A Storm Water Management Program Document

Corporation Yard Plan

Introduction

The City's Corporation Yard Plan is required by the **General Permit for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (NPDES II)** issued to the City by the State Water Resources Board.

The **goal** of this plan for the City's Corporation Yard is to reduce and/or eliminate pollutants originating from this facility and its operations, which are discharged to the storm water collection system.

Not only do we wish to detail good housekeeping practices at the Corporation Yard, but also we wish to measure our progress and attainment of our goal. Keeping records that document our progress may do this. A number of documentation forms are included in this document for Corporation Yard personnel use.

The Plan is broken down into the several categories, based upon the physical characteristics of the facility and its operations. The Plan contains adopted City Best Management Practices or BMPs in each chapter. This plan incorporates City BMPs for:

- Vehicle / equipment cleaning
- Vehicle maintenance
- Vehicle /. Equipment parking
- Outdoor materials storage
- Waste handling / storage
- Pave and unpaved surface maintenance
- Storm water runoff / drainage

We want Corporation Yard and Public Works employees to become familiar with this document. This document is not the beginning, nor the ending of the City's efforts to reach our objective to reduce or eliminate pollutants. We want employees to recommend amendments to this document when they see or hear of a better way to reduce pollutants from City facilities reaching storm water collection points.

We will document our efforts to prevent and reduce pollutants. These records will allow us to measure and analyze our progress and guide our future actions.

Other measures are being taken by the City to reduce and prevent pollutants from sources other than City facilities and operations.

Municipal Operations Program

The Municipal Operations Program is an effort to describe the way we operate and maintain our services and facilities so that we can prevent and reduce polluted runoff. Not only do we wish to detail good housekeeping practices, but also we wish to develop goals that will measure our progress and attainment of our goals.

The Program is broken down into the several categories with City BMPs

- Fixed Municipal facilities
- Street sweeping and cleaning
- Municipal sidewalks, plazas and parking lots
- Municipal landscaped areas (parks, medians, open space, etc.)

- Municipal storm sewer inlets and pipe cleaning
- Municipal detention and retention basins
- Hardscaped surfaces (streets, alleys, sidewalks, etc.) repair and maintenance

Employee Training Program

On on-going employee training program will be implemented. The training program intends to:

- Involve employees in the process of determining the many ways the City can reduce and prevent Stormwater pollutants
- Inform employees of how and when to properly implement BMPs
- Explain the City's expectations of each employee and their role in reaching The Program's goals

The City's General Permit also requires builder / developer training in certain instances.

A training manual will be adopted. A training officer will be appointed to administer the employee training program and training records will be kept for each employee participating in a 'tail-gate sessions' or more formal classroom exercises or courses of study.

California Municipal BMP Handbook

The California Municipal BMP Handbook is referenced in this document. The BMPs referenced in this document are not the same as the adopted City BMPs. The California Municipal BMPs may be used for reference, training or can be adopted, where applicable, to supplement the City BMPs.

Corporation Yard Plan Administration

The Public Works Division of the Community Development Department is responsible for the administration of the Corporation Yard Operations Plan and its applicable BMPs.

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Corporation Yard Operations Plan

Chapter 2 Vehicle / Equipment Cleaning

Targeted Constituents

Sediment
Nutrients
Trash
Metals
Bacteria
Oil and Grease
Organics
Oxygen Demanding

The City has adopted the following BMPs.

- ❑ Use biodegradable, phosphate-free detergents for washing vehicles as appropriate.
- ❑ Mark the area clearly as a wash area.
- ❑ Post signs stating that only washing is allowed in wash area and that discharges to the storm drain is prohibited.
- ❑ Provide a trash container in wash area.
- ❑ Map on-site storm drain locations to avoid discharges to the storm drain system.
- ❑ Emphasize the connection between the storm drain system and runoff and help reinforce that car washing activities can have an affect on local water quality. This can be accomplished through storm drain stenciling programs.
- ❑ Design wash areas to properly collect and dispose of wash water when engine cleaning is conducted and when chemical additives, solvents, or degreasers are used. This may include installation of sumps or drain lines to collect wash water or construction of a berm around the designated area and grading of the area to collect wash water as well as prevent stormwater run-on.
- ❑ Consider washing vehicles and equipment inside the building if washing/cleaning must occur on-site. This will help to control the targeted constituents by directing them to the sanitary sewer.
- ❑ If washing must occur on-site and outdoor:
  - Use designated paved wash areas. Designated wash areas must be well marked with signs indicating where and how washing must be done. This area must be covered or bermed to collect the wash water and graded to direct the wash water to a treatment or disposal facility.
  - Oil changes and other engine maintenance cannot be conducted in the designated washing area. Perform these activities in a place designated for such activities.
  - Cover the wash area when not in use to prevent contact with rainwater.
- ❑ Use hoses with nozzles that automatically turn off when left unattended.
- ❑ Perform pressure cleaning and steam cleaning off-site to avoid generating runoff with high pollutant concentrations. If done on-site, no pressure cleaning and steam cleaning should be done in areas designated as wellhead protection areas for public water supply.
- ❑ Consider filtering and recycling wash water.
- ❑ Discharge equipment wash water to the sanitary sewer, a holding tank, or a process treatment system, regardless of the washing method used.
- ❑ Discharge vehicle wash water to (1) the sanitary sewer, a holding tank, or process treatment system or (2) an enclosed recycling system.
- ❑ Discharge wash water to sanitary sewer only after contacting the local sewer authority to find out if pretreatment is required.

- ❑ Inspect this facility semi-annually, using the Corporation Yard Inspection Form. Maintain all inspection forms for two years.

BMPs identified on the following list are located in the **California Municipal BMP Handbook**. Each BMP describes potential, common pollutant impacts upon Corporation Yard activities and suggest means to reduce negative impacts and to prevent pollutants from reaching stormwaters. These California Municipal BMPs are reference materials when discussing how to go about performing City operations and services. They may also be used for training and, where appropriate, may be used for amending this document.

BMP	Activity
SC-11	Spill Prevention, Control & Cleanup
SC-21	Vehicle and Equipment Cleaning
SC-32	Outdoor Equipment Maintenance
SC-34	Waste Handling & Disposal

Corporation Yard Operations Plan

Chapter 3 Vehicle Maintenance

Targeted Constituents

Sediment
Nutrients
Trash
Metals
Bacteria
Oil and Grease
Organics
Oxygen Demanding

The City has adopted the following BMPs.

- ❑ Move maintenance and repair activities indoors whenever feasible.
- ❑ Store idle equipment containing fluids under cover.
- ❑ Use a vehicle maintenance area designed to prevent stormwater pollution - minimize contact of stormwater with outside operations through berming and appropriate drainage routing.
- ❑ Avoid hosing down your work areas. If work areas are washed, collect and direct wash water to sanitary sewer.
- ❑ Paint signs on storm drain inlets to indicate that they are not to receive liquid or solid wastes.
- ❑ Post signs at sinks to remind employees, not to pour hazardous wastes down drains.
- ❑ Clean yard storm drain inlets(s) regularly.
- ❑ Do not pour materials down drains or hose down work areas; use dry sweeping.
- ❑ Cover the work area so as to limit exposure to the rain
- ❑ Place curbs around the immediate boundaries of the process equipment.
- ❑ Build a shed or temporary roof over areas where you park cars awaiting repair or salvage, especially if you handle wrecked vehicles. Build a roof over vehicles you keep for parts.
- ❑ Store materials and wastes under cover whenever possible.
- ❑ Designate a special area to drain and replace motor oil, coolant, and other fluids. This area should not have any connections to the storm drain or the sanitary sewer and should allow for easy clean up of drips and spills.
- ❑ Drain all fluids from wrecked vehicles immediately. Ensure that the drain pan or drip pan is large enough to contain drained fluids (e.g. larger pans are needed to contain antifreeze, which may gush from some vehicles).
- ❑ Do not pour liquid waste to floor drains, sinks, outdoor storm drain inlets, or other storm drains or sewer connections.
- ❑ Do not dispose of used or leftover cleaning solutions, solvents, and automotive fluids and oil in the sanitary sewer.
- ❑ Dispose of all waste materials according to applicable laws and regulations.
- ❑ Collect leaking or dripping fluids in drip pans or containers. Fluids are easier to recycle if kept separate.
- ❑ Promptly transfer used fluids to the proper waste or recycling drums and store in an appropriately designed area that can contain spills. Don't leave drip pans or other open containers lying around.
- ❑ Do not dispose of oil filters in trash cans or dumpsters, which may leak oil and contaminate stormwater. Place the oil filter in a funnel over a waste oil recycling drum to drain excess oil before disposal. Most municipalities prohibit or discourage disposal of these items in solid waste facilities. Oil filters can also be recycled. Ask your oil supplier or recycler about recycling oil filters.

- ❑ Store cracked and/or dead batteries in a non-leaking covered secondary container and dispose of properly at recycling or household hazardous waste facilities.
- ❑ Provide a designated area for vehicle maintenance.
- ❑ Keep equipment clean, don't allow excessive build-up of oil and grease.
- ❑ If temporary work is being conducted outside: Use a tarp, ground cloth, or drip pans beneath the vehicle or equipment to capture all spills and drips. The collected drips and spills must be disposed, reused, or recycled properly.
- ❑ If possible, perform all vehicle fluid removal or changing inside or under cover to prevent the run-on of stormwater and the runoff of spills:
  - Keep a drip pan under the vehicle while you unclip hoses, unscrew filters, or remove other parts. Use a drip pan under any vehicle that might leak while you work on it to keep splatters or drips off the shop floor.
  - Promptly transfer used fluids to the proper waste or recycling drums. Don't leave drip pans or other open containers lying around.
  - Keep drip pans or containers under vehicles or equipment that might drip during repairs.
  - Do not change motor oil or perform equipment maintenance in non-appropriate areas.
- ❑ If equipment (e.g., radiators, axles) is to be stored outdoors, oil and other fluids should be drained first. This is also applicable to vehicles being stored and not used on a regular basis.
- ❑ Monitor parked vehicles closely for leaks and place pans under any leaks to collect the fluids for proper disposal or recycling.
- ❑ Clean vehicle parts without using liquid cleaners wherever possible to reduce waste.
- ❑ Do all liquid cleaning at a centralized station so the solvents and residues stay in one area.
- ❑ Discharge wastewater generated from steam cleaning and pressure washing to an appropriate treatment control that is connected to a blind sump. Non-caustic detergents should be used instead of caustic cleaning agents, detergent-based or water-based cleaning systems in place of organic solvent degreasers, and non-chlorinated solvent in place of chlorinated organic solvents for parts cleaning. Refer to SC-21 for more information on steam cleaning.
- ❑ Locate drip pans, drain boards, and drying racks to direct drips back into a solvent sink or fluid holding tank for reuse.
- ❑ Regularly inspect vehicles and equipment for leaks, and repair immediately.
- ❑ Make sure incoming vehicles are checked for leaking oil and fluids. Apply controls accordingly.
- ❑ Keep hazardous and non-hazardous wastes separate, do not mix used oil and solvents, and keep chlorinated solvents (e.g., 1,1,1-trichloroethane) separate from non-chlorinated solvents (e.g., kerosene and mineral spirits).
- ❑ Many products made of recycled (i.e., refined or purified) materials are available. Engine oil, transmission fluid, antifreeze, and hydraulic fluid are available in recycled form. Buying recycled products support the market for recycled materials.
- ❑ Recycling is always preferable to disposal of unwanted materials.
- ❑ Separate wastes for easier recycling. Keep hazardous and non-hazardous wastes separate, do not mix used oil and solvents, and keep chlorinated solvents separate from nonchlorinated solvents.
- ❑ Label and track the recycling of waste material (e.g. used oil, spent solvents, batteries).
- ❑ Purchase recycled products to support the market for recycled materials.
- ❑ If possible, eliminate or reduce the amount of hazardous materials and waste by substituting non-hazardous or less hazardous material:
- ❑ Use non-caustic detergents instead of caustic cleaning for parts cleaning.
- ❑ Use detergent-based or water-based cleaning systems in place of organic solvent degreasers.
- ❑ Wash water may require treatment before it can be discharged to the sewer.
- ❑ Replace chlorinated organic solvents with non-chlorinated solvents. Non-chlorinated solvents like kerosene or mineral spirits are less toxic and less expensive to dispose of properly. Check list of active ingredients to see whether it contains chlorinated solvents.
- ❑ Choose cleaning agents that can be recycled.

- Inspect this facility semi-annually, using the Corporation Yard Inspection Form. Maintain all inspection forms for two years.
- Keep and maintain for two years daily records on the amount and types of vehicle and equipment fluids recycled and non-recycled. Use the Vehicle / Equipment Fluid Recycling Form in this Plan for record keeping.

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BMP	Activity
SC-11	Spill Prevention, Control & Cleanup
SC-22	Vehicle and Equipment Repair
SC-32	Outdoor Equipment Maintenance
SC-34	Waste Handling & Disposal
SC-60	Housekeeping Practices
SC-61	Safer Alternative Products

Corporation Yard Operations Plan

Chapter 4 Vehicle / Equipment Parking

Targeted Constituents

Sediment
Nutrients
Trash
Metals
Bacteria
Oil and Grease
Organics
Oxygen Demanding

The City has adopted the following BMPs.

- ❑ Keep the parking and storage areas clean and orderly.
- ❑ Remove debris in a timely fashion.
- ❑ Allow sheet runoff to flow into biofilters (vegetated strip and swale) and/or infiltration devices.
- ❑ Utilize sand filters or oleophilic collectors for oily waste in low concentrations.
- ❑ Arrange rooftop drains to prevent drainage directly onto paved surfaces.
- ❑ Post "No Littering" signs and enforce anti-litter laws.
- ❑ Provide an adequate number of litter receptacles.
- ❑ Clean out and cover litter receptacles frequently to prevent spillage.
- ❑ Provide trash receptacles in parking lots to discourage litter.
- ❑ Routinely sweep, shovel and dispose of litter in the trash.
- ❑ Use dry cleaning methods (e.g. sweeping or vacuuming) to prevent the discharge of pollutants into the stormwater conveyance system.
- ❑ Establish frequency of public parking lot sweeping based on usage and field observations of waste accumulation.
- ❑ Sweep all parking lots at least once before the onset of the wet season.
- ❑ If water is used follow the procedures below:
  - Block the storm drain or contain runoff.
  - Wash water should be collected and pumped to the sanitary sewer or discharged to a pervious surface; do not allow wash water to enter storm drains.
  - Dispose of parking lot sweeping debris and dirt at a landfill.
- ❑ When cleaning heavy oily deposits:
  - Use absorbent materials on oily spots prior to sweeping or washing.
  - Dispose of used absorbents appropriately.
- ❑ Pre-heat, transfer or load hot bituminous material away from storm drain inlets.
- ❑ Apply concrete, asphalt, and seal coat during dry weather to prevent contamination form contacting stormwater runoff.
- ❑ Cover and seal nearby storm drain inlets (with waterproof material or mesh) and manholes before applying seal coat, slurry seal, etc., where applicable. Leave covers in place until job is complete and until all water from emulsified oil sealants has drained or evaporated. Clean any debris from these covered manholes and drains for proper disposal.
- ❑ Use only as much water as necessary for dust control, to avoid runoff.
- ❑ Catch drips from paving equipment that is not in use with pans or absorbent material placed under the machines. Dispose of collected material and absorbents properly.
- ❑ Have designated personnel conduct inspections of the parking facilities and stormwater conveyance systems associated with them on a regular basis.
- ❑ Inspect cleaning equipment/sweepers for leaks on a regular basis.

- ❑ Sweep parking lot to minimize cleaning with water.
- ❑ Clean out oil/water/sand separators regularly, especially after heavy storms.
- ❑ Clean parking facilities on a regular basis to prevent accumulated wastes and pollutants from being discharged into conveyance systems during rainy conditions.
- ❑ Inspect this facility semi-annually, using the Corporation Yard Inspection Form. Maintain all inspection forms for two years.

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BMP	Activity
SC-11	Spill Prevention, Control & Cleanup
SC-32	Outdoor Equipment Maintenance
SC-43	Parking / Storage Area Maintenance

Corporation Yard Operations Plan

Chapter 5 Outdoor Materials Storage

Targeted Constituents

Sediment
Nutrients
Trash
Metals
Bacteria
Oil and Grease
Organics
Oxygen Demanding

The City has adopted the following BMPs.

- Store all materials inside. If this is not feasible, then all outside storage areas should be covered with a roof, and bermed, or enclosed to prevent stormwater contact. At the very minimum, a temporary waterproof covering made of polyethylene, polypropylene or hypalon should be used over all materials stored outside.
- Cover and contain the stockpiles of raw materials to prevent stormwater from running into the covered piles. The covers must be in place at all times when work with the stockpiles is not occurring. (applicable to small stockpiles only).
- If the stockpiles are so large that they cannot feasibly be covered and contained, implement erosion control practices at the perimeter of your site and at any catch basins to prevent erosion of the stockpiled material off site,
- Keep liquids in a designated area on a paved impervious surface within a secondary containment.
- Keep outdoor storage containers in good condition.
- Keep storage areas clean and dry.
- Design paved areas to be sloped in a manner that minimizes the pooling of water on the site, particularly with materials that may leach pollutants into stormwater and/or groundwater, such as compost, logs, and wood chips. A minimum slope of 1.5 percent is recommended.
- Secure drums stored in an area where unauthorized persons may gain access to prevent accidental spillage, pilferage, or any unauthorized use.
- Cover wood products treated with chromated copper arsenate, ammonical copper zinc arsenate, creosote, or pentachlorophenol with tarps or store indoors.
- Do not store chemicals, drums, or bagged materials directly on the ground. Place these items in secondary containers if applicable.
- Prevent the run-on of uncontaminated stormwater from adjacent areas as well as runoff of stormwater from the stockpile areas, by placing a curb along the perimeter of the area. The area inside the curb should slope to a drain. Liquids should be drained to the sanitary sewer if allowed. The drain must have a positive control such as a lock, valve, or plug to prevent release of contaminated liquids.
- Tanks should be bermed or surrounded by a secondary containment system.
- Release accumulated stormwater in petroleum storage areas prior to the next storm. At a minimum, water should pass through an oil/water separator and, if allowed, discharged to a sanitary sewer.
- Conduct regular inspections of storage areas so that leaks and spills are detected as soon as possible.
- Conduct routine inspections and check for external corrosion of material containers. Also check for structural failure, spills and overfills due to operator error, failure of piping system.
- Check for leaks or spills during pumping of liquids or gases from truck or rail car to a storage

facility or vice versa.

- ❑ Visually inspect new tank or container installations for loose fittings, poor welding, and improper or poorly fitted gaskets.
- ❑ Inspect tank foundations, connections, coatings, and tank walls and piping system. Look for corrosion, leaks, cracks, scratches, and other physical damage that may weaken the tank or container system.
- ❑ Storage sheds often must meet building and fire code requirements. Storage of reactive, ignitable, or flammable liquids must comply with the Uniform Fire Code and the National
- ❑ Space limitations may preclude storing some materials indoors.
- ❑ Some municipalities require that secondary containment areas (regardless of size) be connected to the sanitary sewer, prohibiting any hard connections to the storm drain.
- ❑ Accurate and up-to-date inventories should be kept of all stored materials.
- ❑ Berms and curbs may require periodic repair and patching.
- ❑ Parking lots or other surfaces near bulk materials storage areas should be swept periodically to remove debris blown or washed from storage area.
- ❑ Sweep paved storage areas regularly for collection and disposal of loose solid materials, do not hose down the area to a storm drain or conveyance ditch.
- ❑ Keep outdoor storage areas in good condition (e.g. repair roofs, floors, etc. to limit releases to runoff).
- ❑ Paved areas should be sloped in a manner that minimize the pooling of water on the site, particularly with materials that may leach pollutants into stormwater and/or groundwater, such as compost, logs, and wood chips. A minimum slope of 1.5 percent is recommended.
  - Curbing should be placed along the perimeter of the area to prevent the run-on of uncontaminated stormwater from adjacent areas as well as runoff of stormwater from the stockpile areas.
  - The storm drainage system should be designed to minimize the use of catch basins in the interior of the area as they tend to rapidly fill with manufacturing material.
  - The area should be sloped to drain stormwater to the perimeter where it can be collected or to internal drainage alleyways where material is not stockpiled.
- ❑ Inspect this facility semi-annually, using the Corporation Yard Inspection Form. Maintain all inspection forms for two years.

BMPs identified on the following list are located in the **California Municipal BMP Handbook**. Each BMP describes potential, common pollutant impacts upon Corporation Yard activities and suggest means to reduce negative impacts and to prevent pollutants from reaching stormwaters. These California Municipal BMPs are reference materials when discussing how to go about performing City operations and services. They may also be used for training and, where appropriate, may be used for amending this document.

BMP	Activity
SC-11	Spill Prevention, Control & Cleanup
SC-20	Vehicle and Equipment Fueling
SC-30	Outdoor Loading / Unloading
SC-31	Outdoor Container Storage
SC-33	Outdoor Storage of Raw Materials
SC-43	Parking / Storage Area Maintenance

Corporation Yard Operations Plan

Chapter 6 Waste Handling / Storage

Targeted Constituents

Sediment
Nutrients
Trash
Metals
Bacteria
Oil and Grease
Organics
Oxygen Demanding

The City has adopted the following BMPs.

