

A. Description of Major Changes

This draft text incorporates proposed changes to the organization of Order 2001-01, but both permits generally follow the same sequencing of requirements. Order 2001-01 Sections G through R are not carried over, but the applicable content of each has been addressed in other sections of the proposal. Additionally, neither Order 2001-01 findings, Sections A through E, nor any of the attachments are addressed; the County may provide additional comments on those sections during the public review process.

The new proposed Section D (Copermittee Responsibilities) establishes a broad mandate to reduce pollutants in runoff to the maximum extent practicable, and defines four types of Plans that must be developed and implemented to carry out the Copermittees' responsibilities. While Sections F and J of Order 2001-01 define jurisdictional and watershed plans, respectively, this proposed section additionally establishes a Regional URMP and a Comprehensive URMP. The Regional URMP serves as a framework to formally establish regional control strategies and the Comprehensive URMP provides a vehicle for integrating regional, watershed, and jurisdictional activities. Integration of Plans and activities is a key component of the vision developed by the Copermittees in their August 2005 Report of Waste Discharge (ROWD).

The new proposed Section D.4 establishes a requirement for Copermittees to pursue an adaptive management process in reviewing and updating their Plans and activities. This process is modified from that contained in Section C.2 of the Santa Clara Valley Municipal Permit (Order No. 01-024). It also anticipates the potential for Plan modification. This process is discussed in Section H.

The new proposed Section E (Comprehensive Urban Runoff Management Requirements) consolidates the Jurisdictional URMP and Watershed URMP requirements of Order 2001-01 as a single set of responsibilities applicable to each Copermittee within their jurisdictional boundaries. It differs from Order 2001-01 in that it allows and encourages them to use a combination of regional, watershed, and jurisdictional Plans and activities to address these responsibilities.

Additional changes to Section E are generally in accordance with the Copermittees' Report of Waste Discharge, and are detailed in Table 1 below. Most notable are:

- The addition of several required updates to high priority development project requirements (i.e., SUSMPs) in Section E.1.e.
- Modification of construction site prioritization and inspection frequencies in Sections E.2.d and E.2.f.
- Industrial and Commercial sources are combined into a single section (E.4). Changes to this Section are modeled on the Riverside Municipal Permit (Order No. R9-2004-001) adopted by the SDRWQCB on July 14, 2004. This Section adopts an approach whereby Copermittees determine the threat-to-water-quality prioritization of each

County of San Diego
Summary of Re-issuance of the San Diego Municipal Stormwater Permit –
Proposed Permit Language
11/01/2005

commercial or industrial source type. This is in contrast to Order 2001-01, which specifies the priority of each.

- Industrial and commercial inspection requirements are also similar but slightly reduced from those of the Riverside Permit. This is justified because inspections are now part of an overall “compliance verification” strategy (Section E.4.d) which requires Copermitees to develop an effective overall strategy rather than focusing solely on inspections.
- Section E.4.d(3)(c) includes a requirement to verify monitoring at industrial facilities during inspections. This is modified from the previous stand-alone requirements of Order 2001-01.
- Section E.6 consolidates all education requirements. References to these requirements are left in other Permit sections.
- Effectiveness Assessment requirements are consolidated in Section E.9 and expanded based on the Copermitees’ experience developing new assessment approaches over the past three years.
- Watershed management requirements are similar to those of Order 2001-01, but re-organized for clarity. The introductory paragraph clarifies that Copermitees may use a combination of regional, watershed, and jurisdictional activities to satisfy the requirements of this Section. A process for defining and justifying “watershed activities” is also added.

The new proposed Section G describes all of the Plans, Plan Updates, and Reports that Copermitees must submit to meet their responsibilities. It is fundamentally different from Order 2001-01 in that all Plans and Plan Updates now require review and approval. A review and approval process is provided in Section H. The County recognizes the potential burden this presents for SDRWQCB staff to formally review all Plans and Plan Updates. However, the majority of these approvals will correspond to re-submittals (essentially updates) of the Copermitees’ existing JURMPs and WURMPs. The County believes that review and approval of Plans prior to their implementation is a fair and reasonable expectation. Under Order 2001-01, plans must be submitted and implemented simultaneously, meaning that Copermitees must implement programs and activities and then wait for RWQCB comment (without formal approval). The one exception to this is the Model Standard Urban Stormwater Mitigation Plan (SUSMP), which we believe benefited substantially from the dialogue that resulted from the existing mandated SDRWQCB review and approval process.

