



Chapter 1 Introduction



This *Construction Urban Runoff Requirements Manual* (Manual) details requirements developed by the City of Oceanside (City) as part of the City's Jurisdictional Urban Runoff Management Program (JURMP) and the City's Clean Water Program. The City produced this Manual in conjunction with the amendments to the City's Municipal Code, Chapter 40, Urban Runoff Management and Discharge Control Regulations and Grading and Erosion Control Ordinances.

1.1 How to Use this Manual

This Manual is provided to assist construction project proponents in complying with the City's Urban Runoff Management and Discharge Control Regulations and Grading and Erosion Control Regulations. Information is provided here to assist project proponents determine their applicability to the City's requirements, and it details the requirements that applicable projects must comply with.

This Manual is divided into the following six chapters:

- Chapter 1** Provides an introduction to the Manual and a brief overview of its purpose and relevance
- Chapter 2** Describes the applicability of this Manual to construction projects, and details the general Urban Runoff requirements for the City
- Chapter 3** Describes the process that project proponents must follow to determine which requirements of this Manual will apply to the proposed construction project

Chapter 4 Details the construction plan submittal requirements that all construction projects within the City must comply with

Chapter 5 Provides the storm water control requirements that must be implemented on each regulated construction project, where applicable.

Chapter 6 Summarizes the inspection and enforcement procedures of the City

1.2 What are Urban Runoff and Storm Water?

The terms, Urban Runoff and storm water (sometimes written as one word, "stormwater"), are commonly used in discussions about the quality of water in urbanized areas. Urban Runoff refers to water that originates in urbanized areas. Sources of Urban Runoff include precipitation, industry discharges, leaks, washing, irrigation, and natural springs. Storm water refers to water generated from precipitation during a storm event. However, in some cases inconsistent with its definition, storm water is used to refer to or to include Urban Runoff not exclusively resulting from precipitation. Inversely, the definition of non-storm water is water that is not the direct product of storm precipitation such as water from industry discharges, leaks, washing, irrigation, and springs. Therefore, Urban Runoff is composed of both storm water and non-storm water.

Regardless of the terminology, water located in urbanized areas and the quality of that water is of the utmost importance. The water in urbanized areas drains to the creeks, lakes, lagoons in the City, and ultimately to the ocean. Many people recreate and fish in these waters, and others enjoy the plants and wildlife that these aquatic habitats support. All water used in the homes and businesses in the City drain to the ocean, creeks, and lakes. Spills, trash, and pollutants wash from properties and roads into the public storm water drainage system, which flows directly to these water bodies.

1.3 Background

In February 2001, the RWQCB issued a National Pollutant Discharge Elimination System (NPDES) Order, or permit, that regulates storm water discharges from the City's public storm water drainage system, referred to as the MS4 or Storm Water Conveyance System. The Order (NPDES Order CAS0108758) required the City to develop and implement a JURMP that identified and described the methods that the City uses to eliminate significant pollutants from the City's Storm Water Conveyance System. As part of the Order, the City was required to implement a plan to eliminate pollutant discharges from municipal areas (often referred to as facilities) and activities by requiring the implementation of appropriate Best Management Practices (BMPs) at applicable sites and situations. BMPs are activities, practices, procedures, or facilities implemented to avoid, prevent, or reduce pollution of our Storm Water Conveyance System and Receiving Waters.

On January 24, 2007, an updated permit, Order No. R9-2007-001 was released. This new Municipal Permit required the City to update its JURMP document to comply with the new requirements. This BMP Manual has been updated to reflect changes to the City's JURMP document.

BMPs for all construction activities should achieve the Maximum Extent Practicable (MEP) performance standard. In general, implementation requirements for construction activities are a combination of BMPs utilized together to control erosion and sediment travel, and pollution from construction materials and waste. In addition, if a construction site was determined to be negatively impacting water quality, the City may impose additional BMP requirements that may involve non-structural and structural measures to meet the City's MEP standard.

This Manual provides minimum BMP requirements that are specified based on the appropriate performance standards for general construction activities.



Chapter 2 Requirements of Regulated Construction Projects



This chapter discusses the general Urban Runoff requirements of construction activities performed within the City.

2.1 Applicability

This Manual establishes BMP requirements for project owners and contractors of Regulated Construction Projects. A Regulated Construction Project is any construction activity required by the City Ordinance to obtain a permit. Construction projects that do not involve the disturbance of soil and pose minimum threat to water quality pollution may be exempt from the requirements of preparing storm water documents and installing specific BMPs as required in Chapters 4 and 5 of this Manual. Refer to section 3.1 to determine if your project meets the City's exemption criteria. Exemption of the requirements of Chapters 4 and 5 does not relieve the project owner or contractor of the basic discharge prohibitions and BMP requirements presented in sections 2.3.1 and 2.3.2 of this Manual.

Responsible parties for Regulated Construction Project include the owner of the construction property, the construction contractor, and any other individual or entity performing construction activities.

Regulated Construction Projects is inclusive of High Priority Construction Projects, Medium Priority Construction Projects, and Low Priority Construction Projects. These are described further in Chapter 3 of this Manual.

2.2 Submittal Requirements

All Regulated Construction Projects are required to obtain necessary permits, licenses, and other approvals for any construction activities as required by the City Code and Ordinance. Such approvals include business licenses, development permits, grading permits, and building permits. The

responsible parties for Regulated Construction Projects should review the City regulations and permit/licensing requirements to determine which approvals are necessary.

2.3 General Requirements

Regulated Construction Projects are required to comply with two interrelated sets of directives; (1) compliance with applicable discharge prohibition requirements, and (2) implementation of BMPs to prevent non-storm water discharges and to reduce contaminants in storm water discharges. Regardless of their type, all sites and activities are subject to the generally applicable BMP requirements of City Code Section 40.2.3, as well as the discharge prohibitions of City Code sections 40.2.1 and 40.2.2, both summarized in this section. Failure to comply with applicable discharge prohibitions is generally considered evidence of an inadequate BMP program, although BMPs can be determined inadequate prior to the occurrence of actual discharges.

2.3.1 Discharge Prohibitions

Without exception, discharges of both storm water and non-storm water to the Storm Water Conveyance System or Receiving Waters within the City are prohibited if the discharge contains pollutants that have not been reduced to the MEP. This prohibition establishes a general BMP standard that must be met by all Dischargers prior to the occurrence of storm water or non-storm water discharges. In essence, it requires the application of BMPs to prevent discharges in violation of the City Code. The remainder of this Manual provides guidance to assist permittees in meeting this MEP standard.

Categorical Exemptions

With minor exceptions, non-storm water discharges are prohibited to the City's Storm Water Conveyance System and Receiving Waters. The City has limited discretion in determining whether selected categories of non-storm water discharges must also be prohibited. Pursuant to City Code Section 40.2.2, the following seventeen categories of non-storm water discharge are currently allowable as long as pollutants in the discharges are reduced to the MEP:

- Diverted stream flows
- Rising groundwaters
- Uncontaminated groundwater infiltration [as defined in *U.S. Code of Federal Regulations* (CFR), Chapter 40, Part 35.2005(20)] to MS4
- Uncontaminated pumped groundwater
- Foundation drains
- Springs
- Water from crawl space pumps
- Footing drains
- Air conditioning condensation
- Flows from riparian habitats and wetlands
- Water line flushing
- Landscape irrigation
- Discharges from potable water sources not subject to NPDES Permit No. CAG679001, other than main breaks
- Irrigation water
- Lawn watering
- Individual residential vehicle washing
- Dechlorinated swimming pool discharges.

