locations,
- Locations where vehicles access the site, and
- Erosion and sediment control practices identified in the Site Disturbance Permit and/or SWMP

All inspections shall be documented in written form and maintained with the onsite Site Disturbance Permit. An Inspection Form should be used to contain, at a minimum, the name of the inspector, the date of the inspection, and any concerns noted during the inspection. A generic Inspection Form can be found on the Site Disturbance Permit webpage.

It is recommended that a Corrective Action Log be maintained describing the repair, replacement, and maintenance of BMPs undertaken based on the inspection and maintenance procedures, date completed, and note the person that completed the work. Actions related to the findings of an inspection should reference the specific report. The Corrective Action Log should also describe changes and updates to the SWMP, including additions of new BMPs, replacement of failed BMPs, significant changes in construction activities or their timing on the project, changes in personnel, changes in inspection and maintenance procedures, and updates to site maps.

Construction sites are inherently always changing. As the site changes, the SWMP and ESC Plans must be updated. For example, if a straw wattle is used instead of a silt fence, note that change in the SWMP and on the ESC Plans, along with the date the change was made and initial the change. Revisions must be made on the SWMP and ESC Plans within 72 hours of changes in the field. Major BMP changes from those approved during plan review must receive the City Inspector's approval.

Should revisions to BMPs be implemented as a result of deficiencies noted during site inspections, those revisions must be approved by the City and. Copies of Inspection Reports and Corrective Action Logs must be made available to the City upon request.

Inspections Conducted by the City

City Inspectors may enter the construction site as necessary to make regular inspections to ensure that BMPs are installed, adequate and functional, to confirm the validity of the reports completed by the applicant, and to ensure that the SWMP and ESC Plans are updated. *City inspections do not function as the inspection required to be conducted by the applicant.* The City will transmit, normally within one business day, notification that an inspection was completed and provide the results of the inspection. The developer can access eTRAKiT at www.arvadapermits.org to view the actual inspection report.

The expectation is as follows:

- BMP failures, such as a downed silt fence, misaligned inlet protection, or buried check dams, must be corrected immediately but no later than 24 hours after the report is issued.
- BMP maintenance must be conducted no later than 7 days after the report is issued.

If the result of the Routine Inspection is a **Compliance Advisory**, the City schedules a Follow-up inspection within 7 days. City Inspectors attempt to contact the developer when issues are found. The Inspector may approve a request in writing from the developer to make an exception to the replacement or maintenance deadlines if an acceptable reason is provided that is deemed by the City to be adequate.

VIOLATIONS, ENFORCEMENT ESCALATION, AND APPEALS

Through the inspection process, the City notifies the applicant or designee of issues that could become violations. Within seven days of notification, the City will conduct a Follow-up inspection. Should the applicant not address the issues identified in the Routine inspection, those same issues are then noted on the Follow-up Inspection Report and the enforcement process will begin. Enforcement may include but not be limited to the following:

- Fines up to \$999 for each offense¹
- Withhold City Inspections
- Withhold Building Permits
- Withhold Certificates of Occupancy
- Issue a Stop Work Order

¹ Any permittee violating any of the provisions of Article or the approved Site Development Permit shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of Article IV is committed, continued or permitted, shall constitute a separate offense.

In addition, if the erosion and sediment control measures fail to function properly, and the above remedies have not been effective in producing adequate results on the site, the City may do the required work or cause it to be done and collect from the person or their security all costs incurred, including a fifty (50) percent administrative and inspection fee.

Should a construction site be in noncompliance with the conditions of the Site Disturbance Permit on a regular basis, the developer will be considered in systemic violation, which may result in less time allowed to address issues or another applicable enforcement mechanism.

Appeals

Appeals should be directed to the Engineering Services Manager, with a copy provided to the Stormwater Administrator. The Appeal should state the issue being appealed and provide background information and applicable documentation. Any summary provided should, where applicable, include dates and times, specific locations, and names of parties involved.

SITE DISTURBANCE PERMIT TRANSFERS, AWARDS, OR TERMINATION

Should ownership of a construction site or the site developer change, the Site Disturbance Permit responsibilities will also change. All forms to transfer responsibilities for the entire site or a portion of the site can be found on the City's website at www.arvada.org/business/permits-and-applications/site-disturbance-permit. It is not necessary to complete a Transfer Form when only the Site Disturbance Permit contact changes. However, contact changes should be communicated to the City. Note that although the Site Disturbance Permit contact is not required to be licensed with the City, public improvements can only be installed by licensed contractors.

