

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
895 Aerovista Place, Suite 101  
San Luis Obispo, California**

**DRAFT RESOLUTION NO. R3-2008-0068**

**City of Salinas Stormwater Development Standards  
Monterey County**

The Regional Water Quality Control Board, Central Coast Region ("Water Board") finds:

1. On December 8, 1999, the U.S. Environmental Protection Agency (EPA) promulgated regulations under authority of the Clean Water Act (CWA) Section 402(p). These regulations required National Pollutant Discharge Elimination System (NPDES) stormwater permits for operators of municipal separate storm sewer systems (MS4s) that discharge to waters of the U.S.
2. The CWA allows the EPA to delegate its NPDES permitting authority to states with an approved NPDES program. The State of California is a delegated State. The Porter-Cologne Water Quality Control Act (California Water Code Division 7) authorizes the State Water Resources Control Board (State Board), through the Regional Water Quality Control Boards, to regulate and control the discharge of pollutants into waters of the State and tributaries thereto. The City of Salinas (City or Permittee) is under jurisdiction of the Central Coast Regional Water Quality Control Board (Central Coast Water Board).
3. On February 11, 2005, the Central Coast Water Board adopted Order No. 2004-0135 (NPDES Permit No. CA0049981), Waste Discharge Requirements for City of Salinas Municipal Stormwater Discharges (Permit).
4. The Permit requires the City to develop and implement a stormwater management program (SWMP). The SWMP must reduce the City's stormwater pollutant discharges to the maximum extent practicable (MEP) and protect water quality. The Central Coast Water Board last considered and approved the City's SWMP in February 2008, with final revisions approved by the Water Board on July 11, 2008.
5. The Central Coast Water Board found, verified through Permit adoption, that "increased volume, increased velocity, and discharge duration of storm water runoff from developed areas has the potential to greatly accelerate downstream erosion and impair stream habitat in natural drainages...When water quality impacts are considered during the planning stages of a project, new development and many redevelopment projects can more efficiently incorporate measures to protect water quality" (Permit finding No. 18).

6. Permit Attachment 4 and the City's SWMP require the City to minimize the short and long-term impacts on receiving water quality from new development and significant redevelopment by developing and implementing stormwater development standards. The City's stormwater development standards must control pollutant sources, preserve areas that provide important water quality benefits such as riparian corridors, limit disturbances of natural water bodies, require analysis of pre- vs. post-development hydrology, regulate development in areas especially susceptible to erosion, and control stormwater runoff discharge rates and velocities to prevent erosion and protect stream habitat. The Permit provides the public with opportunities to review and comment on development of the City's stormwater development standards.
7. The City submitted *Draft Stormwater Development Standards for New Development and Significant Redevelopment Projects* (SWDS) for Central Coast Water Board staff review on December 31, 2007. The City also convened a stakeholder committee to facilitate public involvement in SWDS development. After considering Central Coast Water Board staff and public comments, the City submitted revised SWDS to the Central Coast Water Board on May 17, 2008. The Low Impact Development Center of Maryland reviewed and commented on the revised SWDS. Several interested persons submitted comments on the revised SWDS on or around June 23, 2008. Following public notice in accordance with State and federal laws and regulation, the Central Coast Water Board, in a public hearing on July 11, 2008, considered comments on the revised SWDS by its staff, interested persons, and the public. The Central Coast Water Board considered the technical and economic feasibility of SWDS implementation. The Central Coast Water Board continued the SWDS hearing to a future date. After considering Central Coast Water Board comments, the City submitted further revised SWDS on July 25, 2008. In a public hearing on September 4, 2008, the Central Coast Water Board considered all comments regarding the further revised SWDS.
8. The Central Coast Water Board finds the SWDS meets the Central Coast Water Board's maximum extent practicable standard, with the revisions required by Paragraph 2 below. Implementation of the SWDS is technically and economically feasible. The SWDS meet the requirements in Permit Attachment 4, Sections III.a through c.
9. This action to approve the City's SWDS is exempt from the California Environmental Quality Act pursuant to Water Code Section 13389.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Central Coast Water Board hereby approves *the City of Salinas Stormwater Development Standards for New Development and Significant Redevelopment Projects* (SWDS), subject to Paragraph 2 below. The SWDS become effective on October 3, 2008, or when adopted by the City of Salinas, whichever is sooner.
2. The City of Salinas must revise the SWDS no later than October 3, 2008, to include all the changes shown in the Attachment to this Resolution, "Table of Revisions Required by the Central Coast Water Board to *The City of Salinas Stormwater Development Standards (SWDS) for New Development and Significant Redevelopment Projects, July 25, 2008 Revision.*" Failure to make these revisions may subject the City of Salinas to enforcement action.
3. The City of Salinas must provide a copy of the revised SWDS to the Water Board Executive Officer no later than October 3, 2008, pursuant to Water Code Section 13383.
4. Any person affected by this action may petition the State Board to review the action in accordance with section 13320 of the California Water Code and Title 23, California Code of Regulations, Section 2050 et seq. The State Board must receive the petition within 30 days of the date of adoption of this Resolution. Copies of the law and regulations applicable to filing petitions will be provided upon request.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on September 4, 2008.

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Roger W. Briggs, Executive Officer