- ❑ Cover storage containers with leak proof lids or some other means. If waste is not in containers, cover all waste piles (plastic tarps are acceptable coverage) and prevent stormwater run-on and runoff with a berm. The waste containers or piles must be covered except when in use.
- ❑ Use drip pans or absorbent materials whenever grease containers are emptied by vacuum trucks or other means. Grease cannot be left on the ground. Collected grease must be properly disposed of as garbage.
- ❑ Check storage containers weekly for leaks and to ensure that lids are on tightly. Replace any that are leaking, corroded, or otherwise deteriorating.
- ❑ Sweep and clean the storage area regularly. If it is paved, do not hose down the area to a storm drain.
- ❑ Dispose of rinse and wash water from cleaning waste containers into a sanitary sewer if allowed by the local sewer authority. Do not discharge wash water to the street or storm drain.
- ❑ Transfer waste from damaged containers into safe containers.
- ❑ Take special care when loading or unloading wastes to minimize losses. Loading systems can be used to minimize spills and fugitive emission losses such as dust or mist. Vacuum transfer systems can minimize waste loss.
- ❑ Post "No Littering" signs and enforce anti-litter laws.
- ❑ Provide a sufficient number of litter receptacles for the facility.
- ❑ Clean out and cover litter receptacles frequently to prevent spillage.
- ❑ Keep waste collection areas clean.
- ❑ Inspect solid waste containers for structural damage or leaks regularly. Repair or replace damaged containers as necessary.
- ❑ Secure solid waste containers; containers must be closed tightly when not in use.
- ❑ Place waste containers under cover if possible.
- ❑ Do not fill waste containers with washout water or any other liquid.
- ❑ Ensure that only appropriate solid wastes are added to the solid waste container. Certain wastes such as hazardous wastes, appliances, fluorescent lamps, pesticides, etc. may not be disposed of in solid waste containers (see chemical/ hazardous waste collection section below).
- ❑ Do not mix wastes; this can cause chemical reactions, make recycling impossible, and complicate disposal.
- ❑ Use the entire product before disposing of the container.
- ❑ Keep the waste management area clean at all times by sweeping and cleaning up spills immediately.
- ❑ Use dry methods when possible (e.g. sweeping, use of absorbents) when cleaning around Restaurant / food handling dumpster areas. If water must be used after sweeping/using absorbents, collect water and discharge through grease interceptor to the sewer.
- ❑ Stencil storm drains on the facility's property with prohibitive message regarding waste disposal.
- ❑ Select designated hazardous waste collection areas on-site.

- ❑ Store hazardous materials and wastes in covered containers protected from vandalism, and in compliance with fire and hazardous waste codes.
- ❑ Place hazardous waste containers in secondary containment.
- ❑ Make sure that hazardous waste is collected, removed, and disposed of only at authorized disposal areas.
- ❑ Prevent stormwater run-on from entering the waste management area by enclosing the area or building a berm around the area.
- ❑ Prevent the waste materials from directly contacting rain.
- ❑ Cover waste piles with temporary covering material such as reinforced tarpaulin, polyethylene, polyurethane, polypropylene or hypalon.
- ❑ Cover the area with a permanent roof if feasible.
- ❑ Cover dumpsters to prevent rain from washing waste out of holes or cracks in the bottom of the dumpster.
- ❑ Move the activity indoor after ensuring all safety concerns such as fire hazard and ventilation are addressed.
- ❑ Inspect and replace faulty pumps or hoses regularly to minimize the potential of releases and spills.
- ❑ Check waste management areas for leaking containers or spills.
- ❑ Repair leaking equipment including valves, lines, seals, or pumps promptly.
- ❑ Minimize the runoff of polluted stormwater from land application of municipal waste on-site by:
  - Choosing a site where slopes are under 6%, the soil is permeable, there is a low water table, it is located away from wetlands or marshes, there is a closed drainage system.
  - Avoiding application of waste to the site when it is raining or when the ground is saturated with water.
  - Growing vegetation on land disposal areas to stabilize soils and reduce the volume of surface water runoff from the site.
  - Maintaining adequate barriers between the land application site and the receiving waters. Planted strips are particularly good.
  - Using erosion control techniques such as mulching and matting, filter fences, straw bales, diversion terracing, and sediment basins.
  - Performing routine maintenance to ensure the erosion control or site stabilization measures are working.
- ❑ Inspect this facility semi-annually, using the Corporation Yard Inspection Form. Maintain all inspection forms for two years.

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BMP	Activity
SC-11	Spill Prevention, Control & Cleanup
SC-30	Outdoor Loading / Unloading
SC-33	Outdoor Storage of Raw Materials
SC-34	Waste Handling & Disposal
SC-74	Waste Handling & Disposal

Corporation Yard Operations Plan

Chapter 7 Paved and Unpaved Surface Maintenance

Targeted Constituents

Sediment
Nutrients
Trash
Metals
Bacteria
Oil and Grease
Organics
Oxygen Demanding

The City has adopted the following BMPs.

- In situations where soaps or detergents are used and the surrounding area is paved, pressure washers must use a waste water collection device that enables collection of wash water and associated solids. A sump pump, wet vacuum or similarly effective device must be used to collect the runoff and loose materials. The collected runoff and solids must be disposed of properly.
- If soaps or detergents are not used, and the surrounding area is paved, wash water runoff does not have to be collected but must be screened. Pressure washers must use filter fabric or some other type of screen on the ground and/or in he catch basin to trap the particles in wash water runoff.
- If you are pressure washing on a grassed area (with or without soap), runoff must be dispersed as sheet flow as much as possible, rather than as a concentrated stream. The wash runoff must remain on the grass and not drain to pavement. Ensure that this practice does not kill grass.
- Do not apply any chemicals (insecticide, herbicide, or fertilizer) directly to surface waters, unless the application is approved and permitted by the state.
- Dispose of grass clippings, leaves, sticks, or other collected vegetation as garbage, or by composting. Do not dispose of collected vegetation into waterways or storm drainage systems.
- Use mulch or other erosion control measures on exposed soils.
- Check irrigation schedules so pesticides will not be washed away and to minimize nonstormwater discharge.
- Do not dump any toxic substance or liquid waste on the pavement, the ground, or toward a storm drain.
- Use ground or drop cloths underneath outdoor painting, scraping, and sandblasting work, and properly dispose of collected material daily.
- Use a ground cloth or oversized tub for activities such as paint mixing and tool cleaning.
- Clean paint brushes and tools covered with water-based paints in sinks connected to sanitary sewers or in portable containers that can be dumped into a sanitary sewer drain. Brushes and tools covered with non-water-based paints, finishes, or other materials must be cleaned in a manner that enables collection of used solvents (e.g., paint thinner, turpentine, etc.) for recycling or proper disposal.
- Use a storm drain cover, filter fabric, or similarly effective runoff control mechanism if dust, grit, wash water, or other pollutants may escape the work area and enter a catch basin. The containment device(s) must be in place at the beginning of the work day, and accumulated dirty runoff and solids must be collected and disposed of before removing the containment device(s) at the end of the work day.
- If you need to de-water an excavation site, you may need to filter the water before

discharging to a catch basin or off-site. In which case you should direct the water through hay bales and filter fabric or use other sediment filters or traps.

- ❑ Store toxic material under cover with secondary containment during precipitation events and when not in use. A cover would include tarps or other temporary cover material.
- ❑ Dispose of leaves, sticks, or other collected vegetation as garbage, by composting or at a permitted landfill. Do not dispose of collected vegetation into waterways or storm drainage systems.
- ❑ Use mulch or other erosion control measures when soils are exposed.
- ❑ Place temporarily stockpiled material away from watercourses and drain inlets, and berm or cover stockpiles to prevent material releases to the storm drain system.
- ❑ Consider an alternative approach when bailing out muddy water; do not put it in the storm Drain; pour over landscaped areas.
- ❑ Use hand or mechanical weeding where practical.
- ❑ Follow all federal, state, and local laws and regulations governing the use, storage, and disposal of fertilizers and pesticides and training of applicators and pest control advisors.
- ❑ Follow manufacturers' recommendations and label directions. Pesticides must never be applied if precipitation is occurring or predicted. Do not apply insecticides within 100 feet of surface waters such as lakes, ponds, wetlands, and streams.
- ❑ Use less toxic pesticides that will do the job, whenever possible. Avoid use of copper-based pesticides if possible.
- ❑ Do not use pesticides if rain is expected.
- ❑ Do not mix or prepare pesticides for application near storm drains.
- ❑ Use the minimum amount needed for the job.
- ❑ Calibrate fertilizer distributors to avoid excessive application.
- ❑ Employ techniques to minimize off-target application (e.g. spray drift) of pesticides, including consideration of alternative application techniques.
- ❑ Apply pesticides only when wind speeds are low.
- ❑ Work fertilizers into the soil rather than dumping or broadcasting them onto the surface.
- ❑ Irrigate slowly to prevent runoff and then only as much as is needed.
- ❑ Clean pavement and sidewalk if fertilizer is spilled on these surfaces before applying irrigation water.
- ❑ Dispose of empty pesticide containers according to the instructions on the container label.
- ❑ Use up the pesticides. Rinse containers, and use rinse water as product. Dispose of unused pesticide as hazardous waste.
- ❑ Inspect irrigation system periodically to ensure that the right amount of water is being applied and that excessive runoff is not occurring. Minimize excess watering, and repair leaks in the irrigation system as soon as they are observed.
- ❑ Inspect this facility semi-annually, using the Corporation Yard Inspection Form. Maintain all inspection forms for two years.

BMPs identified on the following list are located in the **California Municipal BMP Handbook**. Each BMP describes potential, common pollutant impacts upon Corporation Yard activities and suggest means to reduce negative impacts and to prevent pollutants from reaching stormwaters. These California Municipal BMPs are reference materials when discussing how to go about performing City operations and services. They may also be used for training and, where appropriate, may be used for amending this document.

BMP	Activity
SC-11	Spill Prevention, Control & Cleanup
SC-30	Outdoor Loading / Unloading
SC-33	Outdoor Storage of Raw Materials
SC-41	Building & Grounds Maintenance

Corporation Yard Operations Plan

Chapter 8 Storm Water Runoff / Drainage

Targeted Constituents

Sediment
Nutrients
Trash
Metals
Bacteria
Oil and Grease
Organics
Oxygen Demanding

The City has adopted the following BMPs.

- Store all materials inside. If this is not feasible, then all outside storage areas should be covered with a roof, and bermed, or enclosed to prevent stormwater contact. At the very minimum, a temporary waterproof covering made of polyethylene, polypropylene or hypalon should be used over all materials stored outside.
- Cover and contain the stockpiles of raw materials to prevent stormwater from running into the covered piles. The covers must be in place at all times when work with the stockpiles is not occurring. (applicable to small stockpiles only).
- If the stockpiles are so large that they cannot feasibly be covered and contained, implement erosion control practices at the perimeter of your site and at any catch basins to prevent erosion of the stockpiled material off site,
- Keep liquids in a designated area on a paved impervious surface within a secondary containment.
- Keep outdoor storage containers in good condition.
- Keep storage areas clean and dry.
- Design paved areas to be sloped in a manner that minimizes the pooling of water on the site, particularly with materials that may leach pollutants into stormwater and/or groundwater, such as compost, logs, and wood chips. A minimum slope of 1.5 percent is recommended.
- Secure drums stored in an area where unauthorized persons may gain access to prevent accidental spillage, pilferage, or any unauthorized use.
- Cover wood products treated with chromated copper arsenate, ammonical copper zinc arsenate, creosote, or pentachlorophenol with tarps or store indoors.
- Do not store chemicals, drums, or bagged materials directly on the ground. Place these items in secondary containers if applicable.
- Prevent the run-on of uncontaminated stormwater from adjacent areas as well as runoff of stormwater from the stockpile areas, by placing a curb along the perimeter of the area. The area inside the curb should slope to a drain. Liquids should be drained to the sanitary sewer if allowed. The drain must have a positive control such as a lock, valve, or plug to prevent release of contaminated liquids.
- Tanks should be bermed or surrounded by a secondary containment system.
- Release accumulated stormwater in petroleum storage areas prior to the next storm. At a minimum, water should pass through an oil/water separator and, if allowed, discharged to a sanitary sewer.
- Conduct regular inspections of storage areas so that leaks and spills are detected as soon as possible.
- Conduct routine inspections and check for external corrosion of material containers. Also check for structural failure, spills and overfills due to operator error, failure of piping system.
- Check for leaks or spills during pumping of liquids or gases from truck or rail car to a storage

facility or vice versa.

- ❑ Visually inspect new tank or container installations for loose fittings, poor welding, and improper or poorly fitted gaskets.
- ❑ Inspect tank foundations, connections, coatings, and tank walls and piping system. Look for corrosion, leaks, cracks, scratches, and other physical damage that may weaken the tank or container system.
- ❑ Storage sheds often must meet building and fire code requirements. Storage of reactive, ignitable, or flammable liquids must comply with the Uniform Fire Code and the National
- ❑ Space limitations may preclude storing some materials indoors.
- ❑ Some municipalities require that secondary containment areas (regardless of size) be connected to the sanitary sewer, prohibiting any hard connections to the storm drain.
- ❑ The fire department should be consulted for limitations on clearance of roof covers over containers used to store flammable materials.
- ❑ Accurate and up-to-date inventories should be kept of all stored materials.
- ❑ Berms and curbs may require periodic repair and patching.
- ❑ Parking lots or other surfaces near bulk materials storage areas should be swept periodically to remove debris blown or washed from storage area.
- ❑ Sweep paved storage areas regularly for collection and disposal of loose solid materials, do not hose down the area to a storm drain or conveyance ditch.
- ❑ Keep outdoor storage areas in good condition (e.g. repair roofs, floors, etc. to limit releases to runoff).
- ❑ Paved areas should be sloped in a manner that minimize the pooling of water on the site, particularly with materials that may leach pollutants into stormwater and/or groundwater, such as compost, logs, and wood chips. A minimum slope of 1.5 percent is recommended.
  - Curbing should be placed along the perimeter of the area to prevent the run-on of uncontaminated stormwater from adjacent areas as well as runoff of stormwater from the stockpile areas.
  - The storm drainage system should be designed to minimize the use of catch basins in the interior of the area as they tend to rapidly fill with manufacturing material.
  - The area should be sloped to drain stormwater to the perimeter where it can be collected or to internal drainage alleyways where material is not stockpiled.
  - If the raw material, by-product, or product is a liquid, more information for outside storage of liquids can be found under SC-31, Outdoor Container Storage
- ❑ Inspect this facility semi-annually, using the Corporation Yard Inspection Form. Maintain all inspection forms for two years.

BMPs identified on the following list are located in the **California Municipal BMP Handbook**. Each BMP describes potential, common pollutant impacts upon Corporation Yard activities and suggest means to reduce negative impacts and to prevent pollutants from reaching stormwaters. These California Municipal BMPs are reference materials when discussing how to go about performing City operations and services. They may also be used for training and, where appropriate, may be used for amending this document.

BMP	Activity
SC-11	Spill Prevention, Control & Cleanup
SC-41	Building & Grounds Maintenance
SC-33	Outdoor Storage of Raw Materials

Corporation Yard Inspection Form

Date of Inspection: _____

Check Area Inspected

- ❑ Vehicle / equipment cleaning
- ❑ Vehicle maintenance
- ❑ Vehicle /. Equipment parking
- ❑ Outdoor materials storage
- ❑ Waste handling / storage
- ❑ Pave and unpaved surface maintenance
- ❑ Storm water runoff / drainage

Directions: Use the Corporation Yard Plan BMPs for Inspection of The Area Checked Above.

Did you find any of the BMPs **non-compliant** for the area inspected? **Please list non-compliant items below with your suggestions for improvement.**

Inspector's Initials or Signature: _____

Automotive / Equipment Fluid Recycling Record

Date	Type & Amount Fluid Recycled	Type & Amount Fluid Not Recycled	Comments

City of Grover Beach

MS4 General Permit

STATE WATER RESOURCES CONTROL BOARD (SWRCB)
WATER QUALITY ORDER NO. 2003 – 0005 – DWQ
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT NO. CAS000004
WASTE DISCHARGE REQUIRMENTS (WDRS)
FOR
STORM WATER DISCHARGES FROM
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (GENERAL PERMIT)

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FACT SHEET FOR STATE WATER RESOURCES CONTROL BOARD (SWRCB) WATER QUALITY ORDER NO. 2003 – 0005 – DWQ NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT NO. CAS000004 WASTE DISCHARGE REQUIREMENTS (WDRS) FOR STORM WATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (GENERAL PERMIT)

BACKGROUND

In 1972, the federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA]) was amended to provide that the discharge of pollutants to waters of the United States from any point source is unlawful unless the discharge is in compliance with a NPDES permit. The 1987 amendments to CWA added section 402(p), which established a framework for regulating storm water discharges under the NPDES Program. Subsequently, in 1990, the U.S. Environmental Protection Agency (U.S. EPA) promulgated regulations for permitting storm water discharges from industrial sites (including construction sites that disturb five acres or more) and from municipal separate storm sewer systems (MS4s) serving a population of 100,000 people or more. These regulations, known as the Phase I regulations, require operators of medium and large MS4s to obtain storm water permits. On December 8, 1999, U.S. EPA promulgated regulations, known as Phase II, requiring permits for storm water discharges from Small MS4s and from construction sites disturbing between one and five acres of land. This General Permit regulates storm water discharges from Small MS4s.

An "MS4" is a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) designed or used for collecting or conveying storm water; (ii) which is not a combined sewer; and (iii) which is not part of a Publicly Owned Treatment Works (POTW). [See Title 40, Code of Federal Regulations (40 CFR) §122.26(b)(8).]

A "Small MS4" is an MS4 that is not permitted under the municipal Phase I regulations, an which is "owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity…." (40 CFR §122.26(b)(16)). Small MS4s *include systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares, but do not include separate storm sewers in very discrete areas, such as individual buildings*. This permit refers to MS4s that operate throughout a community as "traditional MS4s" and MS4s that are similar to traditional MS4s but operated at a separate campus or facility as "non-traditional MS4s." Federal regulations allow two permitting options for storm water discharges (individual permit and general permits). SWRCB elected to adopt a statewide general permit for Small MS4s in order to efficiently regulate numerous storm water discharges under a single permit. In certain situations a storm water discharge may be more appropriately and effectively regulated by an individual permit, a region-specific general permit, or by inclusion in an existing Phase I permit. In these situations, the Regional Water Quality Control Board (RWQCB) Executive Officer will direct the Small MS4 operator to submit the appropriate application, in lieu of a Notice of Intent (NOI) to comply with the terms of this General Permit. In these situations, the individual or regional permits will govern, rather than this General Permit.

NINTH CIRCUIT COURT RULING

On January 14, 2003, the Ninth Circuit Court issued its decision in *Environmental Defense Center v. EPA*. This ruling upheld the Phase II regulations on all but three of the 20 issues contested. In summary, the court determined that applications for general permit coverage (including the NOI and Storm Water Management Program [SWMP]) must be made available to the public, the applications must be reviewed and determined to meet the Maximum Extent Practicable standard by the permitting authority before coverage commences,

and there must be a Should the ruling be revised or vacated in the future, SWRCB may modify the General Permit.

ENTITIES SUBJECT TO THIS GENERAL PERMIT

This General Permit regulates discharges of storm water from "regulated Small MS4s." A "regulated Small MS4" is defined as a Small MS4 that discharges to a water of the United States (U.S.) or to another MS4 regulated by an NPDES permit, and which is designated in one of the following ways:

1. Automatically designated by U.S. EPA pursuant to 40 CFR section 122.32(a)(1) because it is located within an urbanized area defined by the Bureau of the Census (see Attachment 1); or

2. Traditional Small MS4s that serve cities, counties, and unincorporated areas that are designated by SWRCB or RWQCB after consideration of the following factors:

a. High population density – High population density means an area with greater than 1,000 residents per square mile. Also to be considered in this definition is a high density created by a non-residential population, such as tourists or commuters.

b. High growth or growth potential – If an area grew by more than 25 percent between 1990 and 2000, it is a high growth area. If an area anticipates a growth rate of more than 25 percent over a 10-year period ending prior to the end of the first permit term, it has high growth potential.

c. Significant contributor of pollutants to an interconnected permitted MS4 – A Small MS4 is interconnected with a separately permitted MS4 if storm water that has entered the Small MS4 is allowed to flow directly into a permitted MS4. In general, if the Small MS4 discharges more than 10 percent of its storm water to the permitted MS4, or its discharge makes up more than 10 percent of the other permitted MS4's total storm water volume, it is a significant contributor of pollutants to the permitted MS4. In specific cases, the MS4s involved or third parties may show that the 10 percent threshold is inappropriate for the MS4 in question.

d. Discharge to sensitive water bodies – Sensitive water bodies are receiving waters, which are a priority to protect. They include the following:

- those listed as providing or known to provide habitat for threatened or endangered species;
- those used for recreation that are subject to beach closings or health warnings; or
- those listed as impaired pursuant to CWA section 303(d) due to constituents of concern in urban runoff (these include biochemical oxygen demand [BOD], sediment, pathogens, petroleum hydrocarbons, heavy metals, floatables, polycyclic aromatic hydrocarbons [PAHs], trash, and other constituents that are found in the MS4 discharge).

Additional criteria to qualify as a sensitive water body may exist and may be determined by SWRCB or RWQCB on a case-by-case basis.

e. Significant contributor of pollutants to waters of the U.S. – Specific conditions presented by the MS4 may lead to significant pollutant loading to waters of the U.S. that are otherwise unregulated or inadequately regulated. An example of such a condition may be the presence of a large transportation industry. These factors are to be considered when evaluating whether a Small MS4 should be regulated pursuant to this General Permit. An MS4 and the population that it serves need not meet all of the factors to be designated. SWRCB designates a number of Small MS4s according to these criteria through this General Permit (see Attachment 2).

Non-traditional Small MS4s may also be designated to seek permit coverage. These include non-traditional MS4s that are located within or discharge to a permitted MS4 and those that pose significant water quality threats. In general, these are storm water systems serving public campuses (including universities, community colleges, primary schools, and other publicly owned learning institutions with campuses), military bases, and prison and hospital complexes within or adjacent to other regulated MS4s, or which pose significant water quality threats. SWRCB considered designating non-traditional Small MS4s when adopting this General Permit.

However, the *Environmental Defense Center* ruling requires that SWRCB and RWQCBs change their procedures for implementing this General Permit. In compliance with that decision, each NOI and SWMP must be reviewed and approved, and in some cases considered in a public hearing, prior to the Small MS4 obtaining coverage under the General Permit. Therefore, SWRCB is delaying making these designations and the General Permit does not designate any non-traditional MS4s. A list of non-traditional MS4s that are anticipated to be designated within this permit term is included in Attachment 3 of this General Permit. These or other nontraditional MS4s may be designated by SWRCB or RWQCB at any time subsequent to the adoption of this General Permit.

The criteria selected to designate Small MS4s to be regulated are based on the potential to impact water quality due to conditions influencing discharges into their system or due to where they discharge. Some of the definitions provide "cut-off numbers." Although there is no regulatory standard that mandates which numbers to use, dividing lines must be established in order to effectively use them as criteria. Specifically, the high growth factor uses 25 percent growth over ten years. The average growth The standard deviation was 9.9. Growth rates outside one standard deviation are more than 25.7 percent. The standard deviation is generally an indication of the spread of data. In defining the high growth factor, the standard deviation was used because it sets the limits within which most areas of California fall. County data was used because it was consistently available, whereas 1990 populations for several of the cities and places were not readily available. Additionally, county data gives a broader picture of the growth dynamics in California. Because the data is not normally distributed, 68 percent of the data points do not necessarily fall within one standard deviation of the mean. It does, however, provide a number in which to compare city and place growth rates to the average growth rate of California. The number was rounded to 25 percent for ease of application and with the understanding that it is an approximation.