Sale of a Portion of the Site

In the event an applicant sells, conveys, assigns all or part of a site that is subject to a Site Disturbance Permit, the new owner of the site shall either (i) agree with and be subject to the terms and conditions of the Site Disturbance Permit as approved that are applicable to the portion of the site acquired by the new owner, or (ii) obtain a new and separate Site Disturbance Permit.

Should the portion of the Site Disturbance Permit assigned to a new owner contain an area 10,000 square feet or less, a new Site Disturbance Permit will be issued to the new owner without charge.

The sale of individual lots to private homeowners where structures have been built and completed will not release the applicant from the obligation to prevent sediment from moving from these lots onto the areas still covered under the Site Disturbance Permit.

Termination of the Site Disturbance Permit

Once the project is complete, the Site Disturbance Permit will need to be terminated. Often the City inspector will terminate the Permit provided that:

- The site is permanently stabilized,
- Final site conditions are in accordance with permit conditions, and
- Temporary BMPs are removed.

The City may terminate a permit based upon inactivity and permanent stabilization without a form submitted, upon notice sent to the Site Disturbance Permit contact when to do so is in the best interest of the city.

ATTACHMENTS

- 1) Site Disturbance Permit Requirements
 - a. Clearing and Grading
 - b. Erosion and Sediment Control
 - c. Erosion And Sediment Control Maps and Stormwater Management Plan
- 2) Erosion and Sediment Control Plan Notes

SITE DISTURBANCE PERMIT REQUIREMENTS

Below is a list of requirements found in the Site Disturbance Permit Ordinance for clearing, grading, erosion, and sediment control.

Clearing and Grading

- (1) Clearing techniques that retain natural vegetation and retain natural drainage patterns shall be incorporated to the maximum extent practicable.
- (2) The maximum area of earth disturbance at any one time is sixty (60) acres. Exceptions to this phasing requirement, up to fifty (50) percent more of the maximum sixty (60) acres, may be granted with written approval from the Engineering Services Manager.
- (3) Clearing, except that which is necessary to establish sediment control devices, shall not begin until initial erosion and sediment control BMPs have been installed.
- (4) Final grading shall be performed in such a manner as to provide adequate drainage. Drainage from the project must be controlled so it will not result in property damage or a polluted discharge. Whenever possible, grading will be conducted to divert runoff around disturbed areas.

Erosion and Sediment Control

- (1) BMPs shall be installed as per plan location and as per plan specifications to prevent the movement of dust or sediment from the site.
- (2) Soil must be stabilized within thirty (30) days of inactivity. Soil stockpiles must be stabilized or covered when remaining in place for 30 days or more.
- (3) If vegetative erosion control methods, such as seeding, have not become established within the scheduled growing season as indicated in the SWMP or the erosion and sediment control plan, an additional vegetative option, or a non-vegetative option be employed.
- (4) On slopes 3:1 or greater or in drainageways, special techniques that meet the design criteria in the most recent version of Urban Storm Drainage Criteria Manuals published by the Urban Drainage and Flood Control District, the city's Engineering Standards and Specifications, and the city's Land Development Code shall be used to ensure stabilization.
- (5) Best management practices shall be installed to control potential tracking onto roads and city right-of-way. Should off-site tracking occur, all practicable measures to clean roads and storm drainageways, at a minimum by the end of each work day, must be utilized.

Erosion And Sediment Control Maps And Stormwater Management Plan

The Site Disturbance Permit Erosion and Sediment Control maps and SWMP must show the following:

- (1) Construction site boundaries and all areas of earth disturbance, including areas of cut and fill, locations of springs, wetlands, and other surface waters including dry drainageways.
- (2) Contours will not be more than one (1) foot intervals on individual lots, will not be more than two (2) foot intervals on other submittals, and shall show both existing and proposed grade on an appropriate scale and proposed parcel-specific and lot-specific drainage. We recommend showing contours at least 50 feet past property boundaries.
- (3) A sequence of construction, including 1) stripping, clearing, and rough grading, 2) expected date on which clearing will begin, 3) the sequence of clearing, 4) the estimated duration of exposure of cleared areas, 5) installation of temporary erosion and sediment control measures, 6) construction of utilities and infrastructure, and 7) construction of buildings, final grading and landscaping, and 8) establishment of temporary and permanent vegetation.
- (4) Erosion and sediment control measures necessary to meet the objectives of the Site Disturbance Permit throughout all phases of construction and permanently, after completion of development of the site.
- (5) Installation details of each erosion and sediment control practice to be utilized on-site in accordance with the specifications found in the most recent version of Urban Storm Drainage Criteria Manual, Volume 3---Best Management Practices, published by the Urban Drainage and Flood Control District.
- (6) Erosion and sediment control practices to be utilized on-site are in accordance with the State of Colorado Stormwater Discharges Associated with Construction Activity Permit standards.
- (7) For any development proposed within the city for which a Stormwater Management Plan must be prepared and implemented pursuant to the laws or regulations of the State, a copy of the Plan shall be submitted to the city along with the Site Disturbance Permit Application.
- (8) Any additional information needed by the city to properly evaluate the application.

