

# Elephant Po-Boys: Illicit Discharge Detection & Enforcement in the swamp

Presented by:

John Gutierrez, Jr., MS4 Coordinator – St. Charles  
Parish Department of Public Works



# Sitting down for the buffet...

- Elephant Po-boys?
- Take ownership of your domain
- Become the voice for the voiceless
- Choose your utensils wisely
  - Ordinance
  - Enforcement policy

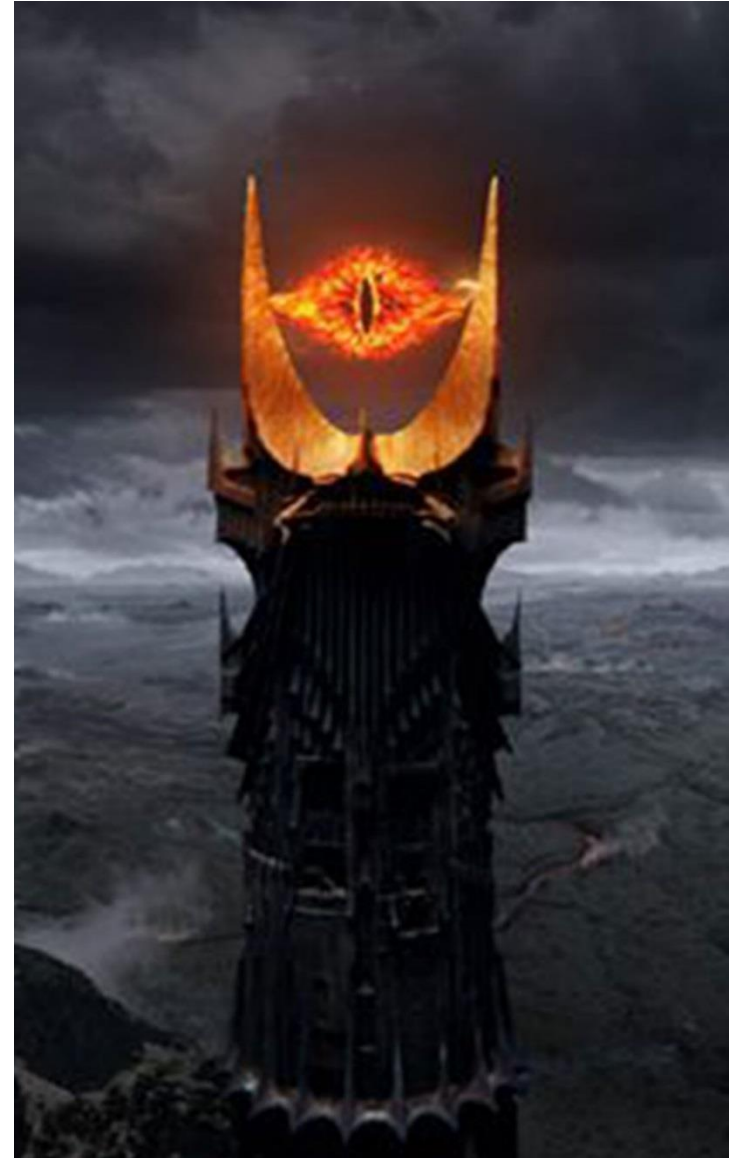


# Ordinance highlights

- §25-5(C) Exemptions can be disqualified at discretion of MS4
- §25-5(M) St. Charles parish can require response or invoice directly for services rendered
- §25-6(B) No grandfathering for illegal sewer connections
- §25-16(F) Denying inspector access is a violation itself
- §25-19(A) Parish may withdraw all issued permits to force compliance
- §25-17(D) Parish \*may\* require payment for response
- §25-20 Penalties may be avoided by immediate voluntary compliance

# The first bites...

- Be the water you defend
  - Everywhere and Nowhere
  - Residents, Coworkers, Law Enforcement, and..prior offenders?
  - Integration with local Emergency Operations
- 2015 vs 2019: Then and now





- Violation discovery

- Notification to MS4
- MS4 Site visit & documentation
- written notification (1<sup>st</sup>)

- Violator contact

- resolution & additional requirements
- additional notifications





DATE: 6/11/2018 [redacted]

ADDRESS: [redacted]

NOTICE: ☒ 1<sup>ST</sup> ☐ 2<sup>ND</sup> ☐ FINAL

THIS PROPERTY MAY BE IN  
VIOLATION OF THE  
ST. CHARLES PARISH CHAPTER 25  
STORMWATER ORDINANCE #14-1-12  
AND/OR LOUISIANA ENVIRONMENTAL  
REGULATIONS LAC 33:CHAPTER IX.