As further information becomes available, the City may determine that some or all of these discharge types are significant sources of pollutants to waters of the United States. Based on this determination, the City will establish the types of discharges that will continue to be conditionally allowed, or that will be disallowed, into the City's Storm Water Conveyance System and Receiving Waters. The City may also impose additional BMP requirements specific to those discharges that are allowed.

2.3.2 BMP Implementation

As previously stated, for all discharges of storm water and non-storm water to the City's Storm Water Conveyance System or Receiving Waters, pollutant must be reduced to the MEP.

MEP is a loosely defined standard that is commonly used by the RWQCB in requiring BMP implementation for municipalities. In general, it is

defined as the implementation of all effective, technically and economically feasible BMPs (see the Definitions section for a more detailed discussion). The BMPs that are generally emphasized to meet MEP are pollution-prevention and source-control BMPs. Implementing these proactive BMPs avoids pollutants from ever entering discharge. Treatment BMPs are then implemented, when appropriate, to serve as backups to remove any pollutants from discharges.

Because discharges are prohibited unless MEP is achieved, this general BMP standard must be met by all Dischargers in the City, including Regulated Construction Projects. In general, a Discharger can be generalized as any person or entity engaged in activities or operations, or owning or operating facilities that are exposed to precipitation that drains to the City's Storm Water Conveyance System or Receiving Waters, or that discharges any other waters or materials to the City's Storm Water Conveyance System or Receiving Waters. Therefore, basically if you own, rent, or operate any property in the City, or if you conduct any activities outdoors within the City, you are most likely a Discharger.

To assist Dischargers in meeting the MEP standard, the City has developed minimum BMP requirements. This Manual focuses on those minimum BMP requirements for Regulated Construction Projects. These requirements are standards themselves and Dischargers are required to implement, at a minimum, these BMPs or equivalent measures, methods, or practices. The City recognizes that the proper selection of BMPs depends on numerous factors that are specific to individual sites and activities, and therefore does not advocate or require the use of particular practices. Rather, the City has established these minimum BMP standards that the City has determined are the minimum necessary measures to prevent discharges of pollutants to its Storm Water Conveyance System and Receiving Waters. The sole responsibility for selecting and implementing BMPs that are adequate to comply with the requirements of the City Code and this Manual lies with the Discharger. Therefore, the Discharger may select which BMPs are appropriate to implement, in order to meet the City's minimum BMP requirements. Furthermore, if MEP has not been met by meeting the minimum BMP requirements prescribed by the City, the Discharger must implement additional BMPs until MEP is achieved.

Dischargers are required to evaluate their activities and to implement those BMPs that they determine are necessary to meet MEP. The final determination as to if MEP has been met can only be made by the RWQCB, however, in regard to Regulated Construction Projects, the City's determination as to if MEP has been met is superior to that of the business itself. Based on such a determination, the City may require the application of specific BMPs, additional BMPs, and/or structural controls, in addition to the minimum BMP requirements for a Discharger or a group of Dischargers, if MEP has not been met.

The remainder of this Manual provides the City's minimum BMP requirements to assist Regulated Construction Projects in meeting the MEP standard. The City's requirements applicable to Regulated Construction Projects, currently consists of the following two main tiers:

1. Requirements for all Dischargers
2. Requirements for all Regulated Construction Projects

2.4 BMP Requirements for All Dischargers

The following are BMP requirements for all discharges in the City. Each Discharger, and therefore, all Regulated Construction Projects, is required to implement these BMPs, or equivalent measures, methods, or practices. For a detailed discussion explaining BMP implementation requirements, refer to section 2.3.2 of this Manual.

Eroded Soils

BMP A.1.1. Prior to the rainy season, Dischargers must remove or secure any significant accumulations of eroded soils from slopes previously disturbed by clearing or grading, if those eroded soils could otherwise enter the Storm Water Conveyance System or Receiving Waters during the rainy season.

BMP Description

Removal of eroded soils should be to an approved and licensed disposal facility. Securing eroded soils should be by implementing standard measures such as by securing a cover over the soils and by diverting runoff flows around the soils.

Pollution Prevention

BMP A.2.1. Dischargers shall implement those Urban Runoff pollution prevention practices that are generally recognized in that Discharger's industry or business as being effective and economically advantageous.

Prevention of Illegal Discharges

BMP A.3.1. Illicit connections must be eliminated (even if the connection was established pursuant to a valid permit and was legal at the time it was constructed), and illegal discharge practices eliminated.

Slopes

BMP A.4.1. Completed slopes that are more than five feet in height, more than 250 square feet in total area, and steeper than 3:1 (run-to-rise) that have been disturbed by clearing, grading, or landscaping, shall be protected from erosion prior to the first rainy season following completion of the slope, and continuously thereafter.

BMP Description

Protection of slopes typically is accomplished through covering the slopes, planting the slopes to stabilize vegetation, and/or installing sandbags, silt fences, or other measures to prevent runoff of sediment.

Storage of Materials and Wastes

BMP A.5.1. All materials and wastes with the potential to pollute Urban Runoff shall be stored in a manner that either prevents contact with rainfall and storm water, or contains contaminated runoff for treatment and disposal.

BMP Description

The preferred method of storage is in a covered and contained area so that the materials or wastes are protected from precipitation and runoff, and so that any spills of the materials or wastes are contained, restricted from discharge, and easily cleaned up.

Use of Materials

BMP A.6.1. All materials with the potential to pollute Urban Runoff (including but not limited to cleaning and maintenance products used outdoors, fertilizers, pesticides and herbicides, etc.) shall be used in accordance with label directions. No such material or product may be disposed of or rinsed into Receiving Waters or the Storm Water Conveyance System.

2.5 Minimum Requirements for all Regulated Construction Projects

Regulated Construction Projects are required to evaluate the project and all construction activities for possible exemption or threat prioritization in

accordance to the process described in Chapter 3. Chapter 4 details specific requirements for all Regulated Construction Projects that must be implemented in addition to the BMP requirements for all dischargers described in Section 2.4.



Chapter 3 Threat Prioritization of Regulated Construction Projects



This chapter presents the process through which the project proponent will assess Regulated Construction Projects to determine potential exemption or to identify the threat that a project poses to Urban Runoff quality and define the priority of the project.

3.1 Exempt Regulated Construction Projects

Before conducting a threat prioritization assessment of their Regulated Construction Projects, responsible parties should review the criteria in this section to determine if the project is Exempt.

In general, construction projects that do not involve the disturbance of soil, and pose little threat to polluting the City's Storm Water Conveyance System and Receiving Waters are exempt from the minimum requirements for all Regulated Construction Projects included in Chapter 4 in this Manual. Examples of projects that might be considered Exempt would be similar to the following:

- Interior Remodeling
- Mechanical Permit Work
- Electrical Permit Work
- Tenant Improvements
- Signs
- Changes of Use within an Existing Building
- Temporary Mobile Home and Trailer Permits
- Minor Permits Accessory to an Existing Building (such as patio covers and decks).

