



RESPONSE TO PUBLIC COMMENTS STORMWATER PROGRAM IMPLEMENTATION PLAN (NOVEMBER 2016)

NOVEMBER 2, 2016

On July 21, 2016 the City of Colorado Springs released to the public a draft Stormwater Program Implementation Plan (July 2016) (SPIP). The City invited public comments and suggestions on this draft document.

The City has received several comments and suggestions on the draft SPIP. The City thanks the commenters who submitted remarks. It has considered their ideas and suggestions carefully.

Significant comments and suggestions received by the City on the draft SPIP are summarized in this document. A brief response by the City is also provided.

General

A commenter suggests that the draft SPIP omits a topic that should be included in the final SPIP. In particular, the commenter seeks discussion of past City stormwater design review process decisions.

This topic is not addressed in the final SPIP because the SPIP is not the appropriate place for such a discussion. The SPIP is a planning document. Its purpose is to describe how the City plans to improve and implement, from this point forward, its stormwater program. Its purpose is not to evaluate or analyze stormwater practices in the past, regardless of whether or not those practices were proper in the view of the commenter.

The text of the SPIP summarizes three more detailed documents. These documents are attached in full as appendices to the SPIP. The three appendices provide considerable detail about the City's planning process to improve its stormwater program.

- Appendix A – MS4 Program Improvement Plan. The Municipal Separate Storm Sewer System (MS4) Program Improvement Plan describes the City's plan to create a new Stormwater Division, add technical staff, increase budget, and develop program elements under the City's MS4 permit. The MS4 Program Improvement Plan has been under development for many months. The City will continue to evaluate this plan and look for ways to improve its stormwater program. The City might change planning recommendations in the future should experience demonstrate that another path will be more beneficial in meeting the stormwater program objectives.

- Appendix B – Capital Program Delivery Plan. This plan addresses the City’s intentions to engineer and construct large stormwater capital projects.
- Appendix C – Public Education and Outreach Program. This plan describes the City’s commitment to public education and outreach associated with both the MS4 permit and capital components of its stormwater program.

These three appendices are an integral part of the SPIP. The commenter is referred to these appendices for planned stormwater program improvement details.

The SPIP explains how the City intends to recreate and restructure its stormwater program moving forward. The SPIP sets conceptual and planning level goals and objectives. It lays a foundation for the stormwater program’s continued compliance with the terms of the City’s MS4 permit. In this sense, the SPIP is a snapshot, taken at one point in time, which describes a planning pathway to program improvements.

The SPIP does not provide the details of the various components of the City’s stormwater program. It is not intended to do so. Rather, these details are being considered and formulated by the Stormwater Division as stormwater program components are implemented and move forward. Details about components of the City’s stormwater program will continue to be documented and formalized in other Stormwater Division publications. These will include, as examples, annual reports, standard operating procedures for maintenance, guidance documents, training manuals, inspection procedures, and enforcement escalation policies.

Executive Summary

A commenter asks that the SPIP address and analyze past City activities under the City’s MS4 permit.

The SPIP is a planning document. It looks to current and future development of the City’s stormwater program. The SPIP is not intended to analyze or examine past stormwater activities within the City. This comment is beyond the scope of the SPIP.

Section 2.1: BACKGROUND

A commenter suggests that the recent Colorado Springs Stormwater Enterprise (SWENT) could be reestablished to fund the City’s stormwater program.

The funding for the SWENT was ended by City Council resolution in 2009. The elected leadership of the City has decided to fund the City’s ongoing stormwater program through monies in the General Fund.

Section 2.3: BACKGROUND

A commenter notes that the SPIP's comparison of the City's projected stormwater program spending to the spending of other municipalities does not consider the backlog of stormwater projects present in the municipalities being compared.

The City's funding and staffing commitments, as described in detail in the SPIP, are more than adequate to protect public safety, protect the environment, and comply with the City's MS4 permit moving forward.

