

**Staff Report for Draft Order No. R3-2012-0005
ATTACHMENT 5**

**COMPARISON OF DRAFT ORDER NO. R3-2012-0005
AND EXISTING ORDER NO. R3-2004-0135**

Discharge Prohibitions, Effluent Limitations, Receiving Water Limitations and General Requirements

Prohibitions/Limitations/Requirements Reduced or Eliminated

- The existing order prohibited all non-stormwater that contained pollutants. The Draft Order prohibits all non-stormwater that contains significant pollutants.

New Prohibitions/Limitations/Requirements

- Specifying that Basin Plan prohibitions apply to the City.
- City must reduce Incidental Runoff and prohibit non-stormwater discharges that are not Incidental Runoff.

Prohibitions/Limitations/Requirements Similar to Existing Order

- Prohibitions of discharges: causing, or threatening to cause, a condition of pollution, contamination, or nuisance; where pollutants have not been reduced to the maximum extent practicable; causing or contributing to the violation of water quality standards.
- Allowable categories of non-stormwater discharges.
- Process the City must follow if allowable category of non-stormwater discharges is identified as containing significant pollutants.
- Process the City must follow if they are violating water quality standards.

Municipal Maintenance

Requirements Reduced or Eliminated

- Provide regular sweeping of municipal parking lots with parking loads of at least 50 cars per week.
- Provide regular sweeping of all municipal parking garages.

New Requirements

- The Draft Order requires the City to include high priority private development in the inventory.
- The Draft Order requires the City to include municipal operations and events in the inventory and in annual assessment, BMP designation, and inspection activities.
- Identify 20% of inventoried municipal maintenance facilities, operations, and events as high priority.
- Measure and record the volume of sediment and debris removed from catch basins.
- Measure and track route miles for each route and the volume of solids collected for each sweeping event for each route.

- Increase implementation of trash and litter control BMPs in areas where street sweeping is technically infeasible.
- When replacing sweeping equipment, select high-performing sweepers.
- Operate sweepers at optimal efficiency.
- Estimate the percentage of curb miles covered by sweeping routes that are actually swept during sweeping operations, and modify sweeping program to increase this percentage over time.
- Develop and implement BMPs, including adoption and enforcement of legal authority, to reduce the tracking of dirt and other debris onto streets.
- Require and verify maintenance of privately-owned structural BMPs.
- Develop and implement a process to assess and reduce the water quality impacts in the design of all new flood management projects.
- Coordinate management and maintenance of the Reclamation Ditch with Monterey County Water Resources Agency.
- Develop and submit a plan to decrease pollutants discharged from the Salinas River outfall.
- Employ contract language designed to ensure appropriate training for staff not employed by the City.

Requirements Modified

- The Draft Order adds information that the City must track in the inventory, and requires the City to develop and maintain a comprehensive information management system to track this information.
- The existing Order requires the City to digitize inlets and outfalls as a first step toward full Geographic Information System (GIS) integration. The Draft Order requires the City to map the storm drain system using GIS.
- The existing Order requires the City to inspect all municipal facilities quarterly. The Draft Order requires the City to conduct weekly visual observations of all municipal facilities and operations, annual inspections of all municipal facilities and operations, and quarterly inspections of all high priority municipal facilities, operations, and events.
- The existing Order requires the City to develop and implement a SWPPP for each municipal facility. The Draft Order requires the City to develop and implement a SWPPP for each high priority municipal facility, operation, and event.
- The existing Order requires the City to inspect all catch basins annually prior to the first rain of the season, to clean as necessary in the judgment of the inspector, and to track the total volume of sediment removed from catch basins each year. The Draft Order incorporates the following modifications to this requirement:
 - The Draft Order requires the City to prioritize catch basins for inspection and cleaning on the basis of the data on the depth of sediment and debris found in catch basins.
 - The Draft Order requires the City to establish a more protective cleaning threshold catch basins.