In order for a project to be exempt from the City's minimum requirements for all Regulated Construction Projects, the project must meet ALL of the following criteria:

- Not be subject to California's statewide General NPDES Permit for Storm Water Discharges Associated With Construction Activities
- Not propose grading or soil disturbance
- Not have the potential for storm water or urban runoff to contact any portion of the construction area, including washing and staging areas
- Not plan to use any construction materials that could negatively affect water quality if discharged from the site (such as paints, solvents, concrete, and stucco)

It is important to note that if a project is exempt from construction BMP requirements, the proponent is still responsible for pollution generated by the project that might enter the City's Storm Water Conveyance System or Receiving Waters, and the proponent is encouraged to become familiar with the BMPs presented in this Manual for possible use on the project. The City reserves the right to deny or revoke exemption at any time and to condition any project with preparing a appropriate storm water documents, and implementing appropriate BMPs. Such actions would typically result from circumstances identified during plan review, or site inspections, which would identify the project as a significant threat to storm water quality.

Projects exempt from the City's minimum requirements for all Regulated Construction Projects are identified as Exempt Regulated Construction Projects.

3.2 Prioritization of Regulated Construction Projects

Should a project involve disturbance of soil or have the potential to pose a significant threat to Urban Runoff, the project will be subject to additional requirements to prevent pollutants from being discharged from the site. Every non-Exempt Regulated Construction Projects must be assigned one of three priorities (High, Medium, or Low) with respect to the threat the site poses to Urban Runoff

water quality. Based on the assigned priority, the City will be able to determine the necessary storm water inspection frequency for the subject project

In order to determine the prioritization of a project, it is necessary to characterize the site with regards to size, planned period of grading, vicinity to environmentally sensitive water bodies, project type, erosion potential, and potential to produce non-storm water or polluted discharges. To guide the project proponent through this process, and to assist the City in reviewing the project, a Project Urban Runoff Threat Assessment Form must be completed and submitted with the project's permit application. This form is available at the Engineering and Building counters at City Hall. A short explanation and directions for completing each section of the form are presented below.

Project Urban Runoff Threat Assessment Form Section Discussion

Item 1—Project Size

The total amount of disturbed area of a Regulated Construction Project site is important in determining what threat a site poses to Urban Runoff quality. As the size of the project is increased, so is the area of disturbed soil exposed to storm water runoff. In addition, the larger the site, the more time will be necessary to deploy necessary BMPs in the case of a predicted storm event.

All projects that are 50 acres or more must be considered a High Priority if grading activities will occur during the wet season (October 1 to April 30). Project sites greater than one acre and directly adjacent to or discharging to environmentally sensitive water bodies must also be considered High Priority.

For Item 1, the proponent reports the estimated total disturbed acreage of the Regulated Construction Project.

Item 2—Planned Period of Grading

The time of the year that a project is to be graded has a direct effect on its potential to discharge pollutants. The State Water Resources Control Board has set the dates between October 1 and April 30 as the "wet season." Between these dates, the probability that a significant rainfall event will take place is high enough to warrant the requirement that additional physical BMPs be installed on a project in order to ensure that

pollutants from the site entering the storm drain system are reduced to the MEP.

For Item 2, "Yes" means grading activities will take place on the project during the wet season, and "No" means grading activities will not be performed during the wet season.

Grading activities are defined as any land disturbance activities such as clearing, digging, soil movement, and excavation. The duration of a grading activity is defined as the period of time beginning from the first occurrence of land disturbance until all land disturbed has been permanently protected from transport through pavement, other construction, landscaping, vegetation, or other methods, and all spoils and stockpiles have been permanently protected from transport or properly recycled or discarded. Therefore, in some cases, the actual land disturbance activities may not be occurring during the wet season, but if the soils have not been permanently secured, the grading activity is still considered as occurring.

Item 3—Vicinity of the Project to Environmentally Sensitive Areas

Regulated Construction Project sites that are five acres or more, and directly adjacent to (within 200 feet), or tributary to an environmentally sensitive area (ESA) must be considered High Priority. Due to the sensitive nature of these water bodies, however, any site five acres and less and meeting this criteria must be considered to be of Medium Priority. Nine ESAs within the watersheds of the City have been identified. They are as follows:

- Pacific Ocean (at Buena Vista Creek, Loma Alta Creek, and San Luis Rey River Mouth)
- Buena Vista Lagoon
- San Luis Rey River
- Loma Alta Slough
- Buena Vista Creek
- Pilgrim Creek
- Guajome Lake.

Maps depicting these ESAs within the City, and the adjacent and tributary areas surrounding each are available at the Engineering counter at City Hall. In order to determine if a site is adjacent to or tributary to an environmentally sensitive water body, the

project proponent will need to reference these maps and locate the project on the maps. If any portion of the Regulated Construction Project site falls within one of the areas delineated on the maps, the project must be considered adjacent to or tributary to an ESA within the City.

For Item 3, the proponent is to report “Yes” or “No” as to whether the Regulated Construction Project was found to be adjacent to or tributary to an ESA.

Item 4—Presence of Significant Erodible Slopes

The presence of significant slopes on a project site affects the project’s potential to introduce sediment to the City’s Storm Water Conveyance System. Runoff on the face of the slopes has the potential to obtain sufficient velocity to cause significant erosion and carry large amounts of sediment into the Storm Water Conveyance System. Through the use of Table 1, the project proponent is to determine whether slopes considered to be significantly erodible are present on the site.

For Item 4, the proponent is to indicate either “Yes” or “No” as to the presence of significant erodible slopes on the project site.

Item 5—Potential to Produce Significant Non-Storm Water Discharges or Pollutants

In evaluating the priority that a site should have during construction activities, it is important to consider the types of non-storm water discharges or pollutants that have the potential to be discharged during construction activities. Examples of activities that may produce significant non-storm water discharges, or materials that pose a significant

threat to introduce pollutants to Urban Runoff that are commonly found on construction sites are as follows:

- Soil amendments
- Fertilizers
- Concrete Wastes
- Wastewater as a result of Dewatering Activities
- Construction Materials and Compounds
- Types of Machinery Onsite
- Equipment Maintenance and Fueling
- Sanitary and Septic Waste Facilities.

For Item 5, the project proponent should evaluate the project with regards to the items presented above, and any other activity or item, which may produce non-storm water runoff or significant pollutants on the project. The project proponent is instructed to record “Yes” or “No” in the space provided as to whether the project has the potential to produce significant non-storm water runoff or pollutants. If an answer of “Yes” is recorded, then the proponent is to provide a brief description of those activities that may produce non-storm water runoff or pollutants. If an answer of “No” is recorded, then the proponent is to provide a brief statement stating that no construction activity will take place that will produce significant non-storm water runoff, and/or that no materials used or stored onsite will pose a significant threat to pollute storm water being discharged from the site.

Table 1. Presence of Significant Erodible Slopes

Anticipated Period of Grading	Slope 1:20 to 1:4 (V:H)		Slope Steeper Than 1:4 (V:H)		Overall Project Profile Steeper Than 1:20
	Height Greater Than 6 ft and Less than 12 ft	Height Greater or Equal to 12 ft	Height Greater Than 4 ft and Less Than 6 ft	Height Greater Than or Equal to 6 ft	
Wet Season October 1 to April 30	Yes	Yes	Yes	Yes	Yes
Dry Season May 1 to September 30	No	Yes	No	Yes	Yes

Note: This table was adapted from Table 30-1 of the Caltrans Storm Water Quality Handbooks, Construction Contractor’s Guide and Specifications, April 1997.