The significant contributor of pollutants to an interconnected permitted MS4 definition uses a volume value of 10 percent, with the assumption that storm water contains pollutants. This is meant to capture flows that may affect water quality or the permit compliance status of another MS4, but exclude incidental flows between communities.

APPLICATION REQUIREMENTS

Regulated Small MS4s, automatically designated because they are within an urbanized area (Attachment 1), must submit to the appropriate RWQCB by August 8, 2003 a complete application package. A complete package includes an NOI (Attachment 7), a complete SWMP (one hard copy and one electronic copy in Word or PDF format), and an appropriate fee.

The August 8, 2003 deadline is an administrative deadline to comply with the General Permit. Section 122.33(c)(1) of 40 CFR required automatically designated Small MS4s to submit an application by March 10, 2003. Those applications received from Small MS4s that submitted applications to comply with the federal deadline will be considered as an application to meet the requirements of this General Permit. If the application package is deemed complete by the RWQCB staff, it will be posted on the internet and made available for public review and public hearing if requested subsequent to permit adoption.

Regulated Small MS4s that are traditional MS4s designated by the SWRCB or RWQCB must submit to the appropriate RWQCB, within 180 days of notification of designation (or at a later date stated by SWRCB or RWQCB), an NOI (Attachment 7), a complete SWMP (one hard copy and one electronic copy in Word or PDF format), and an appropriate fee. Those traditional MS4s identified in Attachment 2 of this General Permit are being notified of their designation by SWRCB upon adoption of this General Permit. They must, therefore, submit their NOI and SWMP by October 27, 2003.

Regulated Small MS4s that are non-traditional MS4s designated by SWRCB or RWQCB, including those in Attachment 3, must submit to the appropriate RWQCB, within 180 days of notification of designation (or

at a later date stated by SWRCB or RWQCB), an NOI (Attachment 7), a complete SWMP (one hard copy and one electronic copy in Word or PDF format), and an appropriate fee. Regulated Small MS4s relying entirely on Separate Implementing Entities (SIEs) that are also permitted, to implement their entire storm water programs are not required to submit a SWMP if the SIE being relied on has an approved SWMP. Proof of SWMP approval, such as a copy of the RWQCB letter, must be submitted to the RWQCB by the applying Small MS4, along with the NOI and an appropriate fee. Regulated Small MS4s that fail to obtain coverage under this General Permit or another NPDES permit for storm water discharges will be in violation of the CWA and the Porter-Cologne Water Quality Control Act.

Receipt of applications deemed complete by RWQCB staff will be acknowledged on SWRCB's website at http://www.swrcb.ca.gov/stormwtr/index.html for a minimum of 60 days. When a SWMP is received by an RWQCB, those members of the public that have indicated they would like to receive notice, will receive an email from RWQCB staff that a SWMP has been received. During this 60-day public review period, a member of the public may request a copy of the SWMP and request that a public hearing be held by RWQCB. If a public hearing is requested, the hearing itself will be public noticed for a minimum of 30 days. If no hearing is requested, the RWQCB Executive Officer will notify the regulated MS4 that it has obtained permit coverage only after RWQCB staff has reviewed the SWMP and has determined that the SWMP meets the MEP standard established in this permit. Attachment 8 lists RWQCB contact information for questions and submittals.

GENERAL PERMIT REQUIREMENTS

Prohibitions

This General Permit effectively prohibits the discharge of materials other than storm water that are not "authorized non-storm water discharges" (see General Permit § D.2.c) or authorized by a separate NPDES permit. This General Permit also incorporates discharge prohibitions contained in Statewide Water Quality Control Plans and Regional Water Quality Control Plans (Basin Plans).

Effluent Limitations

Permittees must implement Best Management Practices (BMPs) that reduce pollutants in storm water runoff to the technology-based standard of Maximum Extent Practicable (MEP) to protect water quality. In accordance with 40 CFR section 122.44(k)(2), the inclusion of BMPs in lieu of numeric effluent limitations is appropriate in storm water permits. Discharges shall not contain reportable quantities of hazardous substance as established at 40 CFR section 117.3 or 40 CFR section 302.4.

Preparation of SWMP

This General Permit requires regulated Small MS4s to:

1. Develop and implement a SWMP that describes BMPs, measurable goals, and timetables for implementation in the following six program areas (Minimum Control Measures):

Public Education

The Permittee must educate the public in its permitted jurisdiction about the importance of the storm water program and the public's role in the program.

Public Participation

The Permittee must comply with all State and local notice requirements when implementing a public involvement/participation program.

Illicit Discharge Detection and Elimination

The Permittee must adopt and enforce ordinances or take equivalent measures that prohibit illicit discharges. The Permittee must also implement a program to detect illicit discharges.

Construction Site Storm Water Runoff Control

The Permittee must develop a program to control the discharge of pollutants from construction sites greater than or equal to one acre in size within its permitted jurisdiction. The program must include inspections of construction sites and enforcement actions against violators.

Post Construction Storm Water Management

The Permittee must require long-term post-construction BMPs that protect water quality and control runoff flow, to be incorporated into development and significant redevelopment projects. Post-construction programs are most efficient when they stress (i) low impact design; (ii) source controls; and (iii) treatment controls. For non-traditional MS4s that seek coverage under this Permit, implementation of this control measure will not require redesign of projects under active construction at the time of designation or for K-12 school or community college facilities that have been submitted to the Department of General Services, Division of the State Architect before adoption of the permit, and which receive final approval from the State Allocation Board or the Public Works Board, as appropriate on or before December 31, 2004. SWMP must, however, specify how the control measure will be implemented within five years of designation.

Pollution Prevention/Good Housekeeping for Municipal Operations

The Permittee must examine its own activities and develop a program to prevent the discharge of pollutants from these activities. At a minimum, the program must educate staff on pollution prevention, and minimize pollutant sources.

2. Reduce its discharge of pollutants to the MEP.
3. Annually report on the progress of SWMP implementation.

Development and Implementation of SWMP

SWMP must describe how pollutants in storm water runoff will be controlled and describe BMPs that address the six Minimum Control Measures. Each BMP must have accompanying measurable goals that will be achieved during the permit term, or within five years of designation if designated subsequent to permit adoption, as a means of determining program compliance and accomplishments and as an indicator of potential program effectiveness. The measurable goals should be definable tasks such as number of outreach presentations to make, number of radio spots to purchase, or percentage of pollutant loading to reduce (other examples of measurable goals can be found on U.S. EPA's web-site at http://cfpub.epa.gov/npdes/stormwater/measurablegoals/index.cfm).

This approach provides the flexibility to target an MS4's problem areas while working within the existing organization. It is not anticipated that the SWMP be fully implemented upon submittal with the NOI. It is the intent of this General Permit that SWMPs submitted with the NOI contain sufficient information such that RWQCB staff and interested parties understand the BMPs that will be implemented or will be developed and implemented over the course of the General Permit term or, for Small MS4s designated subsequent to permit adoption, over a five–year period from designation. It is also expected that SWMPs will protect water quality, contain measurable goals and schedules, and assign responsible parties for each BMP. It is anticipated that the SWMP initially submitted may be revised or modified based on review of RWQCB staff or on comments provided by interested parties in accordance with Provisions G and H.19 of the General Permit.

For example, it may be proposed that a storm water logo be developed (or an existing one modified) by the end of the first year; an ordinance prohibiting non-storm water discharges be adopted by the end of the second year; a survey of non-storm water discharges throughout the city be completed by the end of the second year; a brochure targeting the restaurant community regarding proper practices to eliminate non-storm water discharges be developed or obtained by the end of the fourth year; and the brochure be distributed to 25 percent of the restaurants within the city during health department inspections by the end

of the fifth year. (This example mentions only one activity each year. In fact, numerous activities will occur throughout the permit term that ensure that a SWMP addressing all six Minimum Control Measures is implemented by the end of the permit term, or within five years of designation for Small MS4s designated subsequent to adoption of the Permit.)

The main goal of this General Permit is to protect water quality from the impacts of storm water runoff from Small MS4s. The intent is that storm water quality impacts will be considered in all aspects of a municipality's activities and that multiple departments within the municipality will work together to implement storm water BMPs. For instance, the planning department may work with the public works department when considering projects and their potential storm water impacts. Also, the health department can work with public works in a complementary manner to spread a consistent message about illicit discharges.

Many of the activities that a municipality already does can be recognized as a benefit to storm water or can be modified to add a storm water quality twist. A critical element of SWMP development is an assessment of activities already being conducted. For example, many communities already have a household hazardous waste program, which can be assumed to reduce illicit discharges to the MS4. Likewise, they examine potential flooding impacts of new development. This process can be modified to also examine water quality impacts as well as quantity.

Similarly, the Minimum Control Measures emphasize working with the public to prevent pollution during their everyday activities as well as to gain support for program funding. The MS4 has the flexibility to target specific segments of its residential or employee population in ways that are most appropriate for that particular segment. Taken together, the suite of public education approaches an MS4 takes can create a robust multimedia campaign that has a single message, which is threaded throughout the community through implementation of BMPs in the six program areas.

For links to information on how to implement each of the Minimum Control Measures, including sample ordinances that address the respective Minimum Control Measures, please see SWRCB's internet site at http://www.swrcb.ca.gov/stormwtr/municipal.html . Additionally, in accordance with 40 CFR section 122.34(d)(2), SWRCB provides U.S. EPA's menu of BMPs to consider when developing a SWMP. This menu is available on U.S. EPA's internet site at http://cfpub1.epa.gov/npdes/stormwater/swphase2.cfm?program_id=6 The menu provide examples of BMPs and associated measurable goals; however, other BMPs and measurable goals may be used.

MEP

MEP is the technology-based standard established by Congress in CWA section 402(p)(3)(B)(iii) that municipal dischargers of storm water must meet. Technology-based standards establish the level of pollutant reductions that dischargers must achieve. MEP is generally a result of emphasizing pollution prevention and source control BMPs as the first lines of defense in combination with structural and treatment methods where appropriate serving as additional lines of defense. The MEP approach is an ever evolving, flexible, and advancing concept, which considers technical and economic feasibility. As knowledge about controlling urban runoff continues to evolve, so does that which constitutes MEP. The individual and collective activities elucidated in the MS4's SWMP become its proposal for reducing or eliminating pollutants in storm water to the MEP. The way in which MEP is met may vary between communities. The MEP standard applies to all regulated MS4s, including those in Phase I and Small MS4s regulated by this General Permit. Consistent with U.S. EPA guidance, the MEP standard in California is applied so that a first-round storm water permit requires BMPs that will be expanded or better-tailored in subsequent permits. In choosing BMPs, the major focus is on technical feasibility, but cost, effectiveness, and public acceptance are also relevant. If a Permittee chooses only the most inexpensive BMPs, it is likely that MEP has not been met. If a Permittee employs all applicable BMPs except those that are not technically

feasible in the locality, or whose cost exceeds any benefit to be derived, it would meet the MEP standard. MEP requires Permittees to choose effective BMPs, and to reject applicable BMPs only where other effective BMPs will serve the same purpose, the BMPs are not technically feasible, or the cost is prohibitive. (See SWRCB Order WQ 2000-11, http://www.swrcb.ca.gov/resdec/wqorders/2000/00wqo.html.

Generally, in order to meet MEP, communities that have greater water quality impacts must put forth a greater level of effort. Alternatively, for similar water quality conditions, communities should put forth an equivalent level of effort. However, because larger communities have greater resources (both financial resources as well as existing related programs that can help in implementing storm water quality programs), it may appear that they have more robust storm water programs. Additionally, because storm water programs are locally driven and local conditions vary, some BMPs may be more effective in one community than in another. A community that has a high growth rate would derive more benefit on focusing on construction and post-construction programs than on an illicit connection program because illicit connections are more prevalent in older communities.

In accordance with the Ninth Circuit Court ruling, prior to obtaining permit coverage, SWMPs will be evaluated for compliance with the MEP standard by the RWQCB Executive Officer or, if requested, considered for approval in a public hearing conducted by RWQCB. Many Phase I MS4s have been permitted under storm water regulations for more than ten years and have had that time to develop programs intended to reduce pollutants in their storm water discharge to MEP. It is understood that storm water quality programs and regulations are new to the entities that will be regulated under this General Permit. Therefore, it is anticipated that this General Permit term will serve as a "ramping-up" period and that programs implemented by Phase II communities will not necessarily conform to programs implemented by Phase I communities. Despite this understanding, however, many of the lessons learned and information developed by Phase I communities is available to smaller communities as a guide and may be used by Phase II communities.

Supplemental Provisions for Larger and Fast Growing Regulated Small MS4s

By the expiration date of this General Permit, traditional and non-traditional Small MS4s serving a population of 50,000 people or more, or that are subject to high growth, must require specific design standards as part of their post-construction program (as outlined in Attachment 4 of this General Permit, or a functionally equivalent program that is acceptable to the appropriate RWQCB), and they must comply with water quality standards through implementing better tailored BMPs in an iterative process. These more stringent requirements are applied to communities that are larger and, therefore, capable of a more extensive storm water program, and to communities that are fast growing, and therefore may have greater impacts on storm water runoff associated with construction and the loss of pervious lands.

Studies have found the amount of impervious surface in a community is strongly correlated with the community's water quality. New development and redevelopment result in increased impervious surfaces in a community. The design standards in Attachment 4 focus on mitigating the impacts caused by increased impervious surfaces through establishing minimum BMP requirements that stress (i) low impact design; (ii) source controls; and (iii) treatment controls. The design standards include minimum sizing criteria for treatment controls and establish maintenance requirements. BMPs that may be used to comply with the design standards can be found in U.S. EPA's Toolbox of BMPs at http://cfpub1.epa.gov/npdes/stormwater/swphase2.cfm?program_id=6

Additionally, some RWQCBs may have lists of approved references and resources. Small MS4s designated subsequent to permit adoption have five years from designation to achieve compliance with the

Supplemental Provisions. Attachment 5 provides a list of communities that SWRCB anticipates being subject to the provisions in Attachment 4.

Receiving Water Limitations

Attachment 4 establishes receiving water limitations that apply to larger and fast-growing regulated Small MS4s that are required to comply with Supplemental Provisions of this General Permit. This permit allows regulated Small MS4s up to five years to fully implement the SWMPs. Therefore, regulated Small MS4s must begin to comply with the receiving water limitations iterative process once their plans are fully implemented. The receiving water limitation language provided in this General Permit is identical to the language established in SWRCB Water Quality Order WQ-99-05 adopted by SWRCB on June 17, 1999. As interpreted in SWRCB Water Quality Order WQ-2001-15, adopted by SWRCB on November 15, 2001, the receiving water limitations in this General Permit do not require strict compliance with water quality standards. SWRCB language requires that SWMPs be designed to achieve compliance with water quality standards over time, through an iterative approach requiring improved BMPs. Upon full implementation of the SWMP, exceedances of water quality standards must be addressed through the iterative process.

Reporting Requirements

The Permittee must track and assess its program to ensure BMP effectiveness and must conform to other monitoring requirements that may be imposed by RWQCB. The Permittee is required to submit annual reports to the appropriate RWQCB by September 15th of each year (for Small MS4s designated with the adoption of this permit, the first annual report is to be submitted in 2004), or as otherwise required by the RWQCB Executive Officer. Among other things, the Permittee shall evaluate its compliance with permit conditions, evaluate and assess the effectiveness of its BMPs, summarize the results of any monitoring performed, summarize the activities planned for the next reporting cycle, and, if necessary, propose changes to SWMP.

Monitoring

Inspections, as a form of visual monitoring, are important to a storm water program. Inspections of storm water runoff and infrastructure (such as drop inlets, basins, and gutters) can say a lot about the effectiveness and needs of a storm water program. Through inspections, non-storm water discharges can be discovered and subsequently stopped, maintenance needs can be identified, and visual pollutants and erosion problems can be detected. Inspections of facilities are also important for public education and outreach, to ensure proper BMP implementation and maintenance, and to detect non-storm water discharges. Additionally, chemical monitoring can be used to involve the public through citizen monitoring groups, detect pollutants, identify and target pollutants of concern, illustrate water quality improvements and permit compliance, and participate in total maximum daily load (TMDL) development and implementation.

Monitoring environmental indicators through bio-assessments or other less technical methods may also be a key component of a program. Although it may be more challenging, it is also very valuable because it is the "final product," not just for a storm water program but for the broader environmental health of a community.

More specifically, the objectives of a monitoring program may include:

- Assessing compliance with this General Permit;
- Measuring and improving the effectiveness of SWMP;
- Assessing the chemical, physical, and biological impacts on receiving waters resulting from urban runoff;
- Characterizing storm water discharges;
- Identifying sources of pollutants; and
- Assessing the overall health and evaluating long-term trends in receiving water quality.

While only inspections of construction sites, as part of the Construction Site Storm Water Runoff Control Minimum Control Measure, are specifically required, as elucidated above, other monitoring tasks may be appropriate in a storm water program. Also, the RWQCB can require additional monitoring.

Termination of Coverage

A Permittee may terminate coverage if: a new operator has assumed responsibility for the regulated Small MS4; the Permittee has ceased operation of its MS4; or all discharge of runoff from the Small MS4 has been eliminated. To terminate coverage, the Permittee must submit to RWQCB a written request for permit termination.

Reliance on a SIE

A Permittee may rely on a separate entity to implement one or more of the six Minimum Control Measures, if the separate entity can appropriately and adequately address the storm water issues of the Permittee. To do this, both entities must agree to the arrangement, and the Permittee must comply with the applicable parts of the SIE's program. The arrangement is subject to the approval of the RWQCB Executive Officer.

In accordance with section 122.35(a)(3), the Permittee remains responsible for compliance with its permit obligations if SIE fails to implement the control measure(s) (or component thereof). Therefore, the entities are encouraged to enter into a legally binding agreement to minimize any uncertainty about compliance with the permit.

If the Permittee relies on an SIE to implement all six Minimum Control Measures and SIE also has a storm water permit, the Permittee relying on SIE must still submit an NOI, appropriate fee, proof that SIE's SWMP has been approved by RWQCB or its staff, and certification of the arrangement. However, the Permittee is not required to develop or submit a SWMP or annual reports, unless requested to do so by the RWQCB Executive Officer. The arrangement is subject to the approval of the RWQCB Executive Officer.

School districts present an example of where an SIE arrangement may be appropriate, either by forming an agreement with a city or with an umbrella agency, such as the County Office of Education. Because schools provide a large audience for storm water education, as part of the agreement, the two entities may coordinate an education program. An individual school or a school district may agree to provide a one-hour slot for all the second and fifth grade classes during which the city would bring in its own storm water presentation. Alternatively, the school could agree to teach a lesson in conjunction with an outdoor education science project, which may also incorporate a public involvement component. Additionally, the school and the city or Office of Education may arrange to have the school's maintenance staff attend the other entity's training sessions.

Retention of Records

The Permittee is required to retain records of all monitoring information and copies of all reports required by this General Permit for a period of at least five years from the date generated. This period may be extended by request of SWRCB or RWQCB.

Role of RWQCBs

RWQCBs and their staff will review and decide whether to approve SWMPs and, where requested, conduct public hearings on NOIs and SWMPs. Upon approval, they will notify Permittees that they have obtained permit coverage. They will also oversee implementation and compliance with this General Permit. As appropriate, they will review reports, require modification to SWMPs and other submissions, impose region-specific monitoring requirements, conduct inspections, take enforcement actions against violators of this General Permit, and make additional designations of regulated Small MS4s pursuant to this General Permit. They may also issue individual permits to regulated Small MS4s, and alternative general permits to

categories of regulated Small MS4s. Upon issuance of such permits by an RWQCB, this General Permit shall no longer regulate the affected Small MS4s.

The Permittee and RWQCB are encouraged to work together to accomplish the goals of the storm water program. Specifically, they can coordinate the oversight of construction and industrial sites. For example, Permittees are required to implement a construction program. This program must include procedures for construction site inspection and enforcement. Construction sites disturbing an acre of land or more are also subject to inspections by RWQCB under the Statewide General Permit for Discharges of Storm Water Associated with Construction Activity. U.S. EPA intended to provide a structure that requires permitting through the federal CWA while at the same time achieving local oversight of construction projects. A structured plan review process and field enforcement at the local level, which is also required by this General Permit, were cited in the preamble to the Phase II regulations as the most effective components of a construction program.

Similarly, as part of the illicit discharge detection and elimination program, the Permittee may inspect facilities that are permitted by the Statewide General Permit for Discharges of Storm Water Associated with Industrial Activity and subject to RWQCB inspections. The Small MS4 an RWQCB are encouraged to coordinate efforts and use each of their enforcement tools in the most effective manner. For instance, the Small MS4 may identify a construction site operator that is not in compliance with the local requirements and the

Construction General Permit.
The Small MS4 may establish a fee for re-inspection if a site is out of compliance. If education efforts and the inspection fee fail to bring the site into compliance, the Small MS4 may contact RWQCB and arrange a dual inspection and start enforcement procedures under the CWA if compliance is not achieved.

Relationship Between the Small MS4 Permit and the General Permit for Discharges of Storm Water Associated with Industrial Activity (Industrial Permit)
Some MS4 operators may also have facilities that are subject to the Industrial Permit. While the intent of both of these permits is to reduce pollutants in storm water, neither permit's requirements totally encompass the other. This General Permit requires that MS4 operators address six Minimum Control Measures, while the Industrial Permit requires the development and implementation of Storm Water Pollution Prevention Plans (SWPPP) for certain "industrial" activities as well as requiring specific visual and chemical monitoring. In the Preamble to the Phase II regulations, U.S. EPA notes that for a combination permit to be acceptable, it must contain all of the requirements for each permit. Further, "when viewed in its entirety, a combination permit, which by necessity would need to contain all elements of otherwise separate industrial and MS4 permit requirements, and require NOI information for each separate industrial activity, may have few advantages when compared to obtaining separate MS4 and industrial general permit coverage."

Where the permits do overlap, one program may reference the other. More specifically, the Good Housekeeping for Municipal Operations Minimum Control Measure requires evaluation of municipal operations, some of which may be covered under the Industrial Permit. The development and implementation of SWPPP under the Industrial Permit will likely satisfy the Good Housekeeping requirements for those industrial activities. SWMP may incorporate by reference the appropriate SWPPP.