As in every municipality, the City balances its funding for its stormwater program against its need to fund other vital City services, including police and fire services, among many others. The funding balance struck in the SPIP includes appropriate funding for inspections, maintenance, rehabilitation, future capital projects, development plan review, public outreach, and other stormwater programs.

Colorado Springs' stormwater control program challenges, including the City's backlog of stormwater control projects, are very similar to those faced by other cities across the country. The SPIP describes the City's carefully considered plan to address these needs going forward.

Section 3.2: STORMWATER PROGRAM ORGANIZATIONAL CHANGES, STAFFING CHANGES AND ADDITIONS

A commenter suggests the City remain flexible about the number of full-time-equivalent employees in the City's stormwater program. The commenter also asks how the City's street sweeping group is used in the stormwater program.

The City agrees with this commenter's advice to be flexible in staffing requirements in the Stormwater Division. The City will continue to evaluate and adjust the organizational structure and staffing levels as appropriate to address the needs of the community and for the purposes of MS4 program compliance.

Additional street sweeping resources benefit the City's stormwater program by: (1) assuring potential sources of pollutants are removed from street surfaces at a frequency that protects water quality; and (2) providing additional "eyes and ears" in the field to identify and report potential illicit discharges. Street sweeping staff is cross-trained to support other duties within the drainage operations and maintenance program. This includes inspection and maintenance of publicly-owned permanent BMPs, drainage channels, storm sewer infrastructure, and other drainage operations and maintenance related duties.

Specific training programs are being developed by the City.

Section 4.0: MS4 PROGRAM ORGANIZATIONAL CHANGES

A commenter underscores the importance of cross-training between the City's Operation and Maintenance Division and the City's stormwater program.

The City agrees with this commenter that this type of cross-training is important.

The SPIP describes a planning approach for stormwater program improvements. The details of these improvements are being created by the Stormwater Division. Among many other activities, the Stormwater Division is working on:

- Staffing and subject matter for cross-training staff in the Operation and Maintenance Division on stormwater issues (e.g., detecting and reporting potential illicit discharges).
- Documenting inspections and enforcement activities.
- Training development plan review staff.
- Reviewing, tracking, inspecting and maintaining permanent BMPs.
- Training of municipal facilities managers and operators on installing and maintaining BMPs and illicit discharge prevention and response.

Section 5.1.1: PROGRAM ENHANCEMENTS

A commenter asks how the City is tracking completion of tasks described in the SPIP. The commenter also asks about the Stormwater Management Plan described in the draft SPIP.

An implementation plan table is provided in the final SPIP. The tasks in this table are tracked internally within the Stormwater Division and regular reports are provided to Stormwater Division leadership.

The Stormwater Division expects to complete these tasks in the timeframes set forth in this table in the SPIP. The Stormwater Division also recognizes that schedules for particular activities or tasks may change due to unforeseen circumstances. Dates in this table may change from time to time.

The Stormwater Management Plan (SWMP) described in the draft SPIP will be renamed the Program Description Document (PDD) going forward. This change is adopted to be consistent with terminology in the City's MS4 permit.

The forthcoming PDD will describe the specific activities performed by the City under the City's MS4 permit. PDD elements under the MS4 permit already exist but are not yet gathered in one place.

Section 5.1.2: PROGRAM ENHANCEMENTS

A commenter asks the City to explain how it is meeting SPIP inspection goals.

In the final SPIP, some inspection tasks, scheduled in the draft SPIP for commencement or completion in the first 6 months of 2016, are deferred to later in 2016. These scheduling changes are the result of experience gained by the Stormwater Division as it implements the SPIP.

An initial high-level review of certain public waterways, stormwater infrastructure and public BMPs is now being conducted by the City. This inspection is scheduled to be completed by the end of 2016. This inspection uses the City's current inspection Standard Operating Procedures (SOPs). A more comprehensive inspection by the City will be conducted as part of the City's proposed Stormwater Infrastructure Master Plan (SIMP) and Stormwater Channel Assessment Program (SCAP). A consultant to undertake the SIMP is scheduled to be selected by the first quarter of 2017.