Item 6—Project Type

It is not necessarily the type of project that has a bearing on the potential to degrade water quality during construction, but the impact of the construction activities and the increase in impervious surfaces that is the real factor. Large areas of planned impervious surface generally create large areas of exposed soil, which will need to be drained during storm events. The drainage from storms will generally travel across these areas at increased velocities, and have the potential to cause significant erosion and sediment travel. For the purposes of prioritization of a proposed project, any project creating more than 5,000 square feet of impervious surface is considered to have a significant threat to Urban Runoff quality.

For Item 6, the project proponent is instructed to record the amount of impervious surface to be created, and answer “Yes” or “No” as to whether the project will create more than 5,000 square feet of impervious surface.

Item 7—Project Specific Prioritization

Using the information from Items 1 through 6 the project proponent must evaluate the project’s overall threat to Urban Runoff quality using Table 2. Based

on the size of the project, the proponent enters Table 2 at the left-hand side, on the appropriate row. The next step is to evaluate the project by proceeding to the next column containing a priority. If an answer of “Yes” was determined for the corresponding item, then the project is considered to be of the priority listed in that space. If an answer of “No” was recorded in the corresponding item of the form, then the proponent moves to the next column and repeats the process. If an answer of “No” was determined for all items on the form, pertaining to columns 2 through 5 of the table, then the proponent records the project as the default priority listed in the final column.

In the space provided in Item 7, the project proponent is to indicate the assigned priority for the project.

The proponent is required to submit the signed and completed Project Urban Runoff Threat Assessment Form with the SWPPP. The City Engineering Department will review the completed Project Urban Runoff Threat Assessment Form and the assigned prioritization. Should the City find that the prioritization assigned by the project proponent is erroneous, the proponent will be notified and the project SWPPP may need to be revised accordingly.

Table 2. Project Prioritization Matrix

Project Size	Item 2	Item 3	Item 4	Item 5	Item 6	Default Priority
Greater than 50 acres	High	High	High	High	High	Medium
5–50 acres	—	High	High	High	High	Medium
1–5 acres	—	High	Medium	Medium	Medium	Medium
Less than 1 acre	—	Medium	Medium	Medium	Medium	Low



Chapter 4 Plan Preparation Requirements



This chapter provides minimum requirements for all High, Medium, and Low Priority Construction Projects. The City requires one of two different types of storm water related documents to be prepared depending on the priority of the project. In addition, the permittee must also submit an erosion control plan depicting the location of all physical BMPs to be used on the site.

4.1 Low Priority Construction Project Requirements

Projects determined to be a Low Priority Construction Project must prepare and submit erosion control plans and implement minimum BMPs detailed in Chapter 5, as applicable. Erosion control plans must depict the location of each physical BMP on the project site. Since the City only maintains a single list of minimum construction BMP regardless of priority, some of the minimum BMPs will not be applicable to small construction projects. The permittee is responsible for identifying and implementing all BMPs included in Chapter 5 that are applicable to the project. The BMPs are to be installed and maintained in accordance with the Caltrans *Storm Water Quality Handbooks, Construction Site Best Management Practices Manual* or the *California Stormwater Quality Association (CASQA) Construction BMP Handbook*.

4.2 Medium and High Priority Construction Project Requirements

Projects determined to be a Medium or High Priority Construction Project must submit a Storm Water Pollution Prevention Plan (SWPPP) prepared to meet the requirements of the State General Industrial Permit. Be aware that coverage under the State General Construction Permit does not relieve the permittee of meeting the minimum BMP requirements presented in Chapter 5. In addition to the SWPPP, projects requiring coverage under the

State General Construction Permit must also submit a copy of the Notice of Intent for the project, and a copy of the State Water Resources Control Board letter indicating the Waste Discharge Identification Number (WDID #) issued for the project.

The CASQA *Construction BMP Handbook* and SWPPP Template can be downloaded and/or printed from the following website:

www.cabmphandbooks.com

In addition to preparing a SWPPP, medium and high priority construction projects are also required to submit appropriate erosion control plans.



Chapter 5 Minimum BMP Requirements



The City has designated a set of minimum BMPs for all Regulated Construction Projects, which are requirements to be implemented as part of the project's SWPPP and/or erosion control plan. Table 3 presents the City's minimum BMP requirements. BMPs required are marked in the far right column of the table. The BMPs referenced in this section are presented in the Caltrans, *Storm Water Quality Handbooks, Construction BMPs Manual*. The CASQA *Construction BMP Handbook* can also be used a reference for BMPs. The BMPs presented in Table 3 are to be installed and maintained in accordance with the Caltrans manual.

The Caltrans, *Storm Water Quality Handbooks, Construction BMPs Manual* can be obtained by contacting Caltrans directly, or can be accessed online at the following:

www.dot.ca.gov/hq/construc/stormwater/manuals.htm

The CASQA *Construction BMP Handbook* and SWPPP Template can be downloaded and/or printed from the following website:

www.cabmphandbooks.com

Slope Stabilization

All inactive slopes must be stabilized during the wet season. A slope is considered inactive when no grading or soil disturbing activities are conducted for 10 or more days. In addition, all completed slopes must be stabilized within 14 days of completion of the slope. For active slopes, stabilization BMPs must be implemented at least within 48 hours of a predicted storm event regardless of the season. Vegetation stabilization using hydroseed (SS-4) may be used only May 1 to August 15. Vegetation proposed to stabilize slopes must be installed by August 15, watered, and established prior to October 1. The permittee shall show on the plan a contingency physical BMP to be installed by

October 1 if hydroseed establishment does not occur by that date.

Grading Limitations

The City requires that temporary or permanent erosion controls be implemented before a construction site has disturbed a total of 50 acres. If a construction site is in compliance with applicable storm water regulations and has adequate BMPs implemented to prevent storm water pollution, the City has the option to give the site written authorization to disturb beyond the 50 acre maximum. It is the Permittee's responsibility to obtain written authorization from the City to disturb beyond the 50 acre maximum prior to doing so. Sites authorized to disturb beyond 50 acres may be required to implement additional controls in order to prevent pollutant discharges to the City's MEP standard.

Additional Requirements

The BMPs presented in Table 3 represent the minimum BMPs that must be implemented where applicable for all Regulated Construction Projects. The implementation of the minimum BMPs does not relieve the permittee from complying with any other requirements of the City Code. It is the Permittee's responsibility to develop and implement an effective SWPPP and/or erosion control plan, incorporating any and all BMPs deemed necessary by the permittee to meet the MEP standard and all other applicable requirements. In addition, the City may require additional BMPs be incorporated into the SWPPP and/or erosion control plan if the City determines that additional BMPs are necessary to ensure that discharge requirements will be met. The additional construction BMPs (not marked as required) included in Table 3 are optional BMPs that may be implemented in addition to the minimum required BMPs to meet the City's MEP standard.

For construction sites that are tributary to Buena Vista Lagoon (a 303(d) listed water body segments impaired for sedimentation) or within, adjacent to (within 200 feet), or discharging directly to coastal lagoons or other receiving waters within ESAs, the City will require additional BMPs as necessary to protect these sensitive areas to the MEP. Requirements will be determined on a project by project basis and may include but are not limited to

required de-silting basins, increased inspection frequency, and/or stronger penalties for non-compliance.