There may be instances where a non-traditional MS4 has, under the Industrial Permit, obtained coverage for the entire facility (rather than only those areas where industrial activities occur) and has developed a SWPPP that addresses the six Minimum Control Measures required by this General Permit. In these instances, the non-traditional Small MS4 is not required to obtain coverage under this General Permit. The

entity should, in such cases, provide to the appropriate RWQCB documentation that its SWPPP addresses the six Minimum Control Measures.

STATE WATER RESOURCES CONTROL BOARD (SWRCB)
WATER QUALITY ORDER NO. 2003 - 0005 – DWQ
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT NO. CAS00000X
WASTE DISCHARGE REQUIREMENTS (WDRs)
FOR
STORM WATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s) (GENERAL PERMIT)

SWRCB finds that:

1. Urban runoff is a leading cause of pollution throughout California.

2. Pollutants of concern found in urban runoff include sediments, non-sediment solids, nutrients, pathogens, oxygen-demanding substances, petroleum hydrocarbons, heavy metals, floatables, polycyclic aromatic hydrocarbons (PAHs), trash, and pesticides and herbicides.

3. During urban development, two important changes occur. First, where no urban development has previously occurred, natural vegetated pervious ground cover is converted to impervious surfaces such as paved highways, streets, rooftops, and parking lots. Natural vegetated soil can both absorb rainwater and remove pollutants providing a very effective purification process. Because pavement and concrete can neither absorb water nor remove pollutants, the natural purification characteristics of the land are lost. Second, urban development creates new pollutant sources as human population density increases and brings with it proportionately higher levels of vehicle emissions, vehicle maintenance wastes, municipal sewage, pesticides, household hazardous wastes, pet wastes, trash, etc., which can be washed into the MS4. As a result of these two changes, the runoff leaving a developed urban area may be significantly greater in volume, velocity, and/or pollutant load than pre-development runoff from the same area.

4. A higher percentage of impervious area correlates to a greater pollutant loading, resulting in turbid water, nutrient enrichment, bacterial contamination, organic matter loads, toxic compounds, temperature increases, and increases of trash or debris.

5. Pollutants present in storm water can have damaging effects on both human health and aquatic ecosystems. In addition, the increased flows and volumes of storm water discharged from impervious surfaces resulting from development can significantly impact beneficial uses of aquatic ecosystems due to physical modifications of watercourses, such as bank erosion and widening of channels.

6. When water quality impacts are considered during the planning stages of a project, new development and many redevelopment projects can more efficiently incorporate measures to protect water quality.

7. On December 8, 1999, the U.S. Environmental Protection Agency (EPA) promulgated regulations under authority of the Clean Water Act (CWA) section 402(p)(6). These regulations require SWRCB to issue NPDES storm water permits to operators of small municipal separate storm sewer systems (Small MS4s) that discharge to waters of the U.S.

8. Of the Small MS4s defined by federal regulations, only "regulated Small MS4s" must obtain a permit. Title 40 of the Code of Federal Regulations (40 CFR) section 122.32(a) describes regulated Small MS4s as those traditional Small MS4s located within an urbanized area as determined by the latest Decennial Census by the Bureau of the Census and other Small MS4s that are designated by the permitting authority in accordance with designation criteria in Findings 10 and 11 below. Traditional Small MS4s within urbanized areas (Attachment 1) are automatically designated and are not subject to the designation criteria provided in Finding 10.

9. Section 123.35(b) of 40 CFR requires SWRCB to develop a process, as well as criteria, to designate Small MS4s as regulated Small MS4s.

10. In developing the designation criteria, factors were chosen to include parameters that may affect water quality. The following criteria will be considered in designating Small MS4s operated within a city or county as regulated Small MS4s.

a. High population density – High population density means an area with greater than 1,000 residents per square mile. Also to be considered in this definition is a high density created by a non-residential population, such as tourists or commuters.

b. High growth or growth potential – If an area grew by more than 25 percent between 1990 and 2000, it is a high growth area. If an area anticipates a growth rate of more than 25 percent over a 10-year period ending prior to the end of the first permit term, it has high growth potential.

c. Significant contributor of pollutants to an interconnected permitted MS4 – A Small MS4 is interconnected with a separately permitted MS4 if storm water that has entered the Small MS4 is allowed to flow directly into a permitted MS4. In general, if the Small MS4 discharges more than 10 percent of its storm water to the permitted MS4, or its discharge makes up more than 10 percent of the other permitted MS4's total storm water volume, it is a significant contributor of pollutants to the permitted MS4. In specific cases, the MS4s involved or third parties may show that the 10 percent threshold is inappropriate for the MS4 in question.

d. Discharge to sensitive water bodies – Sensitive water bodies are receiving waters, which are a priority to protect. They include the following:

- those listed as providing or known to provide habitat for threatened or endangered species;
- those used for recreation that are subject to beach closings or health warnings; or
- those listed as impaired pursuant to CWA section 303(d) due to constituents of concern in urban runoff (these include biochemical oxygen demand (BOD), sediment, pathogens, oil and grease, and other constituents that are found in the MS4 discharge). Additional criteria to qualify as a sensitive water body may exist and may be used by SWRCB or RWQCB on a case-by-case basis.

e. Significant contributor of pollutants to waters of the United States (U.S.) – Specific conditions presented by the MS4 may lead to significant pollutant loading to waters of the U.S. that are otherwise unregulated or inadequately regulated. An example of such a condition may be the presence of a large transportation industry. This General Permit serves as notice to those Small MS4s on Attachment 2 that they are designated as regulated Small MS4s by the SWRCB at the time of permit adoption.

11. Section 122.26(b)(16)(iii) of 40 CFR defines systems that are similar to separate storm sewer systems in cities and counties, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares as Small MS4s. In this General Permit these types of Small MS4s are referred to as non-traditional MS4s that may be designated as regulated Small MS4s and required to seek coverage under this General Permit or coverage under a separate permit. Non-traditional MS4s often operate storm sewers that are similar to traditional MS4s operated by cities or counties and discharge the same types of pollutants that are typically associated with urban runoff.

12. This permit does not designate any non-traditional MS4s. SWRCB or RWQCB may designate non-traditional MS4s at any time subsequent to the adoption of this General Permit. Non-traditional MS4s that may be designated at a future date include, but are not limited to,
those listed in Attachment 3 of this General Permit.

13. Non-traditional Small MS4 entities that are designated, but whose entire facilities are subject to the NPDES General Permit for the Discharge of Storm Water Associated with Industrial Activities and whose Storm Water Pollution Prevention Plan (SWPPP) addresses all six Minimum Control Measures described in this General Permit, are not required to obtain coverage under this General Permit. Such entities must present documentation to the appropriate RWQCB, showing that they meet the requirements for exclusion from coverage.

14. This General Permit requires regulated Small MS4s (Permittees) to develop a Storm Water Management Program (SWMP) designed to reduce the discharge of pollutants to the Maximum Extent Practicable (MEP) and to protect water quality. Upon approval of SWMP by the Regional Water Quality Control Board (RWQCB) or its Executive Officer, the Permittees obtain coverage under this General Permit. This General Permit requires implementation of SWMP.

15. SWMP will be available for public review and comment and may be subject to a public hearing if requested prior to approval.

16. Permittees can satisfy the requirements through effective implementation of a SWMP, which must contain Best Management Practices (BMPs) that address six Minimum Control Measures. SWMP must incorporate measurable goals and time schedules of implementation.

17. The MEP standard is an ever-evolving, flexible, and advancing concept, which considers technical and economic feasibility. As knowledge about controlling urban runoff continues to evolve, so does that which constitutes MEP. Reducing the discharge of storm water pollutants to MEP in order to protect beneficial uses requires review and improvement, which includes seeking new opportunities. To do this, the Permittee must conduct and document evaluation and assessment of each relevant element of its program and revise activities, control measures, BMPs, and measurable goals, as necessary to meet MEP.

18. This General Permit includes Supplemental Provisions that apply to traditional and nontraditional Small MS4s serving a population of 50,000 people or more, or that are subject to high growth. These requirements address post-construction requirements and compliance with water quality standards. These Supplemental Provisions are similar to requirements for Medium and Large MS4s (Phase I), and are appropriate because larger Small MS4s are able to have more robust storm water programs and fast-growing Small MS4s may cause greater impacts to water quality.

19. The Receiving Water Limitations language contained in Attachment 4 is identical to the language established in SWRCB Water Quality Order WQ-99-05 adopted by the SWRCB on June 17, 1999. As interpreted in SWRCB Water Quality Order WQ-2001-15, adopted by the SWRCB on November 15, 2001, the receiving water limitations in this General Permit do not require strict compliance with water quality standards, but instead require compliance with water quality standards over time, through an iterative approach requiring improved BMPs.

20. The post-construction requirements, or Design Standards, contained in Attachment 4 are consistent with Order WQ-2000-11 adopted by SWRCB on October 5, 2000.

21. The purpose of the annual performance review is to evaluate (1) SWMP's effectiveness; (2) the implementation of SWMP (3) status of measurable goals; (4) effectiveness of BMPs; and (5) improvement opportunities to achieve MEP.

22. To apply for permit coverage authorizing storm water discharges to surface waters pursuant to this General Permit, the Permittees must submit a complete application package to the appropriate RWQCB. An application package includes a Notice of Intent (NOI) to comply with the terms of this General Permit, appropriate fee (in accordance with the most recent fee schedule1), and SWMP. Permittees relying entirely on separately permitted Separate Implementing Entities (SIEs) to implement their entire programs are not required to submit a SWMP if the SIE being relied on has an approved SWMP. Attachment 8 gives contact information for each RWQCB.

23. Upon receipt of a complete permit application, the application will be public noticed for thirty days on SWRCB's website. During the public notice period, a member of the public may request that a public hearing be conducted by RWQCB. If no public hearing is requested, the application may be approved by the RWQCB Executive Officer. Permittees obtain coverage under the General Permit only after the SWMP has been approved.

24. Each Permittee is individually responsible for adoption and enforcement of ordinances and/or policies, implementation of identified control measures/BMPs needed to prevent or reduce pollutants in storm water, and for allocation of funds for the capital, operation and maintenance, and enforcement expenditures necessary to implement and enforce such control measures/BMPs within its jurisdiction. Enforcement actions concerning this General Permit will be pursued only against the individual Permittee responsible for specific violations of this General Permit.

25. In accordance with 40 CFR section 122.28(b)(3), a RWQCB may issue an individual MS4 NPDES Permit to a Permittee otherwise subject to this General Permit, or adopt an alternative general permit that covers storm water discharges regulated by this General Permit. The applicability of this General Permit is automatically terminated on the effective date of the individual permit or the date of approval for coverage under the alternative general permit.

26. Certain BMPs implemented or required by Permittees for urban runoff management may create a habitat for vectors (e.g., mosquitoes and rodents) if not properly designed or maintained. Close collaboration and cooperative effort between the Permittees, local vector control agencies, RWQCB staff, and the State Department of Health Services is necessary to identify and implement appropriate vector control measures that minimize potential nuisances and public health impacts resulting from vector breeding.

27. This General Permit may be reopened and modified if the decision *in Environmental Defense Center v. EPA* is revised or vacated.

28. This NPDES Permit is consistent with the anti-degradation policies of 40 CFR section 131.12, SWRCB Resolution 68-16, and RWQCBs' individual Basin Plans. Implementing storm water quality programs that address the six Minimum Control Measures in previously unregulated areas will decrease the pollutant loading to the receiving waters and improve water quality.

1 California Code of Regulations. Title 23. Division 3. Chapter 9 Waste Discharge Reports and Requirements. Article 1 Fees.

29. Following public notice in accordance with State and federal laws and regulations, SWRCB, in public hearings on December 2, 2002 and April 30, 2003, heard and considered all comments. SWRCB has prepared written responses to all significant comments.

30. This action to adopt an NPDES Permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code § 21100, et seq.) in accordance with section 13389 of the Porter-Cologne Water Quality Control Act (Porter-Cologne) (Division 7 of the California Water Code).

31. This NPDES Permit is in compliance with Part 402 of CWA and shall take effect 100 days after adoption by SWRCB. Once in effect, RWQCBs shall enforce the provisions herein.

IT IS HEREBY ORDERED that operators of Small MS4s subject to this General Permit shall comply with the following:

A. APPLICATION REQUIREMENTS

1. Deadlines for Application

a. By August 8, 2003, all Permittees automatically designated (see Attachment 1) must either apply for coverage under this General Permit (either individually or as a co-permittee), submit an application for an individual or alternative general Small MS4 permit (if applicable), or submit a joint application for modification of an existing large or medium MS4 permit (40 CFR§122.33(c)(1)).Permittees that submitted complete application packages prior to the adoption of this General Permit to meet the federal regulation March 10, 2003deadline have complied with this requirement and are not required to submit a duplicate application package.

b. By October 27, 2003, traditional Small MS4s designated according to Finding 10 (see Attachment 2), must either apply for coverage under this General Permit (either individually or as a co-permittee), submit an application for an individual or alternative general Small MS4 permit, or submit a joint application for modification of an existing large or mediums permit (40 CFR §122.33(c)(2)). Written notices will be sent to designated parties subsequent to adoption of this General Permit.

c. Non-traditional Small MS4s, or other Small MS4s, which are designated by RWQCB o SWRCB after adoption of this General Permit must apply for coverage under this General Permit (either individually or as a co7 permittee), submit a complete application for a individual or alternative general Small MS4 permit, or submit a joint application for modification of an existing large or medium MS4 permit (40 CFR §122.33(c)(2)).
Applications must be submitted within 180 days of designation unless a later date is provided in the designation letter.

2. General Permit Application

To obtain coverage under this General Permit, submit to the appropriate RWQCB a completed NOI (Attachment 7), a complete SWMP (one hard copy and one electronic copy in Word or PDF format), and appropriate fee. SWMP shall meet all the requirements of Section D of this General Permit. Permittees relying entirely on SIEs pursuant to Provision D.6 and permitted under the NPDES program are not required to submit a SWMP.

3. General Permit Coverage

Permit coverage will be in effect upon the completion of the following:

a. The Permittee has submitted a complete permit application to the appropriate RWQCB,
b. Receipt of a complete application is noticed for a minimum of 60 days and copies provided to the public for review and comment upon request,
c. The proposed SWMP has been reviewed by RWQCB staff, and
d. SWMP has been approved by the RWQCB Executive Officer, or approved by RWQCB in a public hearing, if requested.

B. DISCHARGE PROHIBITIONS

1. Discharges of waste that are prohibited by Statewide Water Quality Control Plans or applicable Regional Water Quality Control Plans (Basin Plans) are prohibited.

2. Discharges from the MS4s regulated under this General Permit that cause or threaten to cause nuisance are prohibited.

3. Discharges of material other than storm water to waters of the U.S. or another permitted MS4 must be effectively prohibited, except as allowed under Provision D.2.c, or as otherwise authorized by a separate NPDES permit.

C. EFFLUENT LIMITATIONS

1. Permittees must implement BMPs that reduce pollutants in storm water to the technology-based standard of MEP.

2. Storm water discharges regulated by this General Permit shall not contain a hazardous substance in amounts equal to or in excess of a reportable quantity listed in 40 CFR Part 117 or 40 CFR Part 302.

D. STORM WATER MANAGEMENT PROGRAM REQUIREMENTS

The Permittee shall maintain, implement, and enforce an effective SWMP, and develop adequate legal authority to implement and enforce the SWMP, designed to reduce the discharge of pollutants from the permitted MS4 to MEP and to protect water quality. SWMP shall serve as the framework for identification, assignment, and implementation of control measures/BMPs. The Permittee shall implement SWMP and shall subsequently demonstrate its effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in storm water discharges to the MEP. SWMP shall be fully implemented by the expiration of this General Permit, or within five years of designation for Small MS4s designated subsequent to Permit adoption, with reasonable progress made towards implementation throughout the term of the General Permit. Existing programs that have storm water quality benefits can be identified in the SWMP and be a part of a Permittee's storm water program. SWMP shall be revised to incorporate any new or modified BMPs or measurable goals developed through the Permittee's annual reporting process. The Permittee shall incorporate changes required by or acceptable to the RWQCB Executive Officer into applicable annual revisions to SWMP and adhere to its implementation.

1. The Permittee shall maintain, implement, and enforce an effective SWMP designed to reduce the discharge of pollutants from the regulated Small MS4 to the MEP and to protect water quality.

2. SWMP must describe BMPs, and associated measurable goals, that will fulfill the requirements of the following six Minimum Control Measures.

a. Public Education and Outreach on Storm Water Impacts

The Permittee must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff. For non-traditional Permittees, the employee/user population may serve as "the public" to target for outreach and involvement. Non-traditional Small MS4s that discharge into medium and large MS4 may integrate public education and outreach program with the existing MS4public education and outreach programs.

b. Public Involvement/Participation

The Permittee must at a minimum comply with State and local public notice requirements when implementing a public involvement/participation program.

c. Illicit Discharge Detection and Elimination

The Permittee must:

1) Develop, implement, and enforce a program to detect and eliminate illicit discharges (as defined at 40 CFR §122.26(b)(2)) into the regulated Small MS4;

2) Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and locations of all waters of the U.S. that receive discharges from those outfalls;

3) To the extent allowable under State or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the MS4 and implement appropriate enforcement procedures and actions;

4) Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the system that are not authorized by a separate NPDES permit;

5) Inform public employees, businesses, and the general public of the hazards that are generally associated with illegal discharges and improper disposal of waste; and

6) Address the following categories of non-storm water discharges or flows (i.e., authorized non-storm water discharges) only where they are identified as significant contributors of pollutants to the Small MS4:

1. water line flushing;
2. landscape irrigation;
3. diverted stream flows;
4. rising ground waters;
5. uncontaminated ground water infiltration (as defined at 40 CFR §35.2005(20)) to separate storm sewers;
6. uncontaminated pumped ground water;
7. discharges from potable water sources;
8. foundation drains;
9. air conditioning condensation;
10. irrigation water;
11. springs;
12. water from crawl space pumps;
13. footing drains;
14. lawn watering;
15. individual residential car washing;
16. flows from riparian habitats and wetlands; and
17. dechlorinated swimming pool discharges.

Discharges or flows from fire fighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the U.S. If a RWQCB Executive Officer determines that any individual or class of non-storm water discharge(s) listed above may be a significant source of pollutants to waters of the U.S. or physically interconnectedMS4, or poses a threat to water quality standards (beneficial uses), the RWQCB Executive Officer may require the appropriate Permittee(s)to monitor and submit a report and to implement BMPs on the discharge.

d. **Construction Site Storm Water Runoff Control**

The Permittee must develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the Small MS4 from construction activities that result in a land disturbance of greater than or

equal to one acre. Reduction of storm water discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The program must include the development and implementation of, at a minimum:

1. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions, or other effective mechanisms, to ensure compliance, to the extent allowable under State, or local law;

2. Requirements for construction site operators to implement appropriate erosion and sediment control BMPs;

3. Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;

4. Procedures for site plan review which incorporate consideration of potential water quality impacts;

5. Procedures for receipt and consideration of information submitted by the public; and

6. Procedures for site inspection and enforcement of control measures.

e. Post-Construction Storm Water Management in New Development and Redevelopment
The Permittee must:

1. Develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the Small MS4 by ensuring that controls are in place that would prevent or minimize water quality impacts;

2. Develop and implement strategies, which include a combination of structural and/or non-structural BMPs appropriate for your community;

3. Use an ordinance or other regulatory mechanism to address post construction runoff from new development and redevelopment projects to the extent allowable under State or local law For those Small MS4s described in Supplemental Provision E below, the requirements must at least include the design standards contained in Attachment 4 of this General Permit or a functionally equivalent program that is acceptable to the appropriate RWQCB; and

4. Ensure adequate long-term operation and maintenance of BMPs. The General Permit does not require redesign of K-12 school or community college facilities that have been submitted to the Department of General Services, Division of the State Architect before adoption of the permit, and
which receive final approval from the State Allocation Board or the Public Works Board, as appropriate, on or before December 31, 2004.

f. Pollution Prevention/Good Housekeeping for Municipal Operations
The Permittee must:

1. Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations; and

2. Using training materials that are available from U.S. EPA, the State, or other organizations, the program must include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet building maintenance, new construction and land disturbances, and storm water system maintenance.

3. SWMP must identify the measurable goals for each of the BMPs, including, as appropriate, the months and years for scheduled actions, including interim milestones and the frequency of the action.

4. SWMP must identify the person or persons who will implement or coordinate SWMP, as well as each Minimum Control Measure.

5. Termination of coverage
A Permittee may terminate coverage if a new operator has assumed responsibility for the MS4, the Permittee has ceased operation of the MS4, or the Permittees has eliminated discharges from the MS4. To terminate coverage, the Permittee must submit a written request to the RWQCB.

6. Reliance on a SIE
The Permittee may rely on a SIE to satisfy one or more of the permit obligations, if the separate entity can appropriately and adequately address the storm water issues of the Permittee. The Permittee must describe the arrangement in the SWMP and the arrangement is subject to the approval of the RWQCB Executive Officer. The other entity must agree to implement the control measure(s), or components thereof, to achieve compliance with the General Permit. The Permittee remains responsible for compliance with this General Permit if the SIE fails to implement the control measure(s). If the Permittee relies on an SIE to implement all six Minimum Control Measures and the SIE also has a storm water permit issued by SWRCB or RWQCB, the Permittee relying on the SIE must still submit an NOI, appropriate fee, and certification of the arrangement. The Permittee must note this fact in the NOI and provide proof that the SIE has an approved SWMP, but is not required to maintain a SWMP nor submit annual reports

7. Outfalls not identified in the storm sewer system map required by Provision D.2.c.2), but constructed within the permitted area during the term of this General Permit to receiving waters identified in the NOI, shall not be considered a material change in character, location, or volume of the permitted discharge, and shall be allowed under the terms of this General Permit without permit application or permit modification, provided that the following information be provided in the subsequent annual report:

a. Receiving water name;
b. Storm sewer system map of added area;
c. Certification that SWMP shall be amended to include the drainage area.

E. SUPPLEMENTAL PROVISIONS

Those regulated traditional and non-traditional Small MS4s serving a population over 50,000 or that are subject to high growth (at least 25 percent over ten years) must comply with the requirements in Attachment 4 of this General Permit. Compliance is required upon full implementation of the Small MS4s' storm water management plan. Attachment 5 provides a list of communities that SWRCB anticipates being subject to the provisions in Attachment 4.