- The Draft Order requires the City to inspect all high priority catch basins and a percentage of non-high-priority catch basins annually during the dry season, and to clean all catch basins which exceed the modified cleaning threshold, within 14 days for catch basins that can be cleaned by hand or prior to the first rain event for catch basins that require use of a vacuum truck.
- The Draft Order requires the City to determine and track the depth of sediment and debris in catch basins (as percentage of occlusion of the outlet pipe), the total volume of sediment and debris removed from catch basins.
- The existing Order requires the City to sweep commercial streets weekly and residential streets twice per month. The Draft Order requires the City to modify the street sweeping schedule to optimize total sediment removal for the same number of total route miles swept per year.
- The existing Order requires the City to inspect and structural BMPs before the first rainfall of the season, and clean as necessary. The Draft Order requires the City to develop and implement a rapid assessment methodology to identify maintenance triggers and assess maintenance needs for each structural BMPs, inspect municipally-owned BMPs each year and privately-owned structural BMPs every five years using the identified methodology, maintain municipally-owned structural BMPs as indicated by the methodology, and require maintenance of privately-owned structural BMPs as indicated by the methodology.
- The existing Order requires the City to stencil storm drain inlets in high traffic areas of downtown and redevelopment areas. The Draft Order requires (in Provision H – IDDE) the City to label inlets in areas with foot traffic.

Requirements Similar to Existing Order

- Develop and maintain a comprehensive inventory and map of all inlets to the MS4, outfalls, structural BMPs, collection system pipes.
- Develop and maintain an inventory municipally-owned facilities, roads, and parking lots.
- Annually assess and designate and implement minimum BMPs at all municipal facilities.
- Inspect and clean catch basins according to current practice during Years 1 and 2.
- Sweep all existing sweeping routes according to the existing frequency during the first year.
- Train all relevant municipal staff to perform functions required by the Draft Order.
- Wastes, debris, and water removed during normal and emergency maintenance activities shall not be placed into the MS4.

Commercial and Industrial

Requirements Reduced or Eliminated

- The Draft Order decreases the required industrial inspections as compared to the existing Order. The existing Order required Salinas to inspect all industrial facilities each year and 20 percent of food services, automotive repair facilities, retail gasoline outlets, commercial car washes, and mobile cleaners each year. The Draft Order requires inspections of 20 percent of commercial and industrial facilities and operations.

New Requirements

- Salinas is required to obtain the sampling information reported by industrial facilities enrolled in the General Industrial Permit and use the data in their assessment of the program effectiveness.
- Salinas shall notify Water Board staff of industrial facilities that have not enrolled in the General Industrial Permit.
- The Draft Order clarifies that the requirements of the Draft Order apply regardless whether work is performed by municipal staff or contracted out to others and requires Salinas to oversee activities performed by others.
- The Draft Order clarifies what information is required to be reported in the Annual Reports.

Requirements Modified

- Salinas has previously identified 5 categories of commercial facilities as high-risk. The existing Order has Salinas look at a larger list of categories of commercial facilities and prioritize the list as a whole.
- Inspections of commercial and industrial facilities and operations will be prioritized and focused on low performing facilities and operations and those with the greatest potential for water quality impacts.
- Inspections of commercial and industrial facilities and operations will be given a rating that will determine follow up actions and provide program effectiveness information.
- Information management – The Draft Order outlines more specifically the information that must be tracked to demonstrate compliance.
- Training – The existing Order required annual training. The Draft Order requires an assessment of trained staff's knowledge to be used to make any needed revisions to the training program.

Requirements Similar to Existing Order

- Inventory of commercial and industrial facilities and operations to be updated annually.
- Minimum BMPs for commercial and industrial facilities and operations.
- Notification of owner/operators of requirements.
- Notification of non-filers and non-compliance to Central Coast Water Board.

Residential

New Requirements

- Identify High Priority Residential Areas and Activities.
- Designate minimum BMPs for each High Priority Residential Area and for areas that have not been designated as high priority, as necessary.
- Require owners of stormwater conveyance system components, not owned or operated by the City, to adhere to the same municipal requirements that the City adheres to, for MS4 system operation and maintenance and street sweeping and cleaning.

Requirements Modified

- The SWMP under the existing Order No. R3-2004-0135 requires the City to drive through residential neighborhoods twice a month, in conjunction with the City's street sweeping

program, to conduct illicit discharge inspections and report any enforcement taken. The Draft Order requires the City to ensure that municipal staff that are likely to observe activities related to residential stormwater BMPs have the necessary training. The Draft Order requires the City to utilize its legal authority to use appropriate enforcement tools to control pollutant discharges from all residential areas and activities.

Requirements Similar to Existing Order

- Coordinate with the Salinas Valley Solid Waste Authority to facilitate the proper management and disposal of household hazardous wastes. Such facilitation includes educational programs and establishment of collection sites.