Advance Treatment

For the majority of the construction sites within the City’s jurisdiction, the minimum required BMPs, if correctly installed and maintained, should adequately control sediment discharges from the site. However, if it is determined that a site possesses characteristics that could result in standard construction BMPs being ineffective in the treatment of sediment, thus resulting in an exceptional TTWQ, advanced treatment will be required. A site is considered to be an exceptional TTWQ if it meets ALL of the following criteria:

- Is located within, adjacent to, or a portion of the site is within 200 feet of waters listed on the CWA Section 303(d) list of Water Quality Limited Segments as impaired for sedimentation, and turbidity;
- Disturbance is greater than five acres, including all phases of the development;
- Disturbed slopes are steeper than 4:1 (horizontal: vertical) and higher than 10 feet that drain toward the 303(d) listed receiving water;
- Contains a predominance of soils with USDA-NRCS Erosion factors kf greater than or equal to 0.4.

Alternatively, applicants may perform a Revised Universal Soil Loss Equation (RUSLE) or Modified

Universal Soil Loss Equation (MUSLE) analysis to prove to the City Engineer’s satisfaction that advanced treatment is not required.

Treatment effluent water quality shall meet or exceed the water quality objectives for turbidity, and any other parameter deemed necessary by the City Engineer as listed in the Water Quality Control Plan for the San Diego Basin for Inland Surface Waters and Lagoons and Estuaries for the appropriate hydrologic unit.

Additionally, the City may require advanced treatment for sites that have a record of noncompliance with the City’s construction BMP requirements, regardless of whether they meet the above criteria.

For projects where advance treatment is required, the applicant must submit the design, operations and maintenance schedule, monitoring plan, and certification of training of staff to the satisfaction of the City.

Employee Education

All personnel working at a construction site, including subcontractors, are expected to be aware of BMPs for each individual site. It is the responsibility of project managers and site supervisors to communicate City requirements to all construction site personnel and subcontractors. Project foreman and other personnel who manage construction activities are also generally expected to stay updated on current BMPs for construction.

**Table 3.
Minimum Construction Site BMPs**

Caltrans Factsheet ID	BMP Name	Required Minimum BMPs for Regulated Construction Projects
TEMPORARY SOIL STABILIZATION		
SS-1	Scheduling ^(a)	◆
SS-2	Preservation of Existing Vegetation ^(b)	◆
SS-3	Hydraulic Mulch	◆ ^(c)
SS-4	Hydroseeding	◆ ^(c)
SS-5	Soil Binders	◆ ^(c)
SS-6	Straw Mulch	◆ ^(c)

Caltrans Factsheet ID	BMP Name	Required Minimum BMPs for Regulated Construction Projects
SS-7	Geotextiles, Plastic Covers, and Erosion Control Mats	◆ ^(c)
TEMPORARY SOIL STABILIZATION (CONTINUED)		
SS-8	Wood Mulching	
SS-9	Earth Dikes/Drainage Swales and Ditches	◆
SS-10	Outlet Protection/Velocity Dissipation Devices	◆
SS-11	Slope Drains	
TEMPORARY SEDIMENT CONTROL		
SC-1	Silt Fence	◆ ^(d)
SC-2	De-silting Basin	◆ ^(d)
SC-3	Sediment Trap	
SC-4	Check Dam	
SC-5	Fiber Rolls	◆ ^(d)
SC-6	Gravel Bag Berm	◆ ^(d)
SC-7	Street Sweeping and Vacuuming	◆
SC-8	Sandbag Barrier	
SC-9	Straw Bale Barrier	
SC-10	Storm Drain Inlet Protection	◆
WIND EROSION CONTROL		
WE-1	Wind Erosion Control	◆
TRACKING CONTROL		
TC-1	Stabilized Construction Entrance/Exit	◆
TC-2	Stabilized Construction Roadway	
TC-3	Entrance/Outlet Tire Wash	
NON-STORM WATER MANAGEMENT (use where applicable)		
NS-1	Water Conservation Practices	◆
NS-2	Dewatering Operations	◆
NS-3	Paving and Grinding Operations	◆
NS-4	Temporary Stream Crossing	
NS-5	Clear Water Diversion	
NS-6	Illicit Connection/Illegal Discharge	◆
NS-7	Potable Water/Irrigation	◆
NS-8	Vehicle and Equipment Cleaning	◆
NS-9	Vehicle and Equipment Fueling	◆
NS-10	Vehicle and Equipment Maintenance	◆

Caltrans Factsheet ID	BMP Name	Required Minimum BMPs for Regulated Construction Projects
WASTE MANAGEMENT AND MATERIALS POLLUTION CONTROL (use where applicable)		
WM-1	Material Delivery and Storage	◆
WM-2	Material Use	◆
WM-3	Stockpile Management	◆
WM-4	Spill Prevention and Control	◆
WM-5	Solid Waste Management	◆
WM-6	Hazardous Waste Management	◆
WM-7	Contaminated Soil Management	◆
WM-8	Concrete Waste Management	◆
WM-9	Sanitary/Septic Waste Management	◆
WM-10	Liquid Waste Management	◆

- a. Proper scheduling will include minimization of exposure time of disturbed soil area, minimization of grading during the wet season and correlation of grading with seasonal dry weather periods to the extent feasible, and temporary stabilization and reseeded of disturbed soil areas and permanent re-vegetation or landscaping as early as feasible.
- b. Preservation of existing vegetation also includes preservation, where feasible, of natural hydrologic features and riparian buffers and corridors. Projects should minimize the areas that are cleared and graded to only the portion of the site that is necessary for construction.
- c. The permittee shall select one of the five measures listed or a combination thereof to achieve and maintain temporary soil stabilization.
- d. The permittee shall select one of the four measures tested for site sediment control



Chapter 6 Inspections and Enforcement Procedures



The City has developed an inspection and enforcement program to insure that each Regulated Construction Project properly complies with the City Code and relevant ordinances outlining erosion control and Urban Runoff management, and to insure that the project SWPPP and/or erosion control plan has been properly implemented and maintained.

Projects covered by the General Construction Storm Water Permit have responsibilities of pre- and post-storm inspection, sampling and testing of runoff, and recordkeeping separate from the requirements of the City Code and grading and erosion ordinance. The inspection program presented here is not intended to relieve the project owner of any of those requirements.

6.1 Inspection Procedures

The City's inspectors will perform inspections at the Low, Medium, and High Priority Construction Project sites throughout the life of the project. Initial inspection of High Priority Construction Project sites will be performed immediately following the commencement of work, then at least every other week during the wet season (October 1 to April 30), and as deemed applicable by the inspector during the dry season. Medium Priority Construction Project will be initially inspected immediately following commencement of work, then at least monthly during the wet season, and as deemed applicable during the dry season. Low Priority Construction sites will be initially inspected immediately following commencement of work, then as deemed applicable during both the wet and dry seasons. A summary of the inspection process is presented below.

Initial Site Inspection

Immediately following the commencement of work the assigned inspector will visit the project site, and

meet with the designated water pollution control manager or other responsible party. The inspector will review the SWPPP and/or erosion control plan with the water pollution control manager, and verify that the manager has a complete and thorough knowledge of the requirements and procedures outlined in the plan. The inspector and manager will then perform an inspection of the site to confirm that the required BMPs have been properly installed and review the maintenance procedures for each BMP.