F. REPORTING REQUIREMENTS AND MONITORING

1. Reporting
The Permittee must submit annual reports to the appropriate RWQCB by September 15th of each year (for Small MS4s designated with the adoption of this permit, the first annual report is to be submitted in 2004), or as otherwise required by the RWQCB Executive Officer, unless exempted under Provision D.6. The

report shall summarize the activities performed throughout the reporting period (July 1 through June 30) and must include:

a. The status of compliance with permit conditions;
b. An assessment of the appropriateness and effectiveness of the identified BMPs;
c. Status of the identified measurable goals;
d. Results of information collected and analyzed, including monitoring data, if any, during the reporting period;
e. A summary of the storm water activities the Permittee plans to undertake during the next reporting cycle;
f. Any proposed change(s) to SWMP along with a justification of why the change(s) are necessary; and
g. A change in the person or persons implementing and coordinating SWMP.

2. RWQCB may impose additional monitoring requirements, which may include a reporting component. RWQCBs may adopt such requirements on an individual or group basis.

3. Recordkeeping

The Permittee must keep records required by this General Permit for at least five years or the duration of the General Permit if continued. The RWQCB Executive Officer may specify a longer time for record retention. The Permittee must submit the records to the RWQCB Executive Officer upon request. The Permittee must make the records, including the permit and SWMP, available to the public during regular business hours.

G. RWQCB AUTHORITIES

RWQCBs will review and approve SWMPs prior to permit coverage being in effect and will conduct public hearings of individual permit applications upon request. Where there is no hearing, the Executive Officer may approve the SWMP. RWQCBs will also oversee compliance with this General Permit. Oversight may include, but is not limited to, reviewing reports, requiring modification to SWMPs and other submissions, imposing region-specific monitoring requirements, conducting inspections, taking enforcement actions against violators of this General Permit, and making additional designations of Permittees pursuant with the criteria described in this General Permit and Fact Sheet. The RWQCBs may also issue individual permits to regulated Small MS4s, and alternative general permits to categories of regulated Small MS4s. Upon issuance of such permits by an RWQCB, this General Permit shall no longer regulate the affected Small MS4(s).

H. STANDARD PROVISIONS

1. General Authority

Three of the minimum control measures (illicit discharge detection and elimination, and the two construction-related measures) require enforceable controls on third party activities to ensure successful implementation of the measure. Some non-traditional operators, however, may not have the necessary legal regulatory authority to adopt these enforceable controls. As in the case of local governments that lack such authority, non-traditional MS4s are expected to utilize the authority they do possess and to seek cooperative arrangements.

2. Duty to Comply

The Permittee must comply with all of the conditions of this General Permit. Any permit noncompliance constitutes a violation of CWA and the Porter-Cologne and is grounds for enforcement action and/or removal from General Permit coverage. In the event that the Permittee is removed from coverage under the General Permit, the Permittee will be required to seek coverage under an individual or alternative general permit.

3. General Permit Actions

This General Permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a General Permit modification, revocation and re-issuance, or termination, or a notification of planned changes or anticipated noncompliance does not nullify any General Permit condition. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under section 307(a) of CWA for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this General Permit, this General Permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and Permittee so notified.

4. Noncompliance Reporting

Permittees who cannot certify compliance and/or who have had other instances of noncompliance shall notify the appropriate RWQCB within 30 days. Instances of noncompliance resulting in emergencies (i.e., that endanger human health or the environment) shall be reported orally to the RWQCB within 24 hours from the time the discharger becomes aware of the circumstance and in writing to the RWQCB within five days of the occurrence. The notification shall identify the noncompliance event and an initial assessment of any impact caused by the event, describe the actions necessary to achieve compliance, and include a time schedule indicating when compliance will be achieved. The time schedule and corrective measures are subject to modification by the RWQCB Executive Officer.

5. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this General Permit.

6. Duty to Mitigate

The Permittee shall take all responsible steps to minimize or prevent any discharge in violation of this General Permit that has a reasonable likelihood of adversely affecting human health or the environment.

7. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain any facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this General Permit and with the requirements of SWMP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance may require the operation of backup or auxiliary facilities or similar systems installed by the Permittee when necessary to achieve compliance with the conditions of this General Permit.

8. Property Rights

This General Permit does not convey any property rights of any sort or any exclusive privileges, no does it authorize any injury to private property or any invasion of personal rights, nor does it authorize any infringement of federal, State, or local laws or regulations.

9. Duty to Provide Information

The Permittee shall furnish RWQCB, SWRCB, or U.S. EPA, during normal business hours, any requested information to determine compliance with this General Permit. The Permittee shall also furnish, upon request, copies of records required to be kept by this General Permit.

10. Inspection and Entry

The Permittee shall allow RWQCB, SWRCB, U.S. EPA, or an authorized representative of RWQCB, SWRCB, or U.S. EPA, upon the presentation of credentials and other documents as may be required by law, to:

a. Enter upon the Permittee's premises during normal business hours where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this General Permit;
b. Access and copy, during normal business hours, any records that must be kept under the conditions of this General Permit within a reasonable time from notification;
c. Inspect during normal business hours any municipal facilities; and
d. Sample or monitor at reasonable times for the purpose of assuring General Permit compliance.

11. Signatory Requirements
All NOIs, SWMPs, certifications, reports, or other information prepared in accordance with this General Permit submitted to SWRCB or RWQCB shall be signed by either a principal executive officer, ranking elected official, or duly authorized representative. The principal executive officer of a Federal agency includes the chief executive officer of the agency or the senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of U.S. EPA).

12. Certification
Any person signing documents under Section H.11 above shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

13. Anticipated Noncompliance
The Permittee will give advance notice to the RWQCB and local storm water management agency of any planned changes in the regulated Small MS4 activity that may result in noncompliance with General Permit requirements.

14. Penalties for Falsification of Reports
Section 309(c)(4) of CWA provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this General Permit, including reports of compliance or noncompliance, shall upon conviction, be punished by a fine of not more than $10,000 or by imprisonment for not more than two years or by both.

15. Penalties for Violations of Permit Conditions
a. Part 309 of CWA provides significant penalties for any person who violates a permit condition implementing Parts 301, 302, 306, 307, 308, 318, or 405 of CWA or any permit condition or limitation implementing any such section in a permit issued under Part 402. Any person who violates any permit condition of this General Permit is subject to a civil penalty not to exceed $27,500 per calendar day of such violation, as well as any other appropriate sanction provided by Part 309 of CWA.
b. Porter-Cologne also provides for administrative, civil, and criminal penalties, which in some cases are greater than those under CWA.

16. Oil and Hazardous Substance Liability
Nothing in this General Permit shall be construed to preclude the institution of any legal action against the Permittee or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject to under Part 311 of CWA.

17. Severability
The provisions of this General Permit are severable; and, if any provision of this General Permit or the application of any provision of this General Permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this General Permit shall not be affected thereby.

18. Reopener Clause
This General Permit may be modified, revoked and reissued, or terminated for cause due to promulgation of amended regulations, or otherwise in accordance with 40 CFR sections 122.62, 122.63, 122.64, and 124.5.

19. Availability
A copy of this General Permit and SWMP shall be made available for public review.

20. Transfers
This General Permit is not transferable. A Permittee must submit written notification to the appropriate RWQCB to terminate coverage of this General Permit.

21. Continuation of Expired Permit
This General Permit expires five years from the date of adoption. This General Permit continues in force and in effect until a new General Permit is issued or the SWRCB rescinds this General Permit. Only those Small MS4s authorized to discharge under the expiring General Permit are covered by the continued General Permit.

CERTIFICATION
The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of SWRCB held on April 30, 2003.

AYE: Arthur G. Baggett, Jr.
Peter S. Silva
Richard Katz
Gary M. Carlton
NO: None
ABSENT: None
ABSTAIN: None

Attachment 1 To WQO 2003-0005-DWQ Auto Designated MS4s

Operators of Municipal Separate Storm Sewer Systems that serve areas within urbanized areas are automatically designated as regulated Small MS4s. These include the following areas. (For cities, the permit area boundary is the city boundary. For counties, permit boundaries must at least be inclusive of urbanized areas. The boundaries must be proposed in the permit application and may be developed in conjunction with the applicable regional water quality control board.)

Region 3

Aptos, County of Santa Cruz
City of Atascadero
Ben Lomand, County of Santa Cruz
Boulder Creek, County of Santa Cruz
City of Capitola
City of Carmel-by-the-Sea
Carmel Valley Village, County of Monterey
City of Carpinteria
Castroville, County of Monterey
Coralitos, County of Santa Cruz
City of Del Ray Oaks
Felton, County of Santa Cruz
City of Gilroy
Goleta, County of Santa Barbara
Isla Vista, County of Santa Barbara
Las Lomas, County of Santa Cruz
Live Oak, County of Santa Cruz
City of Lompoc
City of Marina
Montecito, County of Santa Barbara
City of Monterey
City of Morgan Hill
Nipomo, County of San Luis Obispo
Orcutt, County of Santa Barbara
City of Pacific Grove
Pajaro, County of Monterey
City of Paso Robles
Pebble Beach, County of Monterey
Prunedale, Count of Monterey
City of San Luis Obispo
City of Sand City
San Martin, County of Santa Clara
City of Santa Barbara
City of Santa Cruz
City of Santa Maria
City of Scotts Valley
City of Seaside
Soquel, County of Santa Cruz
Summerland, County of Santa Cruz
City of Watsonville
Templeton, County of San Luis Obispo
Vandenberg Village, County of Santa Barbara
County of Monterey
County of San Luis Obispo
County of Santa Barbara
County of Santa Clara
County of Santa Cruz

All Other Regions

Listings of Small MS4s in other RWQCB regions are intentionally deleted from the original of this document in order to conserve document space. A complete list of all listings may be found at
http://www.waterboards.co.gov/stormwtr/docs/final_ms4_permit

Attachment 2 To WQO 2003-0005-DWQ State WRCB Designated MS4s

Operators of Municipal Separate Storm Sewer Systems that serve areas that are designated by the State Water Resources Control Board or Regional Water Quality Control Board in accordance with the designation criteria contained in the General Permit are regulated Small MS4s. These include, but are not limited to, the following areas. (For cities, the permit area boundary is the city boundary. For counties, permit boundaries must at least be inclusive of urbanized areas. The boundaries must be proposed in the permit application and may be developed in conjunction with the applicable regional water quality control board.)

Region 3
Area Justification Details

City of Grover Beach
- High Population Density
- Tourism,

Urban cluster

City of Arroyo Grande
- High Population Density
- Tourism

Urban cluster

Baywood-Los Osos, County of San Luis Obispo
- Discharge Into A Sensitive Water Body
- High Population Density
- Morro Bay which is on the 303(d) list for sediments
- Urban cluster

City of Buellton • Discharge Into A Sensitive Water Body
- High Population Density
- Santa Ynez River, which is on the 303(d) list for nutrients and sediment
- Urban cluster

Cambria, County of San Luis Obispo
- Discharge Into A Sensitive Water Body
- High Population Density
- Marine Sanctuary
- Urban cluster

City of Greenfield • Discharge Into A Sensitive Water Body
- High Growth Rate
- High Population Density
- Salinas River, which is listed for sediment and salinity/TDS/chlorides
- 68.6% over 10 years
- Urban cluster

City of Hollister • Discharge Into A Sensitive Water Body
- High Growth Rate
- High Population Density
- San Benito River, which is listed for sediment
- 79.1% over 10 years
- Urban cluster

City of King City • Discharge Into A Sensitive • Salinas River, which is listed Water Body
- High Growth Rate
- High Population Density for sediment and salinity/TDS/chlorides
- 45.3% over 10 years
- Urban cluster

Los Olivos, County of Santa Barbara
- Discharge Into A Sensitive Water Body
- High Population Density
- Santa Ynez River, which is on the 303(d) list for nutrients and sediment
- Urban Cluster

City of Morro Bay • Discharge Into A Sensitive Water Body

- High Population Density
- Morro Bay, which is on the 303(d) list for sediments
- Urban cluster

Oceano, County of San Luis Obispo
- High Population Density • Tourism, Urban cluster

City of Pismo Beach
- High Population Density • Tourism, Urban cluster

Santa Ynez, County of Santa Barbara
- Discharge Into A Sensitive Water Body
- High Population Density
- Santa Ynez River, which is on the 303(d) list for nutrients and sediment
- Urban cluster

Shell Beach, County of San Luis Obispo
- High Population Density • Tourism

City of Soledad • Discharge Into A Sensitive Water Body
- High Growth Rate
- High Population Density
- Salinas River, which is listed for sediment and salinity/TDS/chlorides
- 57.6% over 10 years
- Urban cluster

City of Solvang • Discharge Into A Sensitive Water Body
- High Population Density
- Santa Ynez River, which is on the 303(d) list for nutrients and sediment
- Urban cluster
- Tourism

All Other Regions

Listings of Small MS4s in other RWQCB regions are intentionally deleted from the original of this document in order to conserve document space. A complete list of all listings may be found at http://www.waterboards.co.gov/stormwtr/docs/final_ms4_permit

Attachment 3 WQO 2003-0005-DWQ Non-Traditional Small MS4s

Non-traditional Small MS4s anticipated to be designated in the future will include the following entities.

Region Agency Facility Address City, State, ZIP

3 School District, Lucia Mar Unified 602 Orchard St. Arroyo Grande, CA 93420-4000

3 Bureau of Prisons FCI Lompoc 3600 Guard Road Lompoc, CA 93436
3 Bureau of Prisons USP Lompoc 3901 Klein Boulevard Lompoc, CA 93436
3 California Army National Guard Camp Roberts ATTN: CACR-DIS Camp Roberts, CA 93451-5000
3 California Army National Guard Camp San Luis Obispo PO Box 4360 San Luis Obispo, CA 93403-4360
3 California Community Colleges Allan Hancock College 800 South College Drive Santa Maria, CA 93454-6368
3 California Community Colleges Cabrillo College 6500 Soquel Drive Aptos, CA 95003-3119
3 California Community Colleges Cuesta College PO Box 8106 San Luis Obispo, CA 93403-8106
3 California Community Colleges Gavilan College 5055 Santa Teresa Blvd. Gilroy, CA 95020-9599
3 California Community Colleges Hartnell College 156 Homestead Avenue Salinas, CA 93901-1697
3 California Community Colleges Monterey Peninsula College 980 Fremont Street Monterey, CA 93940-4799
3 California Community Colleges Santa Barbara City College 721 Cliff Drive Santa Barbara, CA 93109-2394
3 California State University California Polytechnic State University 1 Grand Ave. San Luis Obispo, CA 93407
3 California State University California State Monerey Bay 100 Canpus Center Seaside, CA 93955
3 California Youth Authority Ben Lomond Youth Conservation Camp 13575 Empire Grade Santa Cruz, CA
3 California Youth Authority El Paso de Robles Youth Correctional Facility Airport Road Paso Robles, CA
3 Corrections, Dept of California Men's Colony Highway 1 San Luis Obispo, CA 93409-8101
3 Corrections, Dept of Correctional Training Facility Highway 101 North Soledad, CA 93960-0686
3 Corrections, Dept of Salinas Valley State Prison PO Box 1020 Soledad, CA 93960-1020
3 Defense, Department of Camp San Luis Obispo PO Box 4360 San Luis Obispo, CA 93403-4360
3 Defense, Department of Defense Language Institute Foreign Language Center and Bldg 4463 Giggling Rd. Presido of Monterey, CA 93941-5777
3 Defense, Department of Fort Hunter Liggett AFRC-FMH-CDR Fort Hunter Liggett, CA 93928-7000
3 Defense, Department of Naval Postgraduate School Monterey Bay 1 University Circle Monterey, CA 93943-5001
3 Defense, Department of Vandenberg Air Force Base 30 CES/CEZ, 806 13th St. Suite 116 Vandenberg Air Force Base, CA 93437-5242
3 District Agricultural Association Earl Warren Showgrounds (National Horse Show) 3400 Calle Real Santa Barbara, CA
3 District Agricultural Association Monterey County Fairgrounds 2004 Fairground Road Monterey, CA
3 District Agricultural Association San Luis Obispo County Fairgrounds 2198 Riverside Avenue Paso Robles, CA
3 District Agricultural Association Santa Cruz County Fairgounds 2601 Eest Lake Avenue Watsonville, CA
3 District Agricultural Association Santa Maria Fairpark 937 S Thornburg Street Santa Maria, CA
3 Mental Health, Dept of Atascadero State Hospital 10333 El Camino Real Atascadero, CA
3 School District, Alisal Union Elementary 1205 E. Market St. Salinas, CA 93905-2831
3 School District, Atascadero Unified 5601 West Mall Atascadero, CA 93422-4234
3 School District, Ballard Elementary 2425 School St. Solvang, CA 93463-9709
3 School District, Bitterwater-Tully Union Elementary Lonoak Rt. King City, CA 93930-
3 School District, Blochman Union Elementary 4949 Foxen Canyon Road Santa Maria, CA 93454-9666
3 School District, Bonny Doon Union Elementary 1492 Pine Flat Road Santa Cruz, CA 95060-9711
3 School District, Buellton Union Elementary 301 Second St. Buellton, CA 93427-0075
3 School District, Carmel Unified 4380 Carmel Valley Road Carmel, CA 93922-2700
3 School District, Carpinteria Unified 1400 Lindon Ave. Carpinteria, CA 93013-1414
3 School District, Cayucos Elementary 2950 Santa Rosa Creek Road Cambria, CA 93428-3506
3 School District, Cienega Union Elementary 11936 Cienega Road Hollister, CA 95023-9697
3 School District, Coast Unified 2950 Santa Rosa Creek Road Cambria, CA 93428-3506
3 School District, Cold Spring Elementary 2243 Sycamore Canyon Road Santa Barbara, CA 93108-1909
3 School District, College Elementary 3325 Pine St. Santa Ynez, CA 93460-0188
3 School District, Gilroy Unified 7810 Arroyo Circle Gilroy, CA 95020-7313
3 School District, Goleta Union Elementary 401 N. Fairview Ave. Goleta, CA 93117-1732
3 School District, Graves Elementary 15 McFadden Road Salinas, CA 93908-
3 School District, Greenfield Union Elementary 493 El Camino Real Greenfield, CA 93927-
3 School District, Happy Valley Elementary 3125 Branciforte Dr. Santa Cruz, CA 95065-9775
3 School District, Hollister School District 2690 Cienega Rd Hollister, CA 95023-
3 School District, Hope Elementary 3970 la Colina Road Santa Barbara, CA 93110-1563
3 School District, King City Joint Union High 800 Broadway King City, CA 93930-3326
3 School District, King City Union Elementary 800 Broadway King City, CA 93930-2984
3 School District, Lagunita Elementary 975 San Juan Grade Road Salinas, CA 93907-8438
3 School District, Live Oak Elementary 984-1 Bostwick Lane Santa Cruz, CA 95062-1756
3 School District, Live Oak Unified 2201 Pennington Road Live Oak, CA 95953-2469
3 School District, Lompoc Unified 1301 North A St. Lompoc, CA 93438-8000
3 School District, Los Olivos Elementary 2540 Alamo Pintado Ave. Los Olivos, CA 93441-0208
3 School District, Mission Union Elementary 36825 Foothill Road Soledad, CA 93960-9656

3 School District, Montecito Union Elementary 385 San Ysidro Road Santa Barbara, CA 93108-2131
3 School District, Monterey Peninsula Unified 700 Pacific St. Monterey, CA 93942-1031
3 School District, Morgan Hill Unified 15600 Concord Circle Morgan Hill, CA 95037-7110
3 School District, Mountain Elementary 3042 Old San Jose Road Soquel, CA 95073-9752
3 School District, North County Joint Union Elementary 500 Spring Grove Road Hollister, CA 95023-9366
3 School District, Nuestro Elementary 3934 Broadway Road Live Oak, CA 95953-9401
3 School District, Orcutt Union Elementary Soares & Dyer Sts. Orcutt, CA 93457-2310
3 School District, Pacific Grove Unified 555 Sinex Ave. Pacific Grove, CA 93950-4320
3 School District, Pajaro Valley Joint Unified 294 Greenvalley Rd Watsonville, CA 95076-
3 School District, Paso Robles Joint Unified 800 Niblick Road Paso Robles, CA 93447-7010
3 School District, Salinas City Elementary 431 W. Alisal St. Salinas, CA 93901-1624
3 School District, Salinas Union High 431 W. Alisal St. Salinas, CA 93901-1624
3 School District, San Benito High 1220 Monterey St. Hollister, CA 95023-4708
3 School District, San Lorenzo Valley Unified 6134 Hwy. 9 Felton, CA 95018-9704
3 School District, San Luis Coastal Unified 1500 Lizzie St. San Luis Obispo, CA 93401-3099
3 School District, Santa Barbara Elementary 720 Santa Barbara St. Santa Barbara, CA 93101-
3 School District, Santa Barbara High 720 Santa Barbara St. Santa Barbara, CA 93101-
3 School District, Santa Cruz City Elementary 2931 Mission St. Santa Cruz, CA 95060-
3 School District, Santa Cruz City High 2931 Mission St. Santa Cruz, CA 95060-5709
3 School District, Santa Maria Joint Union High 2560 Skyway Dr. Santa Maria, CA 93455-
3 School District, Santa Maria-Bonita Elementary 708 S. Miller St. Santa Maria, CA 93454-6230
3 School District, Santa Rita Union Elementary 57 Russell Road Salinas, CA 93906-4325
3 School District, Santa Ynez Valley Union High 2975 E. Hwy. 246 Santa Ynez, CA 93460-
3 School District, Scotts Valley Unified 4444 Scotts Valley Dr., Ste 5B Scotts Valley, CA 95066-4529
3 School District, Soledad Unified 335 Market St. Soledad, CA 93960-
3 School District, Solvang Elementary 565 Atterdag Road Solvang, CA 93463-2690
3 School District, Soquel Union Elementary 620 Monterey Ave. Capitola, CA 95010-3618
3 School District, Southside Elementary 4991 Southside Road Hollister, CA 95023-9637
3 School District, Templeton Unified 960 Old County Road Templeton, CA 93465-9419
3 School District, Washington Union Elementary 43 San Benancio Canyon Rd Salinas, CA 93908-
3 University of California UC Santa Barbara Santa Barbara, CA 93106
3 University of California University of California, Santa Cruz 1156 High Street Santa Cruz, CA 95064

All Other Regions

Listings of Non-Traditional Small MS4s in other RWQCB regions are intentionally deleted from the original of this document in order to conserve document space. A complete list of all listings may be found at http://www.waterboards.co.gov/stormwtr/docs/final_ms4_permit

Attachment 4 To WQO 2003-0005-DWQ Areas Subject to High Growth / 50,000 Population

Areas subject to high growth or serving a population of at least 50,000 must comply with the following provisions (for counties this threshold population applies to the population within the permit area).