Illicit Discharge Detection and Elimination

New Requirements

- Assess the effectiveness of the illicit discharge reporting system for residents not fluent in English.
- Assess the effectiveness of labels and signs for residents not fluent in English.
- Reduce incidental runoff.
- Prohibit or reduce excessive water application.
- Train relevant municipal staff to identify potential illicit discharges and to implement the IDDE BMPs.
- Perform oversight of activities performed by others to ensure implementation of IDDE BMPs.

Requirements Modified

- The existing Order No. R3-2004-0135 requires the City to inspect priority areas. The Draft Order requires the City to develop and implement procedures for identifying high priority IDDE areas.
- The existing Order R3-2004-0135 requires the City to install signage and stencil storm drain inlets at selected high use public access points to creeks, channels, and other relevant water bodies. The Draft Order requires the City to label all MS4 system inlets in areas with foot traffic and post signs discouraging illegal dumping at public access points to creeks and other relevant water bodies.

Requirements Similar to Existing Order

- Develop a MS4 system map capable of assisting the City identify and trace illicit discharges.
- Operate and promote an illicit discharge reporting system.
- Conduct quarterly drive-by inspections of the high priority IDDE areas.
- The existing Order No. R3-2004-0135 requires the City to maintain a log of illicit discharge and spill calls, records of drive-by inspections and the results of inspections. The Draft Order requires the City to develop and maintain an information management system.
- Develop and implement BMPs and procedures for dry weather screening, and conduct dry weather screening and follow-up activities.
- Develop and implement IDDE source investigation and elimination BMPs.

- Facilitate the proper management and disposal of household hazardous materials.
- Use the progressive enforcement policy to eliminate all known illicit discharges.

Parcel-Scale Development

Requirements Reduced or Eliminated

- The existing Order No. R3-2004-0135 requires the City to submit information to verify the SWDS are consistent with State Board Order WQ 2000-11. The Draft Order does not require the City to verify the SWDS are consistent with State Board Order WQ 2000-11.
- The existing Order No. R3-2004-0135 requires the City to require retail gasoline outlets to use the BMPs listed in the California Storm Water Quality Task Force, March 1997 BMP Guide for Retail Gasoline Outlets. The Draft Order does not include specific requirements for retail gasoline outlets. The Draft Order requires the City to require applicable projects to identify the pollutants of concern and implement treatment BMPs to target the identified pollutants of concern.

New Requirements

- Reorganize SWDS to separate the document into two elements, SWDS Requirements and SWDS Guidance.
- Designation of point in project planning process when project is subject to most current SWDS.

Requirements Modified

- Applicability Thresholds – The existing Order No. R3-2004-0135 includes categories for Priority Development Projects. The existing Order No. R3-2004-0135 requires redevelopment projects to adhere to the SWDS when at least 5,000 square feet of impervious surfaces on an already developed site are created. For the interim, the Draft Order requires the City to require all projects creating or replacing 10,000 square feet or more of impervious surface to adhere to the SWDS, instead of using different land use categories, and to retain the same redevelopment thresholds. For the long-term, the Draft Order includes applicability thresholds for the treatment criteria and requires the City to develop applicability thresholds, consistent with the Central Coast Water Board Joint Effort for Hydromodification Control, for the final flow control criteria.
- SWCP – The SWDS, under existing Order No. R3-2004-0135, includes a requirement for applicable project applicants to submit a Stormwater Control Plan (SWCP) to demonstrate the project meets the requirements of the SWDS. The Draft Order requires the City to require project applicants to continue submitting SWCPs. The conditions in the Draft Order for SWCPs include updated criteria to parallel the revised requirements in the Draft Order.
- LID Site Design – The SWDS, under existing Order No. R3-2004-0135, includes various LID site design requirements and guidance. The site design guidance references a document developed in May 2003 by the Bay Area Stormwater Management Agencies Association titled, 'Using Site Design Techniques to Meet Development Standards for Stormwater Quality.' The Draft Order includes similar LID site design requirements and requires the City to use Attachment E (Steps for a Successful LID Design), or an equivalent methodology, when working with project applicants to meet the SWDS requirements.
- Decentralized BMPs – The SWDS, under existing Order No. R3-2004-0135, details that LID practices are distributed throughout a site and LID features typically receive runoff from relatively small drainage areas. The Draft Order requires the City to require project

applicants to use uniformly decentralized controls, natural treatment, and volume reduction BMPs as the first means of achieving the SWDS.