Section 5.1.3: PROGRAM ENHANCEMENTS

A commenter asked about the City's progress completing activities in Table S-2 of the draft SPIP. The commenter also asked about progress on the City's enforcement guidelines.

The City has commenced or completed each of the activities identified within the first 6 months in Table 8-1 of the final SPIP (November 2016). Table 8-1 is an update of Table S-2; Table S-2 is located within the draft July 2016 Supplement to Appendix A – MS4 Program Improvement Plan. The City is near completion of its enforcement guidelines. It expects to adopt those guidelines soon.

Section 5.1.5: PROGRAM ENHANCEMENTS

A commenter asked about the City's progress with its training programs under the SPIP.

Training of City inspectors (to conduct construction site, industrial site and BMP inspections) and training of drainage report reviewers (to review BMP design submittals related to the City's Drainage Criteria Manual requirements) has commenced. This training is scheduled to be complete by the end of 2016.

Ongoing City stormwater training programs are being developed within the Stormwater Division. The City anticipates compiling these training programs in the future within a Stormwater Program Training Manual or in the PDD. These documentation decisions will be made in the future.

Section 5.2.1: SPECIFIC MS4 PROGRAM COMPONENT IMPROVEMENT

A commenter asked about the interaction between the final SPIP and the 2013 Stormwater Needs Assessment completed by the City several years ago.

The City's 2013 Stormwater Needs Assessment has been superseded by the more comprehensive analyses and information in the SPIP.

The 2013 Stormwater Needs Assessment accomplished its purpose in 2013, but the 2013 report is considerably less complete and reliable than the current SPIP. For example, the 2013 Stormwater Needs Assessment did not include a comprehensive inspection and inventory of all stormwater assets. As another example, the 2013 Stormwater Needs Assessment was based on a review and validation of the existing City master stormwater project list, available at that time but even then considerably out of date. Older information has been updated in the SPIP.

The City will conduct an inventory and assessment of public waterways, drainage infrastructure and BMPs as described in the SPIP. This will be addressed within the aforementioned SIMP and the SCAP. The SIMP will create an updated inventory and condition assessment of current stormwater resources, as well as a prioritized list of capital projects and O&M actions.

The Colorado Springs Utilities Storm Water Patrol program is a post-storm inspection program that provides information on the condition of Utilities' infrastructure crossing drainageways, as well as stream segments themselves. This program benefits the City's MS4 program substantially. It provides the City with valuable information about the condition of drainageways and the locations of potential maintenance needs due to bank erosion, channel degradation, sedimentation or other reasons.

Section 5.2.2: SPECIFIC MS4 PROGRAM COMPONENT IMPROVEMENTS

A commenter asked about the City's Stormwater Program Inspector Reference Guide.

The City has commenced work on updating its Inspector Reference Guide. The Inspector Reference Guide will receive continuing updates, from time to time, based upon the field experience of the City's inspection team.

The City will describe details about construction site inspections — including goals, inspection frequency, number/percentage of construction sites to be inspected — in its forthcoming PDD.

Construction site inspectors are authorized, under the City Code and other stormwater program authorities, to apply the stormwater program's enforcement policies to address conditions and circumstances they encounter at construction sites. This authorization is adequate.

Section 5.2.3: SPECIFIC MS4 COMPONENT IMPROVEMENTS

A commenter asked about City's plans to improve its residential/commercial program component.

The City is updating its standard plan review checklists. These updated checklists will include current criteria, including the Drainage Criteria Manual 4-Step Process. The City is developing a Quality Assurance/Quality Control process for plan review. The City also recently updated its standard stormwater program maintenance agreement.

Section 5.2.4 SPECIFIC MS4 COMPONENT IMPROVEMENTS

A commenter asked about the City's industrial program component.