Section H.1 and H.2 define a process for SDRWQCB Executive Officer review and approval of Copermitee Plans and Plan Updates. This process is modified from that contained in Section 12 (Modifications to the Management Plan) of the Alameda Countywide Municipal Permit (Order No. R2-2003-0021). H.3 provides a process for Executive Officer approval of minor program modifications that will substantially conform to all discharge prohibitions, receiving water limitations, and other applicable

County of San Diego
 Summary of Re-issuance of the San Diego Municipal Stormwater Permit –
 Proposed Permit Language
 11/01/2005

performance standards of the Permit. The purpose of this Section is to provide a process for making modifications not warranting approval of your Board. Modifications that the Executive Officer determines are “major” would still require an amendment to the permit (H.5).

B. Detailed Summary of Changes

Table 1 -- Detailed Summary of Changes

SECTION	DESCRIPTION OF CHANGES
FINDINGS	
PERMIT PROVISIONS	
A. Prohibitions	
<u>A.1. Discharges</u>	<ul style="list-style-type: none"> Proposed consolidation of discharge and non-stormwater discharge prohibitions into a single section
<u>A.2. Non-Stormwater Discharges</u>	<ul style="list-style-type: none"> ROWD proposed a broaden definition of emergency activities as per Riverside Permit, but specific language is not included here.
B. Receiving Water Limitations	<ul style="list-style-type: none"> No proposed changes
C. Legal Authority	<ul style="list-style-type: none"> No proposed changes
D. Copermittee Responsibilities	<ul style="list-style-type: none"> Proposed New Section: Provides a consolidated description of Copermittees’ general responsibilities.
<u>D.1. Urban Runoff Management</u>	<ul style="list-style-type: none"> Establishes a broad Copermittee responsibility to implement comprehensive urban runoff management plans within their jurisdictions. Defines “regional,” “watershed,” and “jurisdictional” activities. Encourages Copermittees to use a balanced approach that includes all three.
<u>D.2. Urban Runoff Management Plans</u>	<ul style="list-style-type: none"> Establishes the four types of plans that will be used to develop and implement Copermittee responsibilities. Renames JURMPs and WURMPs from “programs” to “plans.” Adds a RURMP to formally establish regional level activities (existing Permit only addresses regional reporting). Adds a CURMP as the vehicle for integrating the other elements over time.
<u>D.3. Copermittee Management Structure and Collaboration</u>	<ul style="list-style-type: none"> Breaks out Principal Copermittee responsibilities at the Regional and Watershed levels. Minor modifications to existing responsibilities intended primarily for clarification.
<u>D.4. Adaptive Management</u>	<ul style="list-style-type: none"> Formally establishes an adaptive management approach for reviewing and modifying Copermittee plans.
<u>D.5. Urban Runoff Management Documentation</u>	<ul style="list-style-type: none"> General description of responsibility to document, update, etc. Points to Section G, which is much more detailed.

County of San Diego
 Summary of Re-issuance of the San Diego Municipal Stormwater Permit –
 Proposed Permit Language
 11/01/2005