- Numeric Treatment and Flow Control Criteria – The SWDS, under existing Order No. R3-2004-0135, includes numeric treatment and flow control criteria with numeric sizing criteria. The SWDS, under existing Order No. R3-2004-0135, requires modeling for projects replacing greater than one acre of impervious surfaces. The Draft Order includes initial modifications to the existing numeric criteria to improve clarity of the requirements. The Draft Order includes requirements for the City to develop long-term numeric flow control criteria based on the Central Coast Water Board Joint Effort for Hydromodification Control. These criteria will be based on landscape specific conditions. The Draft Order requires modeling for projects replacing greater than 10,000 square feet of impervious surfaces. The Draft Order includes numeric treatment control criteria. The Draft Order requires the City to require applicable projects to use LID systems to manage the volume of runoff generated by the 85th percentile 24-hour storm event. This is the same volume identified in the SWDS under existing Order No. R3-2004-0135 for volume-based BMPs. The Draft Order includes non-retention based treatment systems for the second tier option. The design storm for the second tier option is the same as the SWDS under existing Order No. R3-2004-0135 for flow-based BMPs and the volume hydraulic design basis is multiplied by 1.5.
- The existing Order No. R3-2004-0135 requires the City to restrict structural BMPs that could compromise groundwater quality. The Draft Order includes alternative compliance options for sites where groundwater quality would be compromised by infiltration.
- The existing Order No. R3-2004-0135 requires the City to ensure discharges from new development and redevelopment address potential downstream erosion and protect stream habitat. The Draft Order requires the City to develop numeric criteria, per the Central Coast Water Board Joint Effort for Hydromodification Control, to protect and restore beneficial uses of water affected by stormwater.
- Alternative Compliance – The existing Order No. R3-2004-0135 allows projects that can demonstrate infeasibility to transfer funds to the City. The existing Order No. R3-2004-0135 requires the City to develop a waiver program, but does not require the City to expend the funds from waived projects. The Draft Order requires the responsible project applicant to conduct an offsite mitigation project or pay an in-lieu fee towards a City retrofit project. The Draft Order includes timeframes for constructing offsite projects to ensure projects are actually built.
- Operation and Maintenance Plans – The existing Order No. R3-2004-0135 requires the City to require all applicable development projects to provide verification that the applicant accepts responsibility for maintaining post-construction BMPs. The Draft Order requires a similar requirement, but also includes more details about the maintenance agreement components.
- The existing Order No. R3-2004-0135 requires the City to provide technical guidance to developers for implementing the SWDS. Provision J in the Draft Order includes specific design criteria. Provision M in the Draft Order requires the City to educate applicable audiences on development planning and stormwater controls for new development and redevelopment.
- The SWDS, under existing Order No. R3-2004-0135, requires the City to require Non-Priority Development projects to utilize some basic LID principles and use efficient landscaping. The Draft Order includes source control and structural BMP requirements for new development and redevelopment projects creating and/or replacing 2,000 square feet or more of impervious surfaces and not considered to be a Priority Development Project.

- Information management – The Draft Order outlines more specifically the information that must be tracked to demonstrate compliance.
- Training – The existing Order No. R3-2004-0135 requires annual training. The Draft Order requires all municipal staff whose job duties relate to implementing the development requirements, to have the knowledge and understanding to effectively implement the requirements.

Requirements Similar to Existing Order

- Amend or adopt ordinances to be able to implement the development requirements.
- Apply SWDS to all applicable projects
- Require project applicants to identify pollutants of concern and select appropriate BMPs to address those pollutants of concern. Use the most current version of the California Stormwater Quality Association BMP Handbook.
- Identify the roles and responsibilities of municipal departments in implementing the development standards. See Provision D in Draft Order.

Construction Site Management

Requirements Reduced or Eliminated

- Erosion and sediment control plans no longer required for sites with more than one acre of disturbed area that have received an Erosivity Waiver from the State Water Board.

New Requirements

- Inspection of construction sites prior to land disturbance to verify adequate sediment controls.
- Post construction inspection required to ensure site has reached final stabilization.
- Determine an inspection rating for each inspection of sites greater than one acre that don't qualify for an Erosivity Waiver.
- After ½ inch rain events, track percentage of sites greater than one acre that don't qualify for an Erosivity Waiver that were ready for the rain event.