Routine Inspections

Routine inspections will be performed per the frequencies presented above. During each routine inspection the inspector shall review the SWPPP and/or erosion control plan with the water pollution control manager and verify that the scheduled installation and/or maintenance of the required BMPs is being adhered to. The inspector will also evaluate the effectiveness of the BMPs, and verify that additional BMPs are not necessary to meet the requirements of the City's ordinances. The inspector will note each BMP inspected and the condition of those BMPs on the City's urban runoff construction site inspection form. The inspector will then review the inspection record with the storm water quality manager and inform the manager of any discrepancies or deficiencies found during the inspection. Enforcement actions will be taken as necessary to force compliance with the City's requirements. Follow-up inspections will be conducted as necessary for sites found to be in violation of the City's storm water requirements.

6.2 Enforcement Procedures

The City is required to enforce its ordinances and regulations for all Regulated Construction Projects. The City employs several enforcement mechanisms and penalties to ensure the compliance with its ordinances. The levels of enforcement and associated penalties are typically issued at the discretion of the Authorized Enforcement Staff with consideration of relevant circumstances regarding the violation. The different types of enforcement actions used by the City are summarized below.

It should be noted that other agencies, such as the RWQCB, also exercise enforcement rights if violations fall within their jurisdiction. Often the

penalties associated with the enforcement actions of these agencies are more severe than the City's.

Written Warnings

Written warnings are issued by the City in the form of Administrative Citation Warnings or correction notices. Written warnings will be issued for those cases of violations that do not involve circumstances that would warrant a fine or a more serious penalty. Such circumstances could be as follows:

- The violation was considered minor and is a first time offense
- The violation was considered minor and was not deliberate
- The violation could be easily remedied and had not resulted in a threat to human or environmental health.

Written warnings will contain information describing the infraction. Other information may be provided on the warning as the issuing officer deems necessary. A copy of the warning will be given to the operator. A copy of the warning will also be retained for City records and the violation will be noted in the City's enforcement and inspection databases.

Follow-up activities, such as inspections, will be conducted as deemed necessary by the Authorized Enforcement Staff.

Administrative Citations

Administrative Citations are issued for infractions that involve circumstances that require a greater level of enforcement than a warning. Administrative Citations may also be appropriate in the case where a warning was served but the infraction continued to occur or occurred again. Administrative Citations may also be warranted when an administrative abatement Notice and Order (described in the next section) was issued and the required abatement activities were not implemented.

Administrative Citations include fines with increasing value depending on the amount of the same preceding violations within a year. Fine values are described as follows:

- First violation – a fine not exceeding \$100.00
- Second violation – a fine not exceeding \$250.00
- Third violation – a fine not exceeding \$500.00

- Fourth and any subsequent violations – may include a fine up to \$1,000.00. Misdemeanor citations may also be issued for continued non-compliance.

Administrative Abatement Procedure

If an infraction involves the circumstances to warrant a warning or citation, but requires activities to correct the infraction, the warning or citation may include an Administrative Abatement Procedure in the form of a Notice and Order. A Notice and Order is a form that is used in the case of a public nuisance violation. By issuing these notices, the City requires the person responsible for the infraction to conduct activities necessary to resolve the infraction at his or her own expense. The activities necessary will be directed by the enforcing officer and are described on the notice. A deadline for correcting the infraction with the required activities is also provided by the enforcing officer. In the event that the officer determines that the individual responsible for the infraction is incapable of performing such activities by the compliance date or if the individual chooses not to perform the activities, the City may conduct the necessary activities and charge the resulting costs to the individual.

A Notice and Order should include details describing the abatement activities required of the individual responsible for the infraction, and a deadline for compliance. Follow-up should typically be conducted to ensure that the abatement activities are successfully and adequately implemented.

Some examples of circumstances that could require a Notice and Order include the following:

- A required BMP is not implemented or is not implemented properly and requires implementation by the responsible party
- A leak or discharge is detected and requires elimination
- A spill or other discharge occurred and clean up of the spill or discharge is required.

Stop Work Notices

The City may issue stop work notices at construction sites that pose significant threat to water quality due to inadequate BMP implementation. When a stop work notice is issued, work on the construction site must stop until BMP deficiencies are corrected and the site receives authorization from the City to resume work.

Suspension, Revocation, or Denial of Permits

The City includes procedures that provide for the suspension, revocation, or denial of permits. Most permits issued by the City that allow the City to suspend or revoke the permit if an infraction results from the regulated activities. The City can choose to exercise its rights to suspend or revoke a permit based on the conditions of the infraction. The decision to exercise this right should include consultation with the enforcing officer, the City's legal council, and other appropriate City staff. Cases for which the suspension or revocation may be appropriate include those when a regulated activity:

- Results in a continuous infraction that cannot be or will not be remedied
- Involves an infraction that can only be stopped and remedied by ceasing the regulated activity

- Is continuously resulting in infractions and previous enforcement actions have not been successful in preventing further infractions.

Civil and/or Criminal Court Actions

The City may use civil and or criminal court actions under the State Porter Cologne Water Quality Act or the Federal Clean Water Act, which may result in significant fines levied upon the non-compliant responsible parties. A criminal misdemeanor can typically be charged for infractions and can involve a fine up to one thousand dollars and/or imprisonment up to six months. Criminal and civil court actions are typically used for cases involving multiple infractions, severe infractions, where the infraction was deliberate, and where the infraction resulted in harm to human or environmental health.



Definitions

The following definitions shall be applicable when the following words or phrases are used in this Manual (whether or not these words or phrases are capitalized.)

Accelerated Erosion—erosion caused by development activities that exceeds the natural processes by which the surface of the land is worn away. Erosion includes the movement or loss of soil by the action of water, wind, or chemical action.

Authorized Enforcement Staff—any City employee supervised by an Authorized Enforcement Official, assigned to duties involving permits and other City approvals, inspections, and enforcement related to the City Code.

Authorized Enforcement Official—officials including the Director of the Water Utilities Department, the Director of Public Works; the Director of the Department of Planning Department; the Director of Housing Department; the Director of Building and Safety, the Chief of the Police Department, and the Chief of the Fire Department.

Best Management Practices (BMPs)—schedules of activities, pollution treatment practices or devices, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices or devices to prevent or reduce the discharge of pollutants directly or indirectly to Storm Water, Receiving Waters, or the Storm Water Conveyance System. Best Management Practices also include, but are not limited to, treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage. Best Management Practices may include any type of pollution prevention and pollution control measure that can help to achieve compliance with the City's Code or this Manual.

Channel—a natural or improved watercourse with a definite bed and banks that conducts continuously or intermittently flowing water.

City—the City of Oceanside.

Commercial Discharger—a Discharger who operates a Regulated Commercial Facility.

Constructed Wetland—a vegetated area that has been deliberately modified to provide or enhance habitat, to provide water quality benefits, or to moderate water flow rates or velocities, that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Detention—the temporary storage of storm runoff in a manner that controls peak discharge rates and provides some gravity settling of pollutants.

Detention Facility—a detention basin or alternative structure designed for the purpose of temporary storage of stream flow or surface runoff and gradual release of stored water at controlled rates.

Developer—a person who seeks or receives permits for or who undertakes land development activities.

Development Project Proponent—see Developer.