SECTION	DESCRIPTION OF CHANGES
E. Comprehensive Urban Runoff Management Requirements	<ul style="list-style-type: none"> • Updates and combines what were formerly JURMP and WURMP sections. The purpose of combining is to provide a structure that allows and encourages a mix of regional, watershed, and jurisdictional activities. • Establishes a Copermittee responsibility to comply with all Permit provisions within their jurisdictions, regardless of whether or not they utilize regional or watershed activities.
<u>E.1 Land Use and Development Planning Component</u>	<ul style="list-style-type: none"> • All modifications are generally in accordance with ROWD – some slight editing and moving of subsections for clarity.
E.1.a. Assess General Plan	<ul style="list-style-type: none"> • Essentially the same except the long list of potential water quality principles to address in the General Plan updates has been deleted.
E.1.b. Revise Environmental Review Process	<ul style="list-style-type: none"> • This section moved up toward the front because it fits better there. Essentially the same except the long list of questions to address in the process update is deleted.
E.1.c. Modify Development Project Approval Process (All Projects)	<ul style="list-style-type: none"> • Covers requirements for all development projects, in contrast to the high priority project requirements in E.1.d.
E.1.d. Modify Development Project Approval Process (High Priority Projects)	<ul style="list-style-type: none"> • Adds a more detailed description of shared structural treatment controls and their application.
E.1.e. Additional Changes to High Priority Project Requirements	<ul style="list-style-type: none"> • Requires Copermittees to collaboratively develop an initial strategy to encourage the use of low-impact development (LID) in High Priority Projects (by 2007). • Requires Copermittees to collaboratively develop a LID Credit Option that provides incentives for using LID (by 2009) • Requires Copermittees to collaboratively develop a Model O&M Verification Process for permanent treatment control BMPs (by 2007) • Requires Copermittees to collaboratively develop procedures for addressing the potential of priority projects to result in downstream impacts and for mitigating those impacts when necessary (“downstream conditions of concern”).
<u>E.2. Construction Component</u>	<ul style="list-style-type: none"> • A few slight modifications from ROWD recommendations. • Reporting of non-compliant construction sites (Order 2001-01 section F.2.i) is eliminated. This requirement is already adequately covered in the standard provisions (Attachment C)
E.2.d. Threat to Water Quality Prioritization	<ul style="list-style-type: none"> • Construction site prioritization criteria modified in accordance with ROWD recommendations.
E.2.e. BMP Implementation	<ul style="list-style-type: none"> • Incorporates pollution prevention requirement previously contained in a stand-alone section.

County of San Diego
 Summary of Re-issuance of the San Diego Municipal Stormwater Permit –
 Proposed Permit Language
 11/01/2005

SECTION	DESCRIPTION OF CHANGES
E.2.f. Inspection of Construction Sites	<ul style="list-style-type: none"> • High Priority site inspection frequencies are slightly modified from the ROWD. Weekly inspection frequency if active grading on high priority site; monthly inspection frequency if no active grading on high priority site. This is slightly simpler than the written certification process that's in the permit now. • Distinction made between inspection frequencies for medium and low priority sites. • Medium and low priority sites active for 3 months or less have a slightly reduced inspection frequency requirement. • Reduced inspection frequency allowed during first month of rainy season for sites with weather-triggered action plans.
<u>E.3. Municipal Component</u>	<ul style="list-style-type: none"> • All changes in accordance with ROWD.
E.3.b. Threat to Water Quality Prioritization	<ul style="list-style-type: none"> • Removal of several source categories from minimum high priority municipal list per ROWD recommendations.
E.3.c. BMP Implementation	<ul style="list-style-type: none"> • Incorporates pollution prevention requirement previously contained in a stand-alone section.
E.3.d. Maintenance of Municipal Separate Storm Sewer System	<ul style="list-style-type: none"> • Incorporation of preventive maintenance requirements for sanitary sewers and MS4s – formerly in IC/ID Section.
<u>E.4. Industrial / Commercial Component</u>	<ul style="list-style-type: none"> • This section is modeled on the Riverside permit. It consolidates the Industrial and Commercial Sections, which the Copermittees and RWQCB agreed was desirable. • Reporting of non-compliant industrial sites (Order 2001-01 section F.3.b.8) is eliminated. This requirement is already adequately covered in the standard provisions (Attachment C)
E.4.a. Source Identification	<ul style="list-style-type: none"> • Two source categories added to the priority list of commercial facilities per the ROWD (power washers / animal facilities).
E.4.b. Threat to Water Quality Prioritization	<ul style="list-style-type: none"> • Additional TTWQ criteria are also added per the ROWD. <ul style="list-style-type: none"> ▫ NEC / NONA status ▫ Self-certification status ▫ Compliance history ▫ Existing regulatory oversight, etc.
E.4.c. BMP Implementation	<ul style="list-style-type: none"> • Incorporates pollution prevention requirement previously contained in a stand-alone section.
E.4.d. Compliance Verification at Industrial and Commercial Facilities	<ul style="list-style-type: none"> • Expansion of compliance verification options is per ROWD. <ul style="list-style-type: none"> ▫ Inspections ▫ Compliance certification ▫ Third-party inspections ▫ Surveys, etc. • Changes to minimum inspection frequencies are not completely in accordance with the ROWD. The frequencies are prescribed minimums which are similar to, but less restrictive than, the Riverside Permit minimums. In combination with a requirement to develop a compliance verification strategy for each source category, this should ensure an effective level of Copermittee oversight.
<u>E.5. Residential Component</u>	