A. RECEIVING WATER LIMITATIONS

1. Discharges shall not cause or contribute to an exceedance of water quality standards contained in a Statewide Water Quality Control Plan, the California Toxics Rule (CTR), or in the applicable RWQCB Basin Plan.

2. The permittees shall comply with Receiving Water Limitations A.1 through timely implementation of control measures and other actions to reduce pollutants in the discharges in accordance with the SWMP and other requirements of this permit including any modifications. The SWMP shall be designed to achieve compliance with Receiving Water Limitations A.1. If exceedance(s) of water quality objectives or water quality standards (collectively, WQS) persist notwithstanding implementation of the SWMP and other requirements of this permit, the permittees shall assure compliance with Receiving Water Limitations A.1 by complying with the following procedure:

a. Upon a determination by either the permittees or the RWQCB that discharges are causing or contributing to an exceedance of an applicable WQS, the permittees shall promptly notify and thereafter submit a report to the RWQCB that describes BMPs that are currently being implemented and additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedance of WQSs. The report may be incorporated in the annual update to the SWMP unless the RWQCB directs an earlier submittal. The report shall include an implementation schedule. The RWQCB may require modifications to the report.

b. Submit any modifications to the report required by the RWQCB within 30 days of notification.

c. Within 30 days following approval of the report described above by the RWQCB, the permittees shall revise the SWMP and monitoring program to incorporate the approved modified BMPs that have been and will be implemented, implementation schedule, and any additional monitoring required.

d. Implement the revised SWMP and monitoring program in accordance with the approved schedule.

So long as the permittees have complied with the procedures set forth above and are implementing the revised SWMP, the permittees do not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by the RWQCB to develop additional BMPs.

B. DESIGN STANDARDS

Regulated Small MS4s subject to this requirement must adopt an ordinance or other document to ensure implementation of the Design Standards included herein or a functionally equivalent program that is acceptable to the appropriate RWQCB. The ordinance or other document must be adopted and effective prior to the expiration of this General Permit or, for
Small MS4s designated subsequent to the Permit adoption, within five years of designation as a regulated Small MS4.

All discretionary development and redevelopment projects that fall into one of the following categories are subject to these Design Standards. These categories are:

- Single-Family Hillside Residences
- 100,000 Square Foot Commercial Developments
- Automotive Repair Shops
- Retail Gasoline Outlets
- Restaurants
- Home Subdivisions with 10 or more housing units
- Parking lots 5,000 square feet or more or with 25 or more parking spaces and

potentially exposed to storm water runoff

1. Conflicts With Local Practices

Where provisions of the Design Standards conflict with established local codes or other regulatory mechanism, (e.g., specific language of signage used on storm drain stenciling), the Permittee may continue the local practice and modify the Design Standards to be consistent with the code or other regulatory mechanism, except that to the extent that the standards in the Design Standards are more stringent than those under local codes or other regulatory mechanism, such more stringent standards shall apply.

2. Design Standards Applicable to All Categories

a. Peak Storm Water Runoff Discharge Rates

Post-development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increased peak storm water discharge rate will result in increased potential for downstream erosion.

b. Conserve Natural Areas

If applicable, the following items are required and must be implemented in the site layout during the subdivision design and approval process, consistent with applicable General Plan and Local Area Plan policies:

1) Concentrate or cluster Development on portions of a site while leaving the remaining land in a natural undisturbed condition.
2) Limit clearing and grading of native vegetation at a site to the minimum amount needed to build lots, allow access, and provide fire protection.
3) Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
4) Promote natural vegetation by using parking lot islands and other landscaped areas.
5) Preserve riparian areas and wetlands.

c. Minimize Storm Water Pollutants of Concern

Storm water runoff from a site has the potential to contribute oil and grease, suspended solids, metals, gasoline, pesticides, and pathogens to the storm water conveyance system. The development must be designed so as to minimize, to the maximum extent practicable, the introduction of pollutants of concern that may result in significant impacts, generated from site runoff of directly connected impervious areas (DCIA), to the storm water conveyance system as approved by the building official. Pollutants of concern consist of any pollutants that exhibit one or more of the following characteristics: current loadings or historic deposits of the pollutant are impacting the beneficial uses of a receiving water, elevated levels of the pollutant are found in sediments of a receiving water and/or have the potential to bioaccumulate in organisms therein, o the detectable inputs of the pollutant are at concentrations or loads considered potentially toxic to humans and/or flora and fauna. In meeting this specific requirement, "minimization of the pollutants of concern" will require the incorporation of a BMP or combination of BMPs best suited to maximize the reduction of pollutant loadings in that runoff to the Maximum Extent Practicable.

Those BMPs best suited for that purpose are those listed in the *California Storm Water Best Management Practices Handbook*s; *Caltrans Storm Water Quality Handbook: Planning and Design Staff Guid*e; *Manual for Storm Water Management in Washington Stat*e; *The Maryland Stormwater Design Manua*l; *Florida Development Manual: A Guide to Sound Land and Water Managemen*t; Denver *Urban Storm Drainage Criteria Manual, Volume 3 – Best Management Practices* and *Guidance Specifying Management Measures for Sources of Nonpoint Pollution in*

Coastal Waters , USEPA Report No. EPA-840-B-92-002, as "likely to have significant impact" beneficial to water quality for targeted pollutants that are of concern at the site in question. However, it is possible that a combination of BMPs not so designated, may in a particular circumstance, be better suited to maximize the reduction of the pollutants.

d. Protect Slopes and Channels

Project plans must include BMPs consistent with local codes, ordinances, or other regulatory mechanism and the Design Standards to decrease the potential of slopes and/or channels from eroding and impacting storm water runoff:

1) Convey runoff safely from the tops of slopes and stabilize disturbed slopes.
2) Utilize natural drainage systems to the maximum extent practicable.
3) Stabilize permanent channel crossings.
4) Vegetate slopes with native or drought tolerant vegetation, as appropriate.
5) Install energy dissipaters, such as riprap, at the outlets of new storm drains, culverts, conduits or channels that enter unlined channels in accordance with applicable specifications to minimize erosion, with the approval of all agencies with jurisdiction, e.g., the U.S. Army Corps of Engineers and the California Department of Fish and Game.

e. Provide Storm Drain System Stenciling and Signage

Storm drain stencils are highly visible source controls that are typically placed directly adjacent to storm drain inlets. The stencil contains a brief statement that prohibits the dumping of improper materials into the storm water conveyance system. Graphical icons, either illustrating anti-dumping symbols or images of receiving water fauna, are effective supplements to the anti-dumping message. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as: "NO DUMPING – DRAINS TO OCEAN") and/or graphical icons
to discourage illegal dumping.· Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.· Legibility of stencils and signs must be maintained.

f. Properly Design Outdoor Material Storage Areas

Outdoor material storage areas refer to storage areas or storage facilities solely for the storage of materials. Improper storage of materials outdoors may provide an opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids, and other pollutants to enter the storm water conveyance system. Where proposed project plans include outdoor areas for storage of materials that may contribute pollutants to the storm water conveyance system, the following Structural or Treatment BMPs are required:

1) Materials with the potential to contaminate storm water must be:
   (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the storm water conveyance system; or
   (2) protected by secondary containment structures such as berms, dikes, or curbs.
2) The storage area must be paved and sufficiently impervious to contain leaks and spills.
3) The storage area must have a roof or awning to minimize collection of storm water within the secondary containment area.

g. Properly Design Trash Storage Areas

A trash storage area refers to an area where a trash receptacle or receptacles (dumpsters) are located for use as a repository for solid wastes. Loose trash and debris can be easily transported by the forces of water or wind into nearby storm drain inlets, channels, and/or creeks. All trash container areas must meet the following Structural or Treatment Control BMP requirements (individual single family residences are exempt from these requirements):

1) Trash container areas must have drainage from adjoining roofs and pavement diverted around the area(s).

2) Trash container areas must be screened or walled to prevent off-site transport of trash.

h. Provide Proof of Ongoing BMP Maintenance

Improper maintenance is one of the most common reasons why water quality controls will not function as designed or which may cause the system to fail entirely. It is important to consider who will be responsible for maintenance of a permanent BMP, and what equipment is required to perform the maintenance properly. As part of project review, if a project applicant has included or is required to include, Structural or Treatment Control BMPs in project plans, the Permittee shall require that the applicant provide verification of maintenance provisions through such means as may be appropriate, including, but not limited to legal agreements, covenants, CEQA mitigation requirements and/or Conditional Use Permits.

For all properties, the verification will include the developer's signed statement, as part of the project application, accepting responsibility for all structural and treatment control BMP maintenance until the time the property is transferred and, where applicable, a signed agreement from the public entity assuming responsibility for Structural or Treatment Control BMP maintenance. The transfer of property to a private or public owner must have conditions requiring the recipient to assume responsibility for maintenance of any Structural or Treatment Control BMP to be included in the sales or lease agreement for that property, and will be the owner's responsibility. The condition of transfer shall include a provision that the property owners conduct maintenance inspection of all Structural or Treatment Control BMPs at least once a year and retain proof of inspection. For residential properties where the Structural or Treatment Control BMPs are located within a common area which will be maintained by a homeowner's association, language regarding the responsibility for maintenance must be included in the project's conditions, covenants and restrictions (CC&Rs). Printed educational materials will be required to accompany
the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, how the necessary maintenance can be performed, and assistance that the Permittee can provide. The transfer of this information shall also be required with any subsequent sale of the property.

If Structural or Treatment Control BMPs are located within a public area proposed for transfer, they will be the responsibility of the developer until they are accepted for transfer by the County or other appropriate public agency. Structural or Treatment Control BMPs proposed for transfer must meet design standards adopted by the public entity for the BMP installed and should be approved by the County or other appropriate public agency prior to its installation.

i. Design Standards for Structural or Treatment Control BMPs

The Permittees shall require that post-construction treatment control BMPs incorporate, at a minimum, either a volumetric or flow based treatment control design standard, or both, as identified below to mitigate (infiltrate, filter or treat) storm water runoff:

1) Volumetric Treatment Control BMP

a) The 85th percentile 24-hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ ASCE Manual of Practice No. 87, (1998); or

b) The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/ Commercial, (2003); or

c) The volume of runoff produced from a historical-record based reference 24-hour rainfall criterion for "treatment" that achieves approximately the same reduction in pollutant loads achieved by the 85th percentile 24-hour runoff event.

2) Flow Based Treatment Control BMP

a) The flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the area; or

b) The flow of runoff produced from a rain event that will result in treatment of the same portion of runoff as treated using volumetric standards above.

Limited Exclusion Restaurants and Retail Gasoline Outlets, where the land area for development or redevelopment is less than 5,000 square feet, are excluded from the numerical Structural or Treatment Control BMP design standard requirement only.

3. Provisions Applicable to Individual Priority Project Categories

a. 100,000 Square Foot Commercial Developments

1) Properly Design Loading/Unloading Dock Areas

Loading/unloading dock areas have the potential for material spills to be quickly transported to the storm water conveyance system. To minimize this potential, the following design criteria are required:

a) Cover loading dock areas or design drainage to minimize run-on and runoff of storm water.

b) Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.

2) Properly Design Repair/Maintenance Bays

Oil and grease, solvents, car battery acid, coolant and gasoline from the repair/maintenance bays can negatively impact storm water if allowed to come into contact with storm water runoff. Therefore, design plans for repair bays must include the following:

a) Repair/maintenance bays must be indoors or designed in such a way that doesn't allow storm water runon or contact with storm water runoff.

b) Design a repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to a sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required by local jurisdiction, obtain an Industrial Waste Discharge Permit.

3) Properly Design Vehicle/Equipment Wash Areas

The activity of vehicle/equipment washing/steam cleaning has the potential to contribute metals, oil and grease, solvents, phosphates, and suspended solids to the storm water conveyance system. Include in the project plans an area for washing/steam cleaning of vehicles and equipment. The area in the site design must be:

a) Self-contained and/ or covered, equipped with a clarifier, or other pretreatment facility, and

b) Properly connected to a sanitary sewer or other appropriately permitted disposal facility.

b. Restaurants

1) Properly Design Equipment/Accessory Wash Areas

The activity of outdoor equipment/accessory washing/steam cleaning has the potential to contribute metals, oil and grease, solvents, phosphates, and suspended solids to the storm water conveyance system. Include in the project plans an area for the washing/steam cleaning of equipment and accessories. This area must be:

a) Self-contained, equipped with a grease trap, and properly connected to a sanitary sewer.

b) If the wash area is to be located outdoors, it must be covered, paved, have secondary containment, and be connected to the sanitary sewer or other appropriately permitted disposal facility.

c. Retail Gasoline Outlets

1) Properly Design Fueling Area

Fueling areas have the potential to contribute oil and grease, solvents, car battery acid, coolant and gasoline to the storm water conveyance system. The project plans must include the following BMPs:

a) The fuel dispensing area must be covered with an overhanging roof structure or canopy. The canopy's minimum dimensions must be equal to or greater than the area within the grade break. The canopy must not drain onto the fuel dispensing area, and the canopy downspouts must be routed to prevent drainage across the fueling area.

b) The fuel dispensing area must be paved with Portland cement concrete (or equivalent smooth impervious surface), and the use of asphalt concrete shall be prohibited.

c) The fuel dispensing area must have a 2% to 4% slope to prevent ponding, and must be separated from the rest of the site by a grade break that prevents runon of storm water to the extent practicable.

d) At a minimum, the concrete fuel dispensing area must extend 6.5 feet (2.0 meters) from the corner of each fuel dispenser, or the length at which the hose and nozzle assembly may be operated plus 1 foot (0.3 meter), whichever is less.

d. Automotive Repair Shops

1) Properly Design Fueling Area

Fueling areas have the potential to contribute oil and grease, solvents, car battery acid, coolant and gasoline to the storm water conveyance system. Therefore, design plans, which include fueling areas, must contain the following BMPs:

a. The fuel dispensing area must be covered with an overhanging roof structure or canopy. The canopy's minimum dimensions must be equal to or greater than the area within the grade break. The canopy must not drain onto the fuel dispensing area, and the canopy downspouts must be routed to prevent drainage across the fueling area.

b. The fuel dispensing area must be paved with Portland cement concrete (or equivalent smooth impervious surface), and the use of asphalt concrete shall be prohibited.

c. The fuel dispensing area must have a 2% to 4% slope to prevent ponding, and must be separated from the rest of the site by a grade break that prevents runon of storm water to the extent practicable.

d. At a minimum, the concrete fuel dispensing area must extend 6.5 feet (2.0 meters) from the corner of each fuel dispenser, or the length at which the hose and nozzle assembly may be operated plus 1 foot (0.3 meter), whichever is less.

2) Properly Design Repair/Maintenance Bays

Oil and grease, solvents, car battery acid, coolant and gasoline from the repair/maintenance bays can negatively impact storm water if allowed to come into contact with storm water runoff. Therefore, design plans for repair bays must include the following:

a) Repair/maintenance bays must be indoors or designed in such a way that doesn't allow storm water run-on or contact with storm water runoff.

b) Design a repair/maintenance bay drainage system to capture all wash-water, leaks and spills. Connect drains to a sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required by local jurisdiction, obtain an Industrial Waste Discharge Permit.

3) Properly Design Vehicle/Equipment Wash Areas

The activity of vehicle/equipment washing/steam cleaning has the potential to contribute metals, oil and grease, solvents, phosphates, and suspended solids to the storm water conveyance system. Include in the project plans an area for washing/steam cleaning of vehicles and equipment. This area must be:

a) Self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to a sanitary sewer or other appropriately permitted disposal facility.

4) Properly Design Loading/Unloading Dock Areas

Loading/unloading dock areas have the potential for material spills to be quickly transported to the storm water conveyance system. To minimize this potential, the following design criteria are required:

a) Cover loading dock areas or design drainage to minimize run-on and runoff of storm water.

b) Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.

e. Parking Lots

1) Properly Design Parking Area

Parking lots contain pollutants such as heavy metals, oil and grease, and polycyclic aromatic hydrocarbons that are deposited on parking lot surfaces by motor-vehicles. These pollutants are directly transported to surface waters. To minimize the offsite transport of pollutants, the following design criteria are required:

a) Reduce impervious land coverage of parking areas.
b) Infiltrate or treat runoff.

2) Properly Design To Limit Oil Contamination and Perform Maintenance

Parking lots may accumulate oil, grease, and water insoluble hydrocarbons from vehicle drippings and engine system leaks:

a) Treat to remove oil and petroleum hydrocarbons at parking lots that are heavily used (e.g. fast food outlets, lots with 25 or more parking spaces , sports event parking lots, shopping malls, grocery stores, discount warehouse stores).

b) Ensure adequate operation and maintenance of treatment systems particularly sludge and oil removal, and system fouling and plugging prevention control.

4. Waiver

A Permittee may, through adoption of an ordinance, code, or other regulatory mechanism incorporating the treatment requirements of the Design Standards, provide for a waiver from the requirement if impracticability for a specific property can be established. A waiver of impracticability shall be granted only when all other Structural or Treatment Control BMPs have been considered and rejected as infeasible. Recognized situations of impracticability include, (i) extreme limitations of space for treatment on a redevelopment project, (ii) unfavorable or unstable soil conditions at a site to attempt infiltration, and (iii) risk of ground water contamination because a known unconfined aquifer lies beneath the land surface or an existing or potential underground source of drinking water is less than 10 feet from the soil surface. Any other justification for impracticability must be separately petitioned by the Permittee and submitted to the appropriate RWQCB for consideration. The RWQCB may consider approval of the waiver justification or may delegate the authority to approve a class of waiver justifications to the RWQCB EO. The supplementary waiver justification becomes recognized and effective only after approval by the RWQCB or the RWQCB EO. A waiver granted by a Permittee to any development or redevelopment project may be revoked by the RWQCB EO for cause and with proper notice upon petition.

5. Limitation on Use of Infiltration BMPs

Three factors significantly influence the potential for storm water to contaminate ground water. They are (i) pollutant mobility, (ii) pollutant abundance in storm water, (iii) and soluble fraction of pollutant. The risk of contamination of groundwater may be reduced by pretreatment of storm water. A discussion of limitations and guidance for infiltration practices is contained in, *Potential Groundwater Contamination from Intentional and Non-Intentional Stormwater Infiltration, Report No. EPA/600/R-94/051, USEPA (1994).*

In addition, the distance of the groundwater table from the infiltration BMP may also be a factor determining the risk of contamination. A water table distance separation of ten feet depth in California presumptively poses negligible risk for storm water not associated with industrial activity or high vehicular traffic. Site specific conditions must be evaluated when determining the most appropriate BMP. Additionally, monitoring and maintenance must be provided to ensure groundwater is protected and the infiltration BMP is not rendered ineffective by overload. This is especially important for infiltration BMPs for areas of industrial activity or areas subject to high vehicular traffic [25,000 or greater average daily traffic (ADT) on main roadway or 15,000 or more ADT on any intersecting roadway]. In some cases pretreatment may be necessary.

6. Alternative Certification for Storm Water Treatment Mitigation

In lieu of conducting detailed BMP review to verify Structural or Treatment Control BMP adequacy, a Permittee may elect to accept a signed certification from a Civil Engineer or a Licensed Architect registered in the State of California, that the plan meets the criteria established herein. The Permittee is encouraged to verify that certifying person(s) have been trained on BMP design for water quality, not more than two years prior to the signature date. Training conducted by an organization with storm water BMP design expertise (e.g., a University, American Society of Civil Engineers, American Society of Landscape Architects,

American Public Works Association, or the California Water Environment Association) may be considered qualifying.

Attachment 5
Communities Anticipated to be Subject to Supplemental Provisions

RWQCB Area Reason/Population
3 Greenfield High Growth
3 Hollister High Growth
3 King City High Growth
3 Morgan Hill High Growth
3 Nipomo High Growth
3 Prunedale High Growth
3 Santa Barbara 92325
3 Santa Barbara County 140453
3 Santa Cruz 54593
3 Santa Cruz County 116783
3 Santa Maria 77423
3 Soledad High Growth
3 Watsonville High Growth

Attachment 6

INSTRUCTIONS FOR COMPLETING THE NOTICE OF INTENT TO COMPLY WITH THE TERMS OF THE GENERAL PERMIT FOR STORM WATER DISCHARGES FROM SMALL MS4s (WATER QUALITY ORDER NO. 2003 – 0005 - DWQ)

I. NOI STATUS

Check box "1" if this is a new NOI submittal. Check box "2" if you are reporting changes to the NOI (e.g., new contact person, phone number, mailing address). Include the facility WDID number and highlight all the information that has been changed. The appropriate official must sign the form, certifying the changes.

II. AGENCY INFORMATION

A. Enter the name of the agency applying for coverage.
B. Enter the first and last name of the person familiar with the permit and responsible for permit compliance.
C. Enter the Title of the person listed in "B".
D. Enter the agency's mailing address.
E. Enter if necessary the 2nd address line.
F. Enter the agency's mailing address city.
G. Enter the agency's mailing address zip code.
H. Enter the county in which the agency is located. If the agency is located in more than on county, list all applicable counties. Attach additional sheets if necessary.
I. Enter the phone number where the contact person can be reached.
J. Enter the FAX number where the contact person can be reached.
K. Enter the email address where the contact person can be reached.
L. Check the box that corresponds to the agency owner.

III. Permit Area

General name of the permit area, such as the Sacramento Metropolitan Area

IV. Boundaries of Coverage

Describe the boundaries of the area to be permitted and include a site map. For a city, this would be the established city boundaries. For a county, unless the entire county is designated, the permitted area should be inclusive of the area of concern and rely on simplified boundaries for each general direction, such as rivers, major roads or highways, or an adjoining city's boundary. For non-traditional Small MS4s, in general, the property line shall serve as the permit boundary.