The City will include details about its industrial program in its forthcoming PDD. The City is developing policies and procedures for outreach to auto repair facilities and the carpet cleaning industry. The PDD will include program elements directed to assist these types of businesses.

Section 5.2.5: SPECIFIC MS4 COMPONENT IMPROVEMENTS

A commenter asked about training in the City's stormwater municipal facilities program.

The City will include details about its municipal facilities program in its forthcoming PDD. The City is developing policies and procedures for training municipal facility employees regarding illicit discharges, proper waste disposal practices, and spill prevention, response and cleanup.

Section 5.2.5 SPECIFIC MS4 COMPONENT IMPROVEMENTS

A commenter asked for more detail in the SPIP concerning the City's illicit discharge detection and elimination stormwater program.

The City will include details about its illicit discharge program in the proposed PDD. The City is currently developing policies and procedures for additional staff training and cross-training among various City Divisions for illicit discharge detection and reporting. The PDD will include program elements directed toward specific steps and timeliness for responding to illicit discharges.

Section 5.2.8: SPECIFIC MS4 COMPONENT IMPROVEMENTS

A commenter asked for details about the City's monitoring program under its MS4 permit.

The City entered its Joint Financial Agreement with USGS for stormwater program monitoring support in early 2016.

The City is evaluating its stormwater monitoring plan. It may make changes to that plan in the future.

Section 5.2.9: SPECIFIC MS4 COMPONENT IMPROVEMENTS

A commenter asked about the Creek Crossing Program of Colorado Springs Utilities and how that program interacts with the City's overall stormwater program.

The Creek Crossing Program, undertaken by Colorado Springs Utilities, provides important stormwater program benefits to the City and its downstream neighbors.

The primary purpose of the Creek Crossing Program is to protect utility infrastructure from harm as a consequence of stream bank erosion and degradation. A secondary purpose of the program is to provide stormwater control benefits. In general, the types of stormwater benefits realized from this program include creek bottom stabilization through grade control, sediment reduction, improvements to water quality, reconnection of the floodplain, reestablishment of riparian habitat and stream bank protection. This is typically accomplished through the installation of drop structures and other erosion control devices.

The City will, in the near future, include in its Standard Operating Procedure (SOP) manual, procedures concerning the stormwater program aspects of its street sweeping program.

Section 6.0: STAFFING CHANGES

A commenter asked about the City's use of supplemental outsourced staff resources in the stormwater program.

In 2016 the City addressed staff augmentation needs by entering into consulting contracts for Stormwater Division management support and refinement of conceptual plans and budgets for upcoming capital projects. The City also uses outside consultants for capital project delivery.

Supplement to Appendix A: MS4 Program Improvement Plan Table S-2

A commenter asked about details of the City's training, development review and construction programs.

Descriptions of the City's training, development review, and construction programs will be contained in the forthcoming PDD, as well as in other documents, including a Stormwater Program Training Manual.

Public Education and Outreach Program

A commenter noted difficulty reaching the City's illicit spill hotline.

The City appreciates receiving this information. The City currently is investigating alternatives to improve the performance of the illicit spill hotline.

SPIP Section 2.4

A commenter requested the location of sections with the Colorado Springs Drainage Criteria Manual describing policies related to pre and post development runoff.

The sections include Vol. 1, Ch. 3, Sec. 6.5 and Vol. 1, Ch. 13, Sec. 1 and 4.

Additional General Comments

A commenter requests the proposal of certain benchmarks for the City to achieve closure on open cases related to the regulation of construction sites.

The City agrees with the commenter that an evaluation of benchmarks for closure of open cases is worthwhile. The City will include the consideration of such a program as it creates the forthcoming PDD.

A commenter requests the plan include the hiring of a full time communications person to work with established organizations.

The City agrees with the importance of communicating with local organizations about its stormwater program. The City will review the staffing and organizational plan in the first quarter of 2017 to determine if a full time communications position is justified.