County of San Diego
 Summary of Re-issuance of the San Diego Municipal Stormwater Permit –
 Proposed Permit Language
 11/01/2005

SECTION	DESCRIPTION OF CHANGES
E.5.a. Threat to Water Quality Prioritization	<ul style="list-style-type: none"> • Some consolidation of priority activities to make them clearer. • Addition of trash to list of high priority residential activities is in accordance with ROWD recommendation to elevate trash as a regional high priority constituent.
E.5.b. BMP Implementation	<ul style="list-style-type: none"> • Incorporates pollution prevention requirement previously contained in a stand-alone section. • Incorporation of used oil / toxic material disposal requirement previously contained in the IC/ID section
<u>E.6. Education Component</u>	<ul style="list-style-type: none"> • Consolidation of all education requirements throughout Permit into one section. For the most part, all requirements are somewhat streamlined. • Requirement to develop Regional Education Program Plan targeting residents was not recommended as a permit requirement in the ROWD. • Elimination of requirement to educate quasi-governmental agencies is per ROWD. • Potential topics for education have been streamlined and categorized.
<u>E.7. ICID Detection and Elimination Component</u>	<ul style="list-style-type: none"> • Section E.7.c provides alternative language on the Copermittees' obligations to eliminate ICIDs. Order 2001-01 requires that they be eliminated immediately, which is often not possible. This language is similar that contained in to the Riverside Permit. • Proposed permit language does not address ROWD recommendations on changes to field test kits because these program requirements are in the attachments to the permit.
<u>E.8. Public Participation Component</u>	<ul style="list-style-type: none"> • No proposed changes.
<u>E.9. Effectiveness Assessment Component</u>	<ul style="list-style-type: none"> • This section adds detail to the existing permit requirements, and defines Copermittee obligations consistently with what was described in the ROWD.
<u>E.10. Fiscal Analysis Component</u>	<ul style="list-style-type: none"> • No proposed changes.
<u>E.11. Watershed Management Component</u>	<ul style="list-style-type: none"> • Establishes watershed management as an additional aspect of a comprehensive plan, rather than a stand-alone element. • Provides a slightly more structured organization of the previous WURMP requirements and generally re-states them as responsibilities rather than plan components.
E.11.a. Watershed Water Quality Assessment	<ul style="list-style-type: none"> • Consolidation of language from previous permit. No change in requirements.
E.11.b. Collaborative Watershed Planning	<ul style="list-style-type: none"> • Explicitly states the Copermittees' requirement to collaboratively plan and implement activities. No change in requirements.
E.11.c. Watershed Education	<ul style="list-style-type: none"> • Maintains existing requirement to have a watershed education strategy for the WMA. Allows the use of regional and jurisdictional activities to partially satisfy that obligation.
E.11.d. Watershed-based Land Use Planning	<ul style="list-style-type: none"> • Re-states previous permit language as an obligation to develop and implement strategies (rather than having a "mechanism to...").