V. Billing Information

A. Enter the name of the agency applying for coverage.
B. Enter the first and last name of the person familiar with the permit and responsible for permit compliance.
C. Enter the Title of the person listed in "B".
D. Enter the agency's mailing address.
E. Enter if necessary the 2nd address line.
F. Enter the agency's mailing address city.
G. Enter the agency's mailing address zip code.
H. Enter the county in which the agency is located.
I. Enter the phone number where the contact person can be reached.
J. Enter the FAX number where the contact person can be reached.
K. Enter the email address where the contact person can be reached.
L. Enter the average daily-user population of the applicant's permitted area. This is not the combined permit area of co-permittees. Submit the amount indicated by the current fee schedule (California Code of Regulations, Title 23, Division 3, Chapter 9, Article 1.) with the NOI package to the Regional Board. The fee schedule may be found at www.swrcb.ca.gov/stormwtr/municipal.html . School districts are exempt from MS4 permit fees.

VI. Permit Type

Check the box that corresponds to the permitting option you wish to apply for:
Check box 1 if applying for individual general permit coverage.
Check box 2 if applying for a permit with one or more co-permittees. If you are applying to be a co-permittee, an appropriate official representing each agency who will participate in the area-wide permit must sign on the lines provided certifying the agency will be a co-permittee with the other agencies listed to implement a storm water program in the combined designated areas of each of the agency's jurisdiction. The agency to act as the Lead Agency (the entity responsible for being the main contact with the RWQCB for permit administration) shall start the list. If more than four agencies will act as co-permittees, continue the list on a separate page. The NOI must have original signatures.
Check box 3 if designating a Separate Implementing Entity and enter agency information.
A. Enter the name of the agency applying for coverage.
B. Enter the first and last name of the person familiar with the permit and responsible for permit compliance.
C. Enter the title of person in "B".
D. Enter the agency's mailing address phone number where the contact person can be reached.
E. Enter if necessary the 2nd address line.
F. Enter the agency's mailing address city.
G. Enter the agency's mailing address zip code.
H. Enter the county in which the agency is located. If the agency is located in more than one county, list all applicable counties. Attach additional sheets if necessary.
I. Enter the phone number where the contact person can be reached.
J. Enter the FAX number where the contact person can be reached.
K. Enter the email address where the contact person can be reached.
L. Check the box that corresponds to the agency owner.
M. List all of the Minimum Control Measure(s) that will be implemented by the SIE.
N. Certification by an appropriate SIE official that the SIE agrees to include the agency implementing the SWMP. For a municipality, State, Federal, or other public agency the appropriate official would be a principal executive officer, ranking elected official or duly authorized representative. The principal executive officer of a Federal agency includes the chief executive officer of the agency or the senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of USEPA). For multiple agencies implementing different Minimum Control Measures please use a separate form for each Minimum Control Measures. A photocopy of the 2nd page of the NOI is adequate, but must have original signatures.

VII. STORM WATER MANAGEMENT PROGRAM

The SWMP must be submitted with the NOI. Check the box if the SWMP is completed and attached to the NOI. If a SIE is implementing all of the Minimum Control Measures it is not necessary to submit a SWMP.

VIII. CERTIFICATION

A. Print the name of the appropriate official. For a municipality, State, Federal, or other public agency this would be a principal executive officer, ranking elected official, or duly authorized representative. The principal executive officer of a Federal agency includes the chief executive officer of the agency or the senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of USEPA).
B. Enter the professional title of the person signing the NOI.
C. The person whose name is printed in box IV.A must sign the NOI.
D. Provide the date on which the Information Sheet was signed.

Attachment 7 NOTICE OF INTENT TO COMPLY WITH THE TERMS OF THE GENERAL PERMIT FOR STORM WATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

State Water Resources Control Board
NOTICE OF INTENT
TO COMPLY WITH THE TERMS OF THE GENERAL PERMIT FOR
STORM WATER DISCHARGES FROM
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS
(WATER QUALITY ORDER NO. 2003 – 0005 - DWQ)

I. NOI Status

Mark Only One Item 1. [ ]New Permittee 2. [ ]Change of Information WDID #:_____

II. Agency Information

A. Agency
B. Contact Person C. Title
D. Mailing Address E. Address (Line 2)
F. City State
CA
G. Zip H. County
I. Phone J. FAX K. Email Address
L. Operator Type (check one)
1. [ ] City 2. [ ] County 3. [ ] State 4. [ ] Federal 5. [ ] Special District 6. [ ] Government Combination

III. Permit Area

_____

IV. Boundaries of Coverage (include a site map with the submittal)

_____
_____
_____
_____

V. Billing Information

A. Agency
B. Contact Person C. Title
D. Mailing Address E. Address (Line 2)
F. City State **CA**
G. Zip H. County
I. Phone J. FAX K. Email Address

Fees are based on the daily population served by the Small MS4. To determine your fee, consult the current fee schedule (California Code of Regulations, Title
23, Division 3, Chapter 9 Article 1), which can be viewed at www.swrcb.ca.gov/stormwtr/municipal.html.

L. Population_____
Fee _____

Check(s) should be made payable to the SWRCB and submitted to the appropriate RWQCB.
SWRCB Tax ID is: 68-0281986

VI. Discharger Information (check applicable box(es) and complete corresponding information)

1. [ ] Applying for Individual General Permit Coverage
2. [ ] Applying for a permit with one or more co-permittees

The undersigned agree to work as co-permittees in implementing a complete small MS4 storm water program. The program must comply with the requirements found in Title 40 of the Code of Federal Regulations, parts 122.32. Attach additional sheets if necessary. Each co-permittee must complete an NOI.

Lead Agency Signature

Agency Signature
Agency Signature
Agency Signature
3. [ ] Separate Implementing Entity (SIE)
A. Agency
B. Contact Person C. Title
D. Mailing Address E. Address (Line 2)
F. City State **CA**
G. Zip H. County
I. Phone J. FAX K. Email Address
H. Operator Type (check one)
1. [ ] City 2. [ ] County 3. [ ] State 4. [ ] Federal 5. [ ] Special District 6. [ ] Government Combination
Minimum Control Measures being implemented by the SIE (check all that apply)
[ ] Public Education [ ] Public Involvement [ ] Illicit Discharge/Elimination
[ ] Construction [ ] Post Construction [ ] Good Housekeeping
"I agree to coordinate with the agency identified in Section III of this form and comply with its qualifying storm water program. I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly
responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. Additionally, I certify that the provisions of the permit, including the development and implementation of a Storm Water Management Program, will be complied with."

_____

N. Signature of Official Date

VII. Storm Water Management Plan (check box)
[ ] As per section A.2. of this General Permit, the SWMP is attached.

VIII. Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. Additionally, I certify that the provisions of the permit, including the development and implementation of a Storm Water Management Program, will be complied with."

A.Printed Name:_____
B.Title:_____
C. Signature:_____
D. Date: _____

Attachment 8 STATE WATER RESOURCES CONTROL BOARD Contact List

STATE WATER RESOURCES CONTROL BOARD
Division of Water Quality
Attention: Storm Water Section
P.O. Box 1977
Sacramento, CA 95812-1977
(916) 341-5539 FAX: (916) 341-5543
Web Page: http://www.swrcb.ca.gov/stormwtr/index.html
Email: stormwater@dwq.swrcb.ca.gov
12/02 General

NORTH COAST REGION (1)
5550 Skylane Blvd., Ste. A
Santa Rosa, CA 95403
(707) 576-2220 FAX: (707) 523-0135
Web Page: http://www.swrcb.ca.gov/rwqcb1

SAN FRANCISCO BAY REGION (2)
1515 Clay Street, Ste. 1400
Oakland, CA 94612
(510) 622-2300 FAX: (510) 622-2460
Web Page: http://www.swrcb.ca.gov/rwqcb2

CENTRAL COAST REGION (3)
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401
(805) 549-3147 FAX: (805) 543-0397
Web Page: http://www.swrcb.ca.gov/rwqcb3

LOS ANGELES REGION (4)
320 W. 4th Street, Ste. 200
Los Angeles, CA 90013
(213) 576-6600 FAX: (213) 576-6640
Web Page: http://www.swrcb.ca.gov/rwqcb4

CENTRAL VALLEY REGION (5S)
3443 Routier Road, Ste. A
Sacramento, CA 95827-3098
(916) 255-3000 FAX: (916) 255-3015
Web Page: http:// www.swrcb.ca.gov/rwqcb5

FRESNO BRANCH OFFICE (5F)
1685 "E" Street
Fresno, CA 93706-2020
(559) 445-5116 FAX: (559) 445-5910
Web Page: http:// www.swrcb.ca.gov/rwqcb5

REDDING BRANCH OFFICE (5R)
415 Knollcrest Drive, Ste. 100
Redding, CA 96002
(530) 224-4845 FAX: (530) 224-4857
Web Page: http:// www.swrcb.ca.gov/rwqcb5

LAHONTAN REGION (6 SLT)
2501 Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
(530) 542-5400 FAX: (530) 544-2271
Web Page: http:// www.swrcb.ca.gov/rwqcb6

VICTORVILLE BRANCH OFFICE (6V)
15428 Civic Drive, Ste. 100
Victorville, CA 92392-2383
(760) 241-6583 FAX: (760) 241-7308
Web Page: http:// www.swrcb.ca.gov/rwqcb6

COLORADO RIVER BASIN REGION (7)
73-720 Fred Waring Dr., Ste. 100
Palm Desert, CA 92260
(760) 346-7491 FAX: (760) 341-6820
Web Page: http:// www.swrcb.ca.gov/rwqcb7

SANTA ANA REGION (8)
California Tower
3737 Main Street, Ste. 500
Riverside, CA 92501-3339
(909) 782-4130 FAX: (909) 781-6288
Web Page: http://www.swrcb.ca.gov/rwqcb8
SAN DIEGO REGION (9)
9174 Sky Park Court, Suite 100
San Diego, CA 92123
(858) 467-2952 FAX: (858) 571-6972
Web Page: http://www.swrcb.ca.gov/rwqcb9
STATE OF CALIFORNIA
Gray Davis, Governor
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Winston H. Hickox, Secretary
STATE WATER RESOURCES CONTROL BOARD
Arthur Baggett Jr., Chair

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARDS
SISKIYO MODOC DEL NORTE HUMBOLDT TRINITY SHASTA LASSEN PLUMAS TEHAMA SIERRA NEVADA PLACER EL DORADO AMADOR CALAVERAS ALPIN BUTTE GLENN MENDOCIN LAKE COLUSA YUBA SUTTER SACRAMENTO YOLO SONOMA NAPA MARIN SAN JOAQUIN TUOLUMNE MONO MARIPOSA STANISLAUS SAN MATEO SAN FRANCISCC SANTA SANTA CRUZ MERCED FRESNO INYO TULARE KINGS SAN BENIIO MONTEREY SAN LUIS OBISPO SANTA BARBARA KERN VENTURA LOS ANGELES SAN BERNARDINO ORANGE RIVERSIDE IMPERIAL SAN DIEGO ALAMEDA MADERA SOLANO CONTRA COSTA

Attachment 9 Definition of Terms

1. **100,000 Square Foot Commercial Development** - 100,000 Square Foot Commercial Development means any commercial development that creates at least 100,000 square feet of impermeable area, including parking areas.
2. **Automotive Repair Shop** - Automotive Repair Shop means a facility that is categorized in any one of the following Standard Industrial Classification (SIC) codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.
3. **Authorized Non-Storm Water Discharges** – Authorized non-storm water discharges are certain categories of discharges that are not composed entirely of storm water but are not found to pose a threat to water quality. They include: water line flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration (as defined at 40 CFR §35.2005(20)) to separate storm sewers; uncontaminated pumped ground water; discharges from potable water sources; foundation drains; air conditioning condensate; irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; and
discharges or flows from emergency fire fighting activities. If any of the above authorized nonstorm water discharges (except flows from fire fighting activities) are found to cause or contribute to an exceedance of water quality standards or cause or threaten to cause a condition of nuisance or pollution, the category of discharge must be prohibited.
4. **Best Management Practices (BMPs)** – Best management practices means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of 'waters of the United States." BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. (40 CFR §122.2)
5. **Commercial Development** - Commercial Development means any development on private land that is not heavy industrial or residential. The category includes, but is not limited to: hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, plant nurseries, multi-apartment buildings, car wash facilities, mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses and other light industrial complexes.
6. **Directly Connected Impervious Area (DCIA)** - DCIA is the acronym for directly connected impervious areas and means the area covered by a building, impermeable pavement, and/ or other impervious surfaces, which drains directly into the storm drain without first flowing across permeable land area (e.g. lawns).
7. **Discretionary Project** - Discretionary Project means a project which requires the exercise of judgment or deliberation when the public agency or public body decides to approve or disapprove
a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.
8. **Greater than (>) 9 unit home subdivision** - Greater than 9 unit home subdivision means any subdivision being developed for 10 or more single-family or multi-family dwelling units.
9. **Hillside** - Hillside means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is twenty-five percent or greater.
10. **Infiltration** - Infiltration means the downward entry of water into the surface of the soil.
11. **Measurable Goal** – Measurable goals are definable tasks or accomplishments that are associated with implementing best management practices.
12. **Minimum Control Measure** – A minimum control measure is a storm water program area that must be addressed (best management practices implemented to accomplish the program goal) by all regulated Small MS4s. The following six minimum control measures are required to be addressed by the regulated Small MS4s: Public Education and Outreach on storm Water Impacts, Public Involvement/Participation, Illicit Discharge Detection and Elimination, construction Site Storm Water Runoff Control, Post-Construction

Storm Water Management in New Development and Redevelopment, and Pollution Prevention/Good Housekeeping for Municipal Operations.

13. **New Development** - New Development means land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision.

14. **Offsite Facility** - An offsite facility is a geographically non-adjacent or discontinuous site that serves, or is secondary to, the primary facility and has the same owner as the primary facility. Storm water discharges from an offsite facility must be permitted if it meets the definition of a regulated Small MS4 itself. The offsite facility may satisfy this permitting requirement if the SWMP of the primary facility addresses the offsite facility, such that the permitted area of the primary facility includes the offsite area.

15. **Outfall** – A point source at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States. (40 CFR §122.26(b)(9))

16. **Parking Lot** - Parking Lot means land area or facility for the temporary parking or storage of motor vehicles used personally, for business or for commerce with a lot size of 5,000 square feet or more, or with 25 or more parking spaces.

17. **Point Source** – Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff. (40 CFR §122.2)

18. **Regulated Small MS4** – A regulated Small MS4 is a Small MS4 that is required to be permitted for discharging storm water through its MS4 to waters of the U.S. and is designated either automatically by the U.S. EPA because it is located within an urbanized area, or designated by the SWRCB or RWQCB in accordance with the designation criteria listed at Finding 11 of the General Permit.

19. **Redevelopment** - Redevelopment means, on an already developed site, the creation or addition of at least 5,000 square feet of impervious area. Redevelopment includes, but is not limited to: the expansion of a building footprint or addition of a structure; structural development including an increase in gross floor area and/ or exterior construction or remodeling; and land disturbing activities related with structural or impervious surfaces. Where redevelopment results in an increase of less than fifty percent of the impervious surfaces of a previously existing development, and the existing development was not subject to these Design Standards, the Design Standards apply only to the addition, and not to the entire development.

20. **Restaurant** - Restaurant means a stand-alone facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption. (SIC code 5812).

21. **Retail Gasoline Outlet** - Retail Gasoline Outlet means any facility engaged in selling gasoline and lubricating oils.

22. **Small Municipal Separate Storm Sewer System (Small MS4)** – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are:

(i) Owned or operated by the United States, a State, city, town, boroughs, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or designated and approved management agency under section 208 of the CWA that discharges to waters of the United States.

(ii) Not defined as “large” or “medium” municipal separate storm sewer systems

(iii) This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does

not include separate storm sewers in very discrete areas, such as individual buildings. (40 CFR §122.26(b)(16))

23. **Separate Implementing Entity (SIE)** – A Separate Implementing Entity is an entity, such as a municipality, agency, or special district, other than the entity in question, that implements parts or all of a storm water program for a Permittee. The SIE may also be permitted under 40 CFR Part 122. Arrangements of one entity implementing a program for another entity is subject to approval by the Regional Water Quality Control Board Executive Officer.

24. **Source Control BMP** - Source Control BMP means any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices or operational practices that aim to prevent storm water pollution by reducing the potential for contamination at the source of pollution.

25. **Storm Event** - Storm Event means a rainfall event that produces more than 0.1 inch of precipitation and that, which is separated from the previous storm event by at least 72 hours of dry weather.

26. **Structural BMP** - Structural BMP means any structural facility designed and constructed to mitigate the adverse impacts of storm water and urban runoff pollution (e.g. canopy, structural enclosure). The category may include both Treatment Control BMPs and Source Control BMPs.

27. **Treatment** - Treatment means the application of engineered systems that use physical, chemical, or biological processes to remove pollutants. Such processes include, but are not limited to, filtration, gravity settling, media adsorption, biodegradation, biological uptake, chemical oxidation and UV radiation.

28. **Treatment Control BMP** - Treatment Control BMP means any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption or any other physical, biological, or chemical process.

City of Grover Beach

California Code of Regulations

CALIFORNIA CODE OF REGULATIONS
TITLE 23. Division 3. Chapter 9. Waste Discharge Reports and Requirements
Article 1. Fees

Section 2200. Annual Fee Schedules

Each person for whom waste discharge requirements have been prescribed pursuant to section 13263 of the Water Code shall submit, to the State Board, an annual fee in accordance with the following schedules. The fee shall be submitted for each waste discharge requirement order issued to that person.

An ambient water monitoring surcharge will be added to each individual fee as required. The ambient water monitoring surcharge for all discharges pursuant to subdivisions (a) and (c) is 9% of the calculated fee; the surcharge for all discharges pursuant to subdivision (b) is 18.5% of the calculated fee. The surcharge shall be applied to all permits prior to other surcharges prescribed herein.

(a) The annual fees for persons issued waste discharge requirements (WDRs), except as provided in subdivisions (a)(3), (b), and (c), shall be based on the discharge's threat and complexity rating according to the following fee schedule, plus applicable surcharge(s).

ANNUAL FEE SCHEDULE FOR WASTE DISCHARGE REQUIREMENTS			
Threat to Water Quality (TTWQ)	**Complexity (CPLX)**	**Type of Discharge**	
		Discharge to Land or Surface Waters[1]	**Land Disposal[2]**
1	A	$41,800	$26,000[3]
1	B	$26,400	$21,000
1	C	$14,245	$13,500
2	A	$9,515	$11,250
2	B	$5,720	$9,000
2	C	$4,290	$6,750
3	A	$3,380	$4,500
3	B	$1,800	$3,375
3	C	$800	$1,500

[1] For this table, discharges to land or surface waters are those discharges of waste to land or surface waters not covered by NPDES permits that are regulated pursuant to Water Code Section 13263 that do not implement the requirements of Title 27 of the California Code of Regulations (CCR). Examples include, but are not limited to, wastewater treatment plants, erosion control projects, and septic tank systems. It does not include discharge of dredge or fill material or discharge from animal feeding operations.

WDRs for municipal and domestic discharges with permitted flows of less than 50,000 gallons per day in categories 2-B, 2-C, 3-B and 3-C will receive a 50% fee discount. The design flow shall be used where no permitted flow is present. Municipal and domestic discharges receiving the discount are defined as discharges from facilities that treat domestic wastewater or a mixture of wastewater that is predominately domestic wastewater. Domestic wastewater consists of wastes from bathroom toilets, showers, and sinks from residential kitchens and residential clothes washing. It does not include discharges from food preparation and dish washing in restaurants or from commercial laundromats.

[2] For this table, land disposal discharges are those discharges of waste to land that are regulated pursuant to Water Code Section 13263 that implement the requirements of CCR Title 27. Examples include, but are not limited to, active and closed landfills and surface impoundments.

[3] A surcharge of $12,000 will be added for Class I Landfills. Class I landfills are those that, during the time they are, or were, in operation, are so classified by the RWQCB under 23 CCR Chapter 15, have WDRs that allow (or, for closed units, allowed) them to receive hazardous waste, and have a permit issued by the Department of Toxic Substances Control under 22 CCR Chapter 10, §66270.1 et seq. 1

[4] Assumes

(a)(1) Threat to water quality TTWQ and complexity CPLX of the discharge is assigned by the Regional Board in accordance with the following definitions:

THREAT TO WATER QUALITY

Category "1" – Those discharges of waste that could cause the long-term loss of a designated beneficial use of the receiving water. Examples of long-term loss of a beneficial use include the loss of drinking water supply, the closure of an area used for water contact recreation, or the posting of an area used for spawning or growth of aquatic resources, including shellfish and migratory fish.

Category “2” – Those discharges of waste that could impair the designated beneficial uses of the receiving water, cause short-term violations of water quality objectives, cause secondary drinking water standards to be violated, or cause a nuisance.
Category “3” – Those discharges of waste that could degrade water quality without violating water quality objectives, or could cause a minor impairment of designated beneficial uses as compared with Category 1 and Category 2.

COMPLEXITY

Category “A” – Any discharge of toxic wastes, any small volume discharge containing toxic waste or having numerous discharge points or ground water monitoring, or any Class 1 waste management unit.
Category “B” – Any discharger not included above that has physical, chemical, or biological treatment systems (except for septic systems with subsurface disposal), or any Class 2 or Class 3 waste management units.
Category “C” – Any discharge for which waste discharge requirements have been prescribed pursuant to Section 13263 of the Water Code not included as a Category “A” or Category “B” as described above. Included would be discharges having no waste treatment systems or that must comply with best management practices, discharges having passive treatment and disposal systems, or dischargers having waste storage systems with land disposal.
(a)(2) For dischargers covered under Statewide General WDRs for Sanitary Sewer Systems (Water Quality Order No. 2006-0003), the TTWQ and CPLX designations are assigned based on the population served by the sanitary sewer system. The table below describes the correlation between population served and TTWQ and CPLX designations to determine the appropriate annual fee:

Population Served[4]	**Threat and Complexity Designation**
Less than 50,000	3C
50,000 or more	2C

[4] Assumes 2.5 persons per equivalent dwelling unit (EDU).