Discharge—(when used as a verb) to allow pollutants to directly or indirectly enter Urban Runoff, or to allow storm water or non-storm water to directly or indirectly enter the Storm Water Conveyance System or Receiving Waters, from an activity or operations which one owns or operates. (When used as a noun) the pollutants, storm water and/or non-storm water that is discharged.

Discharger—any person or entity engaged in activities or operations or owning facilities, which will or may result in pollutants entering Urban Runoff, the Storm Water Conveyance System, or Receiving Waters; and the owners of real property on which such activities, operations, or facilities are located; provided however that a local government or public authority is not a Discharger as to activities conducted by others in public rights of way.

Discharges Directly To—storm water or non-storm water enters Receiving Waters from a facility or activity, without mixing with any storm water or non-storm water from another facility or activity prior to entering such Receiving Waters.

Drainage Easement—a legal right granted by a land owner to a grantee allowing the use of private land for storm water management purposes.

Environmentally Sensitive Area (ESA)—Impaired Water Bodies, areas designated as Areas of Special Biological Significance or areas that are beneficially used by RARE species, by the State Water Resources Control Board (SWRCB) in the Water Quality Control Plan for the San Diego Basin (1994 and amendments), National Wildlife Refuges, areas designated as preserves for species-protection purposes by the State of California or a local government, and pre-approved mitigation areas identified in agreements between the County and state or federal natural resources agencies.

Erosion Control Plan—an Urban Runoff Management Plan that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

Exempt Regulated Construction Projects—in general, construction projects that do not involve the disturbance of soil, and pose little threat to polluting the City's storm drain system can apply for an exemption from the additional requirements for Regulated Construction Projects.

Household Hazardous Waste—a household hazardous material that no longer has a use and is discarded or intended to be discarded. The term includes, but is not limited to, paint and paint-related materials; yard and garden products; household cleaners; used oil, motor vehicle fluids, batteries and oil filters; and household batteries.

Hydrologic Soil Group—the classification system for soil erodability set out in *Soil Survey - San Diego Area, California* (December 1973), issued by the U.S. Department of Agriculture, Soil Conservation Service and U.S. Forest Service. (In this system, soils are categorized into four runoff potential groups. The groups range from "A" soils, which have high permeability and little runoff production, to "D" soils, which have low permeability rates and produce considerably more runoff.)

Illegal Connection—a pipe, facility, or other device connected to the Storm Water Conveyance System or Receiving Waters, which has not been reviewed and authorized by the City; or a permitted/authorized pipe, facility, or other device, which conveys Illegal Discharges.

Illegal Discharge—any discharge into Urban Runoff, the Storm Water Conveyance System, or Receiving Waters that is prohibited by the City Code. This includes, but is not limited to, discharges of non-storm water that are not exempt discharges listed in Section 40.2.2 of the City's Code, any discharge from an Illegal Connection, and any discharge that contains additional pollutants due to the absence of a required BMP or the failure of a BMP. Discharges that require a County permit or a RWQCB permit that has not been issued or has not been acknowledged by the Discharger to be applicable are Illegal Discharges. Discharges regulated under an applicable RWQCB or County permit or Storm Water Pollution Prevention Plan (SWPPP) are Illegal Discharges unless compliance with all applicable permit and SWPPP conditions is maintained.

Impaired Water Body—a water body that is listed by the SWRCB as impaired by a particular pollutant or pollutants, pursuant to Section 303(d) of the Federal Clean Water Act. The term, "303(d) listed water body," has the same meaning.

Impervious Cover or Impervious Surface—constructed or modified surfaces that cannot effectively infiltrate rainfall. The term includes, but is not limited to, building rooftops, pavement, sidewalks, and driveways.

Impervious Surface Area—the ground area covered or sheltered by an impervious surface, measured in plan view (i.e., as if from directly above). For example, the impervious surface area for a pitched roof is equal to the ground area it shelters, rather than the surface area of the roof itself.

Industrial Activity—manufacturing, processing, or raw materials storage at a commercial, industrial, or municipal facility. The term includes, but is not limited to, industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials; manufactured products, waste material, or byproduct creation or storage; material handling; refuse storage or disposal; the application or disposal of process wastewaters; storage and maintenance of material-handling equipment; treatment, storage or disposal of residuals; outdoor shipping and receiving; activities in manufacturing buildings; storage of raw materials and intermediate and finished products; and areas where significant industrial activity has taken place in the past and significant materials remain and are exposed to storm water. Material-handling activities include the storage, loading and unloading, transportation, or

conveyance of any raw material, intermediate product, finished product, byproduct, or waste product.

Industrial Discharger—a Discharger who operates a Regulated Industrial Facility.

General Industrial Storm Water Permit—the Statewide General Industrial Storm Water Permit.

Infiltration—the process of percolating storm water or non-storm water into the subsoil.

Infiltration BMPs or Infiltration Facility—any structural treatment BMP designed primarily to percolate water into the subsurface, such as an infiltration trench or infiltration basin. An infiltration facility may include filtering prior to or during infiltration. BMPs that infiltrate some water but which are designed primarily to retain water or to treat water, such as retention basins, constructed wetlands, or filtering swales are not infiltration facilities.

Land Development Activity—any activity or proposed activity that requires any of the permits or approvals listed in Section 40.2.1.(f) of the City's Code.

Land Disturbance Activity—any activity that moves soils or substantially alters the pre-existing vegetated or man-made cover of any land. This includes, but is not limited to, grading, digging, cutting, scraping, stockpiling, or excavating of soil; placement of fill materials; paving, pavement removal, exterior construction; substantial removal of vegetation where soils are disturbed including, but not limited to, removal by clearing or grubbing; or any activity which bares soil or rock or involves streambed alterations or the diversion or piping of any watercourse. Land Disturbance Activity does not include routine maintenance to maintain original line and grade, hydraulic capacity, or the original purpose of the facility, nor does it include emergency construction activities (i.e., land disturbances) required to protect public health and safety.

Land Owner—the holder of legal title to the land, and other persons or entities who exercise control over a land development project pursuant to rights granted in a purchase agreement, joint venture agreement, development agreement, or long-term lease.

Maintenance [of a BMP]—periodic action taken to maintain the as-designed performance of a BMP, and includes, but is not limited to, repairs to the

BMP as necessary, and replacement of the BMP by an equally effective or more effective BMP at the end of its useful life.

Maximum Extent Practicable (MEP)—acceptability standard for BMPs. When BMPs are required to meet this standard, the BMPs must be the most effective set of BMPs that is still practicable. A BMP is effective if it prevents, reduces, or removes the pollutants that would otherwise be present in runoff due to human activity. A BMP is practicable if it complies with other regulations as well as storm water regulations; is compatible with the area's land use, character, facilities, and activities; is technically feasible (considering area soil, geography, water resources, and other resources available); is economically feasible; and provides benefits that are reasonable in relation to costs.

Motor Vehicle—any automobile, car, truck, bus, motor home or other self-propelled vehicle used or suited to use for on-road transportation; and any similar vehicle modified for off-road use.

National Pollutant Discharge Elimination System (NPDES) Permit—a permit issued by the U.S. Environmental Protection Agency, the SWRCB, or the RWQCB.

Non-Storm Water—water that is not the direct product of storm precipitation such as those from industry discharges, leaks, washing, irrigation, and springs.

Notice and Order—a form that is used in the case of a public nuisance violation.