In all submittals, include the Erosion and Sediment Control Plan Notes that are attached

City of Arvada

Standard Erosion and Sediment Control

Construction Plan Notes

October 25, 2019

1. At any time the City determines the project to be out of compliance with erosion and sediment control / good housekeeping requirements, they have the authority to immediately stop work on the project until the determination has been made by City staff that the site has regained compliance with requirements.
2. The Contractor shall ensure stormwater quality best management practices shall be implemented to minimize soil erosion, sedimentation, increased pollutant loads, and changed water flow characteristics resulting from land disturbing activity to the maximum extent practical, so as to minimize pollution to the MS4 or receiving waters.
3. Contractor shall be responsible for any required State or local permits. Standard fees for the City permit shall be waived by the City. The City reserves the right to withhold retainage on a project as necessary for performance of maintenance on best management practices (BMPs) due to Contractors failure to comply or perform erosion control measures in accordance with this plan.
4. At a minimum, all BMPs as generally outlined in standard drawings, in accordance with City of Arvada Site Disturbance permit requirements and in accordance with approved installation and maintenance details, will be correctly installed and functioning as designed at all times.
5. Contractor shall designate an erosion control representative available on-call at all times. Representative shall perform routine and post-storm inspections of all BMP's per City Site Disturbance permit requirements.
6. All BMPs identified by the City as deficient shall be maintained, repaired, or installed by Contractor as soon as possible, in most cases immediately.
7. Contractor is responsible for implementing and maintaining erosion and sediment control measures at all times before, during, and after land disturbing activities. Such measures shall be placed as construction sequencing and access dictates. Contractor shall remove all sediment from erosion control measures after each erosive event, as needed, and at the direction of the City.
8. The City may request the modification of the erosion and sedimentation controls as field conditions warrant.
9. See Arvada details for BMP installation and maintenance standards for the following BMPs: rock socks, inlet protection, silt fence, sediment control logs, concrete washout area, erosion control blanket, stabilized staging area, and vehicle tracking control. Other approved BMP installation / maintenance details can be found in the UDFCD Volume III Criteria Manual.
10. Surface drainage passing through or originating from each site shall be treated / captured by one or more BMPs dependent on area of disturbance.

11. Soil stabilization measures shall be implemented within 14 days to all disturbed areas that may or may not be at final grade but will remain undisturbed for periods longer than 30 calendar days or for an indeterminate length of time.
12. All temporary erosion and sediment control BMPs must be removed upon final stabilization.
13. All construction wastes, fuel, lubricants, chemical wastes, trash or debris shall be contained when stored on site and protected from contact with rain / snowfall or surface runoff. Proper disposal of such wastes shall be immediate and the responsibility of the contractor.
14. Routine vehicle maintenance shall not be performed on site. If equipment maintenance / repair becomes necessary, appropriate BMPs will be implemented such as drip pans, spill materials, etc. On site fueling should be performed by delivery vehicles with adequate spill prevention and response capability.
15. Concrete washout activities must be conducted in a manner that does not contribute pollutants to surface waters or stormwater runoff. Concrete washout shall be performed in a designated concrete washout area or offsite washout. Portable units are acceptable with a manufactures specification.
16. Contractor is responsible for controlling dust emissions. A water truck shall be used within twenty four (24) hours of request by City.
17. Contractor is responsible for the removal of tracked materials on streets, sidewalks, driveways, or parking lots. Tracked material will be removed immediately by scraping and sweeping. Flushing materials from hard surface with water are prohibited. Contractor will have access to means of mechanical sweeping at all times.
18. Areas to be reseeded at the completion of utility installation or grading activities should be in accordance with UDFCD Volume III Seed/Mulch specifications.
19. Necessary erosion control measures must remain in place and functioning as designed until a viable vegetative cover has been established or road resurfaced.
20. In high traffic areas where lane closures are opened at the end of the work day, BMPs may be removed at the end of the day and reinstalled at the beginning of the next work day provided all dirt and materials are removed from the area and at the discretion of the City of Arvada inspector.