PLEASE CONTACT THE ST. CHARLES  
PARISH DEPT. OF PUBLIC WORKS  
DURING NORMAL BUSINESS HOURS  
TO DISCUSS THIS MATTER.

MS4 COORDINATOR  
ST. CHARLES PARISH PUBLIC WORKS  
100 RIVER OAKS DRIVE  
DESTREHAN, LA 70047  
985-783-5102  
MONDAY-FRIDAY 8:30 AM - 4:00 PM



INSPECTOR: J. Gutierrez

VIOLATIONS: Parish worker witnessed  
tile/mortar wash waters discharged  
to ditch on Friday, 6/8/2018  
(Ord. 14-1-12 sec. 25-5(A))

COMMENTS: concrete wash waters  
Must be discharged 50' from  
any Parish drainage conveyance  
at minimum.



# The stuffing

- Violator follow-up
  - Be reasonable with deadlines
  - Environmental considerations
- No Contact after 1<sup>st</sup> notification?
- Escalation & Police Involvement



# Almost done..

- Paperwork & Documentation

- K.I.S.S.
- A pile of paperwork means you fight from the high ground
- They'll say you did, but a photo does not lie





# The last bit..

## o Follow-up

- Documentation (yours and theirs)
- Final Site Visit

**ST. CHARLES PARISH**  
**LOUISIANA**

# VIOLATION NOTICE

DATE July 6 20 15

TO LANDOWNER AND / OR RESPONSIBLE PARTY: [REDACTED]

LOCATION: [REDACTED]

YOU ARE HEREBY ORDERED TO:

## CEASE AND DESIST

FROM ALL ACTIVITIES IN VIOLATION OF THE  
ST. CHARLES PARISH CODE, INCLUDING THE FOLLOWING:  
Operation of a construction/demolition/woodwaste business  
without stormwater discharge permit. Clearing of land < 1 ac  
w/o stormwater discharge permit. Improper storage/usage, diesel

PLEASE CONTACT THE INSPECTOR LISTED BELOW IN  
THE DEPARTMENT OF PUBLIC WORKS IMMEDIATELY.

MS4 INSPECTOR: J. Gutierrez, Jr. - John

PHONE: (985) 331-4478

CEASE AND DESIST LIFTED: \_\_\_\_\_

DATE: \_\_\_\_\_ MS4 Inspector

# Cleaning up!

- A strong ordinance is key
- Written enforcement policy prevents accusations
- Ownership
- Talk to everyone – they are your eyes and ears
- Pictures, reports, documents will protect you
- Be fair, be firm, be final.
- Big Brother is there to help
- Following up and final assessment

# The next po-boy..

## o Questions?

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MS4 Coordinator

St. Charles Parish Dept. of Public Works/Waste Water

[jgutierrez@stcharlesgov.net](mailto:jgutierrez@stcharlesgov.net)

(985)228-3901



- Chapter 25 Storm Water Ordinance

- \* [https://library.municode.com/la/st.\\_charles\\_parish/codes/code\\_of\\_ordinances?nodeId=PTIIPACO\\_CH25STMAERSECO](https://library.municode.com/la/st._charles_parish/codes/code_of_ordinances?nodeId=PTIIPACO_CH25STMAERSECO)

- \* <https://tinyurl.com/y34jg8c7>

- Enforcement Policy

- \* <https://www.dropbox.com/s/yf7wo4rg2kbatmk/MS4%20Enforcement%20Policy.docx?dl=0>

- \* <https://tinyurl.com/y4nlxs6j>