[5] i. For "excavation" the area of the discharge is the area of excavation; if the excavated material is then discharged to waters, an additional "fill" fee will be assessed.

ii. When a single project includes multiple discharges within a single dredge and fill fee category, the fee for that category shall be assessed based on the total area, volume, or length of discharge (as applicable) of the multiple discharges. When a single project includes discharges that are assessed under multiple fee categories, the total fee shall be the sum of the fees assessed under each applicable fee category; however a $500 base fee, if required, shall be charged only once.

iii. Fees shall be based on the largest discharge size specified in the original or revised report of waste discharge or Clean Water Act (CWA) section 401 water quality certification application, or as reduced by the applicant without any State Board or Regional Board intervention.

iv. If water quality certification is issued in conjunction with dredge or fill WDRs or is issued for a discharge regulated under such preexisting WDRs, the current annual WDR fee as derived from this dredge and fill fee schedule shall be paid in advance during the application for water quality certification**,** and shall comprise the fee for water quality certification.

v. Discharges requiring water quality certification and regulated under a federal permit or license other than a US Army Corps of Engineers CWA section 404 permit or a Federal Energy Regulatory Commission License shall be assessed a fee determined from CCR 23, Section 2200(a).

[6] "Excavation" refers to moving sediment or soil in shallow waters or under no-flow conditions where impacts to beneficial uses are best described by the area of the discharge. It typically is done for purposes other than navigation. Examples include trenching for utility lines, other earthwork preliminary to construction, and removing sediment to increase channel capacity.

[7] "Dredging" generally refers to removing sediment in deeper water to increase depth. The impacts to beneficial uses are best described by the volume of the discharge and typically occur to facilitate navigation. For fee purposes it also includes aggregate extraction within stream channels where the substrate is composed of course sediment (e.g., gravel) and is reshaped by normal winter flows (e.g., point bars), where natural flood disturbance precludes establishment of significant riparian vegetation, and where extraction timing, location and volume will not cause changes in channel structure (except as required by regulatory agencies for habitat improvement) or impair the ability of the channel to support beneficial uses.

(a)(3) The fees for discharges of dredge and fill material shall be as follows, not to exceed $40,000, plus applicable surcharge(s).[5]

Type of Discharge	Fees
(A) Fill & Excavation[6] Discharges. Size of the discharge area expressed in acres to two decimals (0.01 acre) (436 square feet) rounded up.	$500 Base Price + (Discharge area in acres x $2150)
(B) Dredging Discharges[7] Dredge volume expressed in cubic yards.	$500 Base Price + (Dredge volume in cubic yards x $0.08)
(C) Dredging Discharges (Sand Mining). Aggregate extraction in marine waters where source material is free of pollutants and the dredging operation will not violate any basin plan provisions.	$800.
(D) Channel and Shoreline Discharges Includes linear discharges to drainage features and shorelines, e.g., bank stabilization, revetment and channelization projects. (Note): The fee for channel and shoreline linear discharges will be assessed under the "Fill and Excavation" or "Channel and Shoreline" schedules, whichever results in the higher fee.	$500 Base Price + (Discharge length in feet x $5.00)
(E) Discharges to Non-federal (e.g. "Isolated") Waters. Discharges to waters or portions of waterbodies not regulated as "waters of the United States," including waters determined to be "isolated" pursuant to the findings of *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers* (2001) 121 S. Ct. 675.	Double the applicable fee schedules except for (vi) restoration projects

[5] i. For "excavation" the area of the discharge is the area of excavation; if the excavated material is then discharged to waters, an additional "fill" fee will be assessed.

ii. When a single project includes multiple discharges within a single dredge and fill fee category, the fee for that category shall be assessed based on the total area, volume, or length of discharge (as applicable) of the multiple discharges. When a single project includes discharges that are assessed under multiple fee categories, the total fee shall be the sum of the fees assessed under each applicable fee category; however a $500 base fee, if required, shall be charged only once.

iii. Fees shall be based on the largest discharge size specified in the original or revised report of waste discharge or Clean Water Act (CWA) section 401 water quality certification application, or as reduced by the applicant without any State Board or Regional Board intervention.

iv. If water quality certification is issued in conjunction with dredge or fill WDRs or is issued for a discharge regulated under such preexisting WDRs, the current annual WDR fee as derived from this dredge and fill fee schedule shall be paid in advance during the application for water quality certification**,** and shall comprise the fee for water quality certification.

v. Discharges requiring water quality certification and regulated under a federal permit or license other than a US Army Corps of Engineers CWA section 404 permit or a Federal Energy Regulatory Commission License shall be assessed a fee determined from CCR 23, Section 2200(a).

[6] "Excavation" refers to moving sediment or soil in shallow waters or under no-flow conditions where impacts to beneficial uses are best described by the area of the discharge. It typically is done for purposes other than navigation. Examples include trenching for utility lines, other earthwork preliminary to construction, and removing sediment to increase channel capacity.

[7] "Dredging" generally refers to removing sediment in deeper water to increase depth. The impacts to beneficial uses are best described by the volume of the discharge and typically occur to facilitate navigation. For fee purposes it also includes aggregate extraction within stream channels where the substrate is composed of course sediment (e.g., gravel) and is reshaped by normal winter flows (e.g., point bars), where natural flood disturbance precludes establishment of significant riparian vegetation, and where extraction timing, location and volume will not cause changes in channel structure (except as required by regulatory agencies for habitat improvement) or impair the ability of the channel to support beneficial uses.

(F) Low Impact Discharges. Projects may be classified as low impact discharges if they meet all of the following criteria: 1. The discharge size is less than all of the following: (a) for fill, 0.1 acre, and 200 linear feet, and (b) for dredging, 25 cubic yards. 2. The discharger demonstrates that: (a) all practicable measures will be taken to avoid impacts; (b) where unavoidable temporary impacts take place, waters and vegetation will be restored to pre-project conditions as quickly as practicable; and (c) where unavoidable permanent impacts take place, there will be no net loss of wetland, riparian area, or headwater functions, including onsite habitat, habitat connectivity, floodwater retention, and pollutant removal. 3. The discharge will not do any of the following: (a) directly or indirectly destabilize a bed of a receiving water; (b) contribute to significant cumulative effects; (c) cause pollution, contamination, or nuisance; (d) adversely affect candidate, threatened, or endangered species; (e) degrade water quality or beneficial uses; (f) be toxic; or (g) include "hazardous" or "designated" material. 4. Discharge is to a water body regulated as "Waters of the United States."	$500 Flat Fee.
(G) Restoration Projects. Projects undertaken for the sole purpose of restoring or enhancing the beneficial uses of water. This schedule does not apply to projects required under a regulatory mandate or to projects that include a non-restorative component, e.g., land development, property protection, or flood management.	$500 Flat Fee
(H) General Orders. Projects which are required to submit notification of a proposed discharge to the State and/or Regional Board pursuant to a general water quality certification permitting discharges authorized by a federal general permit or license, (e.g., a U.S. Army Corps of Engineers nationwide permit). Applies ONLY if general water quality certification was previously granted.	$60 Flat Fee
(I) Amended Orders Amendments of WDR's or water quality certifications previously issued for one-time discharges not subject to annual billings. (a) Minor project changes, not requiring technical analysis and involving only minimal processing time. (b) Changes to projects eligible for flat fees (fee categories C, F, G, and H) where technical analysis is needed to assure continuing eligibility for flat fee and that beneficial uses are still protected. (c) Project changes not involving an increased discharge amount, but requiring some technical analysis to assure that beneficial uses are still protected and that original conditions are still valid, or need to be modified. (d) Project changes involving an increased discharge amount and requiring some technical analysis to assure that beneficial uses are still protected and that original conditions are still valid, or need to be modified. (e) Major project changes requiring an essentially new analysis and re-issuance of WDR's or water quality certification.	(a) No fee required (b) Appropriate flat fee (c) $500 flat fee (d) Additional fee assessed per increased amount of discharge(s) per Section 2200 (a)(3) (plus $500 base price). (e) New fee assessed per Section 2200

	(a)(3).

(b) The annual fees for persons issued NPDES permits, except as provided in subdivision (c), shall be based on the following schedules, plus applicable surcharge(s).
(b)(1) Each public entity that owns and/or operates a storm water conveyance system, or part of such a system, that is subject to a NPDES permit for storm water discharges from a municipal separate storm sewer system (MS4) shall pay an annual fee according to the following schedule, plus applicable surcharge(s). The fee shall be based on the population of the public entity according to the most recently published United States Census. For public entities other than cities or counties, the population figure shall be the number of people using the entity's facilities on a daily basis. Flood control districts or other special districts named as co-permittees to MS4 permits and school districts, serving students between kindergarten and fourteenth grade, shall not pay an annual fee if the city or county within whose jurisdiction the district lies, pays an annual fee.

ANNUAL FEE SCHEDULE FOR AREAWIDE MUNICIPAL STORM WATER SEWER SYSTEM PERMITS AND CO-PERMITTEES	
Population equal to or greater than 250,000	$25,000
Population between 200,000 and 249,999	$21,875
Population between 150,000 and 199,999	$18,875
Population between 100,000 and 149,999	$15,625
Population between 75,000 and 99,999	$12,500
Population between 50,000 and 74,999	$9,375
Population between 25,000 and 49,999	$6,250
Population between 10,000 and 24,999	$3,750
Population between 1,000 and 9,999	$2,500
Less than 1,000 population	$1,250
Statewide Permit Holders	$100,000

(b)(2)(A) Facilities that discharge storm water associated with industrial activities that are regulated by a State Board or Regional Board general NPDES storm water permit, shall pay an annual fee of $700, plus applicable surcharge(s). An amount equal to the fee prescribed shall be submitted with the discharger's Notice of Intent (NOI) to be regulated under a general NPDES permit and will serve as the first annual fee. For the purposes of this section, an NOI is considered to be a report of waste discharge.

Storm water industrial permit holders who have filed a complete Annual Report electronically prior to July 1st for fiscal years 2006-07, 2007-08 and 2008-09 shall receive a credit of $100 for each of those same fiscal years.
(B) Facilities that satisfy the conditions of a State Board certified Quality Assurance Program, adopted as part of a general NPDES storm water permit or by special resolution of the State Board, may receive up to a 50 percent fee reduction.
(b)(3) Storm water discharges associated with construction activities that are regulated by a general NPDES storm water permit other than those covered under (b)(4), including those issued by a Regional Board, shall pay an annual fee of $200 plus $20 per acre (rounded to the nearest whole acre and dollar amount), to a maximum fee of $2,200, plus any applicable surcharge, based on the total acreage to be disturbed during the life of the project as listed on the NOI. An amount equal to the fee prescribed shall be submitted with the discharger's NOI to be regulated under a general NPDES permit and will serve as the first annual fee. For the purposes of this section, an NOI is considered to be a report of waste discharge.

(b)(4) Storm water discharges associated with small linear underground and overhead construction projects, that include but are not limited to, any conveyance, pipe or pipeline for the distribution of any [8] NPDES permitted industrial discharger(s) means those industries identified in the Standard Industrial Classification Manual, Bureau of the Budget, 1967, as amended and supplemented, under the category ''Division D—Manufacturing'' and such other classes of significant waste producers as, by regulation, the U.S. EPA Administrator deems appropriate. (33 USC Sec. 1362).

[9] Threat/complexity categories are listed under (a)(1) of this document.

gaseous liquid (including water for domestic municipal services or wastewater), liquescent, or slurry substance; any cable line or wire for the transmission of electrical energy; and any cable line or wire for communications, that are regulated by a general NPDES storm water permit are subject to the following annual fees, plus applicable surcharge(s):

Tier 1 –$5,000 for each region in which activities subject to the permit are conducted, or

Tier 2 –A fee as prescribed by (b)(3), based on the area covered by the project.

(b)(5) Discharges associated with mosquito and vector control activities that are regulated by an individual or general NPDES permit adopted exclusively for these purposes, including those issued by a Regional Board, shall pay a fee of $100. A mosquito and vector control activity involves discharge of pesticides into a designated area for the maintenance and control of mosquito larva for the protection of public health from the outbreak of lethal diseases. A mosquito and vector control agency discharges pesticides into surface waters for the control of mosquito larva. Dischargers filing an application for a mosquito and vector control permit shall pay a fee of $100. The fee shall be paid each time an application for initial certification or renewal is submitted. Mosquito and vector control fees are not subject to ambient water monitoring surcharges.

(b)(6) All NPDES permitted discharges with permitted flows of less than 100 million gallons per day (mgd), except as provided in (b)(7), (b)(8), (b)(9), and (c), shall pay a fee according to the following formula:

Fee = $1,000 plus 3418 multiplied by the permitted flow, in mgd, to the maximum plus any applicable surcharge(s).

If there is no permitted effluent flow specified, the fee shall be based on the design flow of the facility.

The maximum fee for NPDES permitted industrial discharges8 is $35,000, plus any applicable surcharge(s). NPDES permitted industrial discharges with a threat/complexity9 rating of 1A, 1B, or 1C are subject to a surcharge as follows:

Threat / Complexity Rating 1A - $15,000

Threat / Complexity Rating 1B - $10,000

Threat / Complexity Rating 1C - $5,000

The maximum fee for NPDES permitted public wastewater treatment facilities is $50,000, plus applicable surcharge(s). Public wastewater treatment facilities with approved pretreatment programs are subject to a surcharge of $10,000. Agencies with multiple facilities under one approved pretreatment program shall pay a $10,000 surcharge per program.

(b)(7) All NPDES discharges with permitted flows of 100 mgd or greater shall pay a fee of $100,000, plus applicable surcharges. The fee shall be based on permitted effluent flow specified in the discharge permit, except as provided in (b)(8) and (b)(9). NPDES permitted industrial discharges with a threat/complexity rating of 1A, 1B, or 1C are subject to a surcharge as specified in (b)(6). If there is no permitted effluent flow specified, the fee shall be based on the design flow of the facility.

(b)(8)(A) Flow for wet weather municipal facilities will be based on the previous five years actual monthly average flow, as of the date the permit is issued. Wet weather municipal facilities are intermittently operated facilities that are designed specifically to handle flows during wet weather conditions. The actual monthly average flow is defined as the average of the flows during each of the months that the discharge occurred during the previous five-year period.

(B) Notwithstanding paragraph 1, the minimum annual fee for wet weather municipal facilities shall be $20,000.

(b)(9) All other general NPDES permits and de minimis discharges that are regulated by an individual or general NPDES permit, including those issued by a Regional Board, shall pay a fee as follows, plus applicable surcharge(s):

Category 1 - Discharges that require treatment systems to meet priority toxic pollutant limits and that could impair beneficial uses if limits are violated: $4,800.

Category 2 - Discharges that require treatment systems to meet non-priority pollutant limits, but are not expected to impair beneficial uses if limits are violated. Examples of non-priority pollutants include, but are not limited to, nutrients, inorganic compounds, pH, and temperature: $2,900.

Category 3 - Discharges that require minimal or no treatment systems to meet limits and pose no significant threat to water quality: $1,000.

De minimis discharge activities include the following: aquaculture activities (as defined in Chapter 40, Section 122.25(b) of the Code of Federal Regulations) defined as managed water areas that use discharges of pollutants into that designated area for maintenance or reproduction of harvestable freshwater, estuarine, or marine plants or animals including fish hatcheries; geothermal facilities that utilize, extract, or produce energy from geothermal fluids for heating, generating power, or other beneficial uses, and discharge geothermal fluids to surface waters; aquatic pesticide applications; evaporative condensate; swimming and landscape pool drainage; discharges from fire hydrant testing or flushing; discharges resulting from construction dewatering; discharges associated with supply well installation, development, test pumping, and purging; discharges resulting from the maintenance of uncontaminated water supply wells, pipelines, tanks, etc.; discharges resulting from hydrostatic testing of water supply vessels, pipelines, tanks, etc.; discharges resulting from the disinfection of water supply pipelines, tanks, reservoirs, etc.; discharges from water supply systems resulting from system failures, pressure releases, etc.; discharges of non-contact cooling water, not including steam/electric power plants; discharges resulting from diverted stream flows; water treatment plant discharges; and other similar types of wastes that have low pollutant concentrations and are

not likely to cause or have a reasonable potential to cause or contribute to an adverse impact on the beneficial uses of receiving waters yet technically must be regulated under an NPDES permit.

(c) The annual fees for discharges from confined animal facilities shall be based on the following schedules, plus applicable surcharge(s).

FEEDLOTS	
TYPE OF FACILITY	**FEE**
Cattle or cow/calf pairs	
Number of animals	
100,000 or more	$3,000
10,000 to 99,999	$1,500
5,000 to 9,999	$800
1,000 to 4,999	$400
Less than 1,000	$200
Calves	
10,000 or more	$3,000
5,000 to 9,999	$1,500
1,000 to 4,999	$800
300 to 999	$400
Less than 300	$200
Heifers (not at a dairy)	
10,000 or more	$3,000
5,000 to 9,999	$1,500
1,000 to 4,999	$800
300 to 999	$400
Less than 300	$200
Finishing Yards/Auction Yards	
1,000 or more	$800
300 to 999	$400
Less than 300	$200
DAIRIES	
TYPE OF FACILITY	**FEE**
Mature dairy cattle	
Number of animals	
3,000 or more	$4,000
1,500 to 2,999	$2,500
700 to 1,499	$1,200
300 to 699	$600
Less than 300	$300
Goat Dairies	
1,000 or more	$400
Less than 1,000	$200
HOGS	
Swine (> 55 pounds)	
5,000 or more	$1,500
2,500 to 4,999	$800

750 to 2,499	$400
Less than 750	$200
Swine (< 55 pounds)	
20,000 or more	$1,500
10,000 to 19,999	$800
3,000 to 9,999	$400
Less than 3,000	$200
OTHER	
Horses	
500 or more	$800
150 to 499	$400
Less than 150	$200
Sheep or Lambs	
10,000 or more	$800
3,000 to 9,999	$400
Less than 3,000	$200

POULTRY		
Number of Animals	**On-Site Discharge Fee**	**Off-Site Discharge Fee**
Layers or Broilers (liquid manure system)		
120,000 or more	$2,000	$700
60,000 to 119,999	$1,000	$500
30,000 to 59,999	$750	$350
9,000 to 29,999	$400	$200
Less than 9,000	$200	$0
Non-layers (other than liquid manure system)		
500,000 of more	$2,000	$700
250,000 to 499,999	$1,000	$500
125,000 to 249,999	$750	$350
37,500 to 124,999	$400	$200
Less than 37,500	$200	$0
Layers (other than liquid manure system)		
350,000 or more	$2,000	$700
165,000 to 349,999	$1,000	$500
82,000 to 164,999	$750	$350
25,000 to 81,999	$400	$200
Less than 25,000	$200	$0
Ducks (other than liquid manure system)		
120,000 or more	$2,000	$700
60,000 to 119,999	$1,000	$500
30,000 to 59,999	$750	$350
10,000 to 29,999	$400	$200
Less than 10,000	$200	$0
Ducks (liquid manure system)		
20,000 or more	$1,000	
5,000 to 19,999	$750	

1,500 to 4,999	$400	
Less than 1,500	$200	
Turkeys		
200,000 or more	$2,000	$700
100,000 to 199,999	$1,000	$500
55,000 to 99,999	$750	$350
16,500 to 54,999	$400	$200
Less than 16,500	$200	$0

(c)(2) Facilities that pose no potential to discharge, as determined by a Regional Board, shall pay a fee of $200. The fee shall be paid each time an application for initial certification or renewal is submitted and shall not be subject to ambient water monitoring surcharges.
(c)(3) Facilities that are required to submit a report of waste discharge (ROWD) while the facility is under construction and remains so subsequent to the billing cycle will have the annual fee waived until the facility is in operation and animals are present at the facility.
(c)(4) Facility closures that are required to maintain a permit until all requirements are met shall continue to be assessed a fee based at the same rate as when the facility was in operation.

(c)(1) Facilities that are certified under a quality assurance program approved by the State Board or under a County regulatory program approved by the appropriate Regional Board, will receive a 50 percent fee reduction. Any facility that is issued a notice of violation by a Regional Board for an off-property discharge shall not be eligible to receive this fee reduction for a minimum of one billing cycle, and for all subsequent billing cycles until recertification and all corrective actions are complete as determined by the Regional Board.

Section 2200.1
The State Board shall notify each discharger annually of the fee to be submitted, the basis upon which the fee was calculated, and the date upon which the fee is due.
Section 2200.2
Persons proposing a new discharge shall submit to the State Board or Regional Board a report of waste discharge. Unless specifically instructed otherwise by the State Board, a fee equal in amount to the annual fee based on the fee schedules in Section 2200 shall be submitted with the discharger's report of waste discharge. This fee shall serve as the first annual fee. If the submittal of this first annual fee does not coincide with the current fiscal year billing cycle, then the next, and only the next, fiscal year billing shall be adjusted to account for the payment of a full annual fee that accompanied the discharger's report of waste discharge. Persons proposing a material change in an existing discharge are not required to submit a fee with the report of waste discharge.
Section 2200.3
Failure to pay the annual fee is a misdemeanor and will result in the State Board or Regional Board seeking the collection of fees through the enforcement provisions provided pursuant to Water Code section 13261.
Section 2200.4
Any refund made pursuant to section 13260(e) or for any other reason, shall withhold sufficient funds to cover actual staff time spent in reviewing the report of waste discharge, which shall be calculated using a rate of $50.00 per hour.
Section 2200.5. No Exposure Certification
Dischargers filing an application for a No Exposure Certification (NEC) shall pay a fee of $200 for each facility for which an application is submitted, as prescribed in a general industrial storm water permit. The fee shall be paid each time an application for initial certification or renewal is submitted. NEC fees are not subject to ambient water monitoring surcharges.

[1] As used in this section, the acreage on which the fee is based refers to the area that has been irrigated by the farmer or discharger at any time in the previous five years.

Section 2200.6. Annual Waiver Fee Schedules
(a) Any person for whom waste discharge requirements have been waived pursuant to section 13269 of the Water Code shall submit an annual fee to the State Board if a fee is specified for the waiver in this section.
No Ambient Water Monitoring surcharge shall apply to annual fees for waivers as specified in this section.
(b) Annual fees for waivers for discharges from agricultural land adopted by the Regional Water Quality Control Boards for the Central Coast, Central Valley, or Los Angeles Regions shall be $100 per farm plus $0.30 per acre of land.1 If a discharger is a member of a group that has been approved by the State Board to manage fee collection and payment, then the fee shall be $100 per group plus $0.12 per acre of land. If a discharger is a member of a group that has been approved by the State Board but that does not manage fee collection and payment, then the fee shall be $100 per farm plus $0.20 per acre of land.
(c) For purposes of this section, the word "farm" and the word "discharger" refer to any person who is subject to Order No. R3-2004-0117 issued by the Central Coast Regional Water Quality Control Board, Order No. R4-2005-0080 issued by the Los Angeles Regional Water Quality Control Board, or Order No. R5-2006-0053 and Order No. R5-2006-0054 issued by the Central Valley Regional Water Quality Control Board**.**