NPDES Permit No. CAS 0108758—RWQCB Order No. 2001-01, NPDES Permit No. CAS 0108758, "Waste Discharge Requirements for Discharges of Urban Runoff From the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, and the San Diego Unified Port District."

NPDES Permit No. CAS 0108758—RWQCB Order No. R9-2007-0001, NPDES Permit No. CAS 0108758, "Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, the San Diego Unified Port District, and the San Diego County Regional Airport Authority

Off-Site BMP—a storm water management measure located outside the subject property boundary of a facility or outside the boundary described in the permit application for a land development activity.

Onsite BMP—a storm water management measure located within the subject property boundary or a facility, or inside the boundary described in the permit application for a land development activity.

Performance Standard—a requirement that specifies a result that must be achieved (e.g., “minimize impervious surface area” or “do not impair Receiving Water quality”) without specifying the means that must be used to achieve that result. (This Manual applies performance standards only to certain land development and redevelopment projects that require discretionary City permits; those permits will typically include enforceable project-specific requirements intended to achieve the result required by the performance standard.)

Pollutant—any agent introduced to storm water or non-storm water through human activity that may cause or contribute to the degradation of water quality such that public health, the environment, or beneficial uses of waters may be affected. The term may include, but is not limited to, dredged soil, rock, sand, or silt (excluding sediment, silt, or substances in quantities which would enter storm water from a natural undeveloped watershed); solid waste, sewage, garbage, or medical waste; wrecked or discarded equipment; radioactive materials; industrial waste; fecal coliform, fecal streptococcus, and enterococcus bacteria and other pathogens that pose a threat to human health; volatile organic carbon, surfactants, oil and grease, petroleum hydrocarbons, total organic carbon, lead, copper, chromium, cadmium, silver, nickel, zinc, cyanides, phenols, and biocides; and any contaminant which can significantly degrade the quality of Receiving Waters by altering pH, total suspended or settleable solids, biochemical oxygen demand, chemical oxygen demand, nutrients, or temperature.

Rainy Season—the season from October 1 through April 31.

Receiving Waters—all waters that are “Waters of the State” within the scope of the State Water Code, including, but not limited to, natural streams, creeks, rivers, reservoirs, lakes, ponds, water in vernal pools, lagoons, estuaries, bays, the Pacific Ocean, and groundwater.

Redevelopment—any construction, alteration, or improvement at an already developed site that will increase the total impervious surface area of that site, or that involves activities that could expose contaminants to rainfall. Redevelopment can include, but is not limited to, the expansion of building footprints, the addition or replacement of a structure, exterior construction and remodeling, replacement of existing impervious surfaces that is not part of a routine maintenance activity, and other activities that create additional impervious surface.

Regulated Commercial Facility—all non-residential facilities engaged in business or commerce, whether for profit or not-for-profit, or publicly or privately owned, except for Regulated Industrial Facilities and Municipal Facilities; plus residences used for commercial repair, maintenance, cleaning, manufacturing, food preparation, or painting activity if that activity has the potential to result in the discharge of non-storm water or the discharge of pollutants to storm water.

Regulated Construction Projects—any construction activity required by the City Ordinance to obtain a grading or building permit.

Regulated Industrial Facility—any facility subject to the State General Industrial Storm Water Permit; any other facility primarily engaged in manufacturing, processing, storage, or handling of raw materials, processed bulk materials, or refuse; and any other facility with a total outdoor uncovered area of more than two acres that is used for an Industrial Activity. Municipal Facilities are not Regulated Industrial Facilities, unless they are subject to the General Industrial Storm Water Permit.

Residential Discharger—for an occupied residence, the occupants; for a vacant residence, the owner and the manager of the residence.

Statewide General Construction Storm Water Permit—NPDES Permit No. CAS000002, “Waste Discharge Requirements for Discharges of Storm Water Associated with Construction Activities,” and any amendments thereto.

Statewide General Industrial Storm Water Permit—NPDES Permit No. CAS000001, “Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities,” and any amendments thereto.

Stop Work Order—an order issued that requires that specifically identified activity or all activity on a site be stopped.

Storm Water—surface runoff and drainage associated with storm events.

Storm Water Conveyance System—private and public drainage facilities other than sanitary sewers within the City by which Urban Runoff may be conveyed to Receiving Waters, and includes, but is not limited to, roads, streets, constructed channels, aqueducts, storm drains, pipes, street gutters, inlets to storm drains or pipes, or catch basins.

Storm Water Pollution Prevention Plan (SWPPP)—a document (other than a Urban Runoff Management Plan), which meets the requirements for a SWPPP set out in the General Construction Storm Water Permit or General Industrial Storm Water Permit. A SWPPP submitted to the City must describe the BMPs to be implemented and other steps to be taken by the Discharger to meet the requirements of the City's Code or this Manual.

Storm Water Retrofit—a storm water management BMP designed for an existing development site or activity that previously had either no storm water management BMPs in place or that relied on BMPs inadequate to meet the storm water management requirements of the site or activity.

Structural BMP—a BMP that relies on either a physical condition (other than an entirely natural and undisturbed condition), or on a constructed or installed device to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Constructed or enhanced BMPs that depend on natural materials and processes (e.g., constructed drainage swales or buffers, or constructed wetlands), and that require periodic maintenance to function as designed, are Structural BMPs.

Structural Post-Construction BMP—a Structural BMP (other than a temporary construction-related BMP) put in place in connection with a land development or redevelopment project to prevent or reduce contamination in storm water or Receiving Waters, or to prevent or reduce erosion downstream from the project.

Tributary To an Impaired Water Body—a facility or activity is Tributary To an Impaired Water Body if Urban Runoff from that facility or activity enters

(1) the Storm Water Conveyance System at a place and in a manner that will carry pollutants for which that water body is impaired in that discharge to the impaired water; (2) a flowing stream that will carry pollutants for which that water body is impaired in that discharge to the impaired water; or (3) an ephemeral stream that reaches the impaired water during storm events and that will carry pollutants for which that water body is impaired from the facility or activity to the impaired water body during such storm events.

Urban Runoff—all surface flows originating from within the City. Typically, if in sufficient quantity, these flows will travel from their point of origin and enter the Storm Water Conveyance System and/or Receiving Waters. Urban Runoff includes, but is not limited to, storm water, non-storm water discharges, and Illicit Discharges.

Urban Runoff Management—the use of structural or non-structural BMPs that are designed to reduce Urban Runoff pollutant loads, discharge volumes, and/or peak discharge flow rates or velocities. When applied to the City or another municipality, Urban Runoff management also includes planning and programmatic measures.

Urban Runoff Management Plan—a plan, submitted on a City form or in a City-specific format in connection with an application for a City permit or other City approval, identifying the measures that will be used for storm water and non-storm water management during the permitted activity.

Water Main—a potable or recycled water delivery line greater than or equal to four inches in diameter.

Watercourse—a permanent, ephemeral, or intermittent stream or other body of water, either natural or improved, which gathers or carries surface water.

Water Quality Standards—the water quality objectives adopted by the State or the U.S. Environmental Protection Agency to protect the beneficial uses (e.g., swimming, fishing, municipal drinking water supply) of water.

Waters of the United States—water subject to the regulatory jurisdiction of the United States under the Federal Clean Water Act and applicable case law. In general, this includes navigable waters, waters tributary to navigable waters, and adjacent wetlands