County of San Diego
 Summary of Re-issuance of the San Diego Municipal Stormwater Permit –
 Proposed Permit Language
 11/01/2005

SECTION	DESCRIPTION OF CHANGES
E.11.e. Watershed Activities	<ul style="list-style-type: none"> Formally establishes a “Watershed Activities List” to be submitted and annually updated. Establishes an obligation to describe how the activities on the list will reduce discharges of priority pollutants to the MEP, but allows Copermittees to consider other activities in the analysis. Prescribes the minimum information that must be included for each activity on the list.
E.11.f. URMP Review and Updates	<ul style="list-style-type: none"> Describes Copermittee obligation to review and modify their plans and activities.
F. Receiving Waters Monitoring and Reporting Program	<ul style="list-style-type: none"> No proposed changes to text because Copermittee proposal for modification of monitoring programs has not been reviewed by SDRWQCB staff.
G. Required Reports and Plans	<ul style="list-style-type: none"> Provides a centralized description of all plans, updates, and reports identified in the permit. Purpose of centralizing is to make it easier for everyone to understand what’s required or expected. This section requires Executive Officer review and approval of all Copermittee plans and program updates.
<u>G.1. Urban Runoff Management Plans</u>	<ul style="list-style-type: none"> See D.2 above.
<u>G.2. Updates to Copermittee Urban Runoff Management Plans</u>	<ul style="list-style-type: none"> Describes all deliverables that require developing and phasing in additional requirements or modifications over the life of the permit - Three of the 5 were explicitly described in the ROWD. Others are described below.
G.2.a. Baseline Strategy for Incorporation of Low Impact Development (LID) Principles	<ul style="list-style-type: none"> G.2.a (Baseline Strategy for Incorporation of LID Principles) is intended to demonstrate early progress toward the desired endpoint of seeing a greater emphasis on LID principles. It does not create an obligation to require the use of specific LID practices.
G.2.b. Model Operations and Maintenance Verification Process	<ul style="list-style-type: none"> As described in the ROWD and E.1 above
G.2.c. Procedures for Downstream Conditions of Concern	<ul style="list-style-type: none"> As described in the ROWD and E.1 above
G.2.d. Low Impact Design (LID) Credit Option	<ul style="list-style-type: none"> As described in the ROWD and E.1 above
G.2.e Regional Residential Education Program Plan	<ul style="list-style-type: none"> G.2.e (Regional Residential Education Program Plan) was added here.

County of San Diego
 Summary of Re-issuance of the San Diego Municipal Stormwater Permit –
 Proposed Permit Language
 11/01/2005

SECTION	DESCRIPTION OF CHANGES
<u>G.3. Annual Reports</u>	<ul style="list-style-type: none"> • Describes all required annual reports, and how they will be consolidated into a CURMP annual report by January 2009.
<u>G.4. Urban Runoff Management Program Reviews and Assessments</u>	
G.4.b Regional Mid-Permit Cycle Program Review	<ul style="list-style-type: none"> • Describes a second year requirement to comprehensively review and report on Copermittee progress. Uses the activities shown in Table C.7 of the ROWD as a basis for general content of that review. • This is a comprehensive progress report, and is not the same as the LTEA, which will be much more extensive.
<u>G.5. Report of Waste Discharge</u>	<ul style="list-style-type: none"> • Nothing new. Just identifies the ROWD as a deliverable rather than hiding it in the attachments.
H. Approvals and Modifications to Urban Runoff Management Plans and Updates	<ul style="list-style-type: none"> • New section that defines a process for plan review and approval and proposed plan modifications.
Attachment A. Basin Plan Prohibitions	<ul style="list-style-type: none"> • No proposed changes
Attachment B. Receiving Waters Monitoring and Reporting Program	<ul style="list-style-type: none"> • No proposed changes.
Attachment C. Standard Provisions, Reporting Requirements, and Notifications	<ul style="list-style-type: none"> • No proposed changes
Attachment D. Glossary	<ul style="list-style-type: none"> • No proposed changes
Attachment E. Dry Weather Analytical and Field Screening Monitoring Specifications – Urban Runoff	<ul style="list-style-type: none"> • No proposed changes