Requirements Modified

- The existing Order required erosion and sediment control plans. The Draft Order also requires source control BMPs plans.
- Review of construction plans must be documented using a checklist or similar process.
- The existing Order required an inspection frequency for sites with disturbed area between one and five acres (that don't qualify for an Erosivity Waiver) of once per month. The Draft Order increases this frequency to once per week and within 48 hours of a ½ inch rain event.
- Information management – The Draft Order outlines more specifically the information that must be tracked to demonstrate compliance.
- Training – The existing Order required annual training. The Draft Order requires an assessment of trained staff's knowledge to be used to make any needed revisions to the training program.

Requirements Similar to Existing Order

- Construction site inventory that tracks all construction sites kept current.

- Minimum BMPs for all construction projects.
- Require proof of coverage in Construction General Permit for applicable projects.
- Notification of non-filers and non-compliance to Central Coast Water Board.
- Frequency of inspections of sites with disturbed area less than 1 acre and greater than one acre that qualify for an Erosivity Waiver.

Development Planning and Stormwater Retrofits

New Requirements

- Conduct an assessment of the predicted dominant watershed process impacts prior to a cumulative annexation of greater than 40 acres or an increase in the total impervious surface area of an Urban Subwatershed by 5 percent of existing impervious area and develop a plan to mitigate for those impacts.
- Develop a long-term retrofit plan, complete 60 percent design of a minimum of one pilot retrofit project, and develop a list of candidate retrofit projects to direct in-lieu fees towards.
- Coordinate with other stakeholders to pursue objectives of the May 2006 Integrated Regional Water Management Functionally Equivalent Plan Update or to pursue comparable goals and objectives to the plan.
- Coordinate with other stakeholders to prepare salt and nutrient management plans and evaluate opportunities to include stormwater use and recharge components within the salt and nutrient plans.

Requirements Modified

- The existing Order No. R3-2004-0135 requires the City to incorporate water quality and watershed protection principles into planning procedures and policies (e.g., General Plan, Specific Plans) to direct land use decisions for development projects. The SWMP under the existing Order No. R3-2004-0135 includes requirements for Specific Plans adopted for Future Growth Areas. The Draft Order requires the City to require projects with Specific Plans adopted for Future Growth Areas to be designed according to LID principles. The Draft Order requires the City to identify areas that may accommodate floodwater for groundwater recharge in the next revision of the General Plan Housing Element.
- The existing Order No. R3-2004-0135 requires the City to modify its existing codes and ordinances to remove any conflicts with the SWDS. The Draft Order requires the City to conduct an analysis of all applicable codes, regulations, standards, and/or specifications to identify modifications and/or additions necessary to remove gaps and impediments to effective implementation of parcel-scale development requirements.
- The existing Order No. R3-2004-0135 includes requirements for updates to the City's California Environmental Quality Act (CEQA) document. The Draft Order includes some similar and some different updates to the City's CEQA checklist.
- The SWMP under the existing Order No. R3-2004-0135 requires the City to comply with the City's General Plan COS-17 and maintain a minimum 30-foot setback from waterways whenever possible. The Draft Order retains the setback requirements for streams and wetlands that are in the City's General Plan COS-17 and requires a 30-foot setback for all other streams and wetlands identified in Section Q (Watershed Characterization). The Draft Order includes criteria for activities permitted within the setback areas. The Draft Order requires the City to review all riparian protection policies for appropriateness relative to

identified areas of existing riparian vegetation and habitat and adhere to requirements to protect existing riparian vegetation and habitat.

Public Education and Public Involvement

Requirements Reduced or Eliminated

- Make a minimum of 525,000 media impressions per year.

New Requirements

- Develop and implement pilot projects for one Priority Stormwater Issue per year using community based social marketing or equivalent techniques.

Requirements Modified

- The existing Order No. R3-2004-0135 requires the City to address residential automobile repair, residential automobile washing, home and garden care, disposal of household hazardous waste, disposal of pet waste, disposal of green waste, and any other residential source that may contribute a significant pollutant load to the MS4. The Draft Order requires the City to identify a minimum of six Highest Priority Stormwater Issues to be addressed by the public education BMPs.
- The existing Order No. R3-2004-0135 identifies target audiences the City must target through public education. The Draft Order requires the City to identify target audiences for each identified priority stormwater issue.
- The existing Order No. R3-2004-0135 states that the intended outcome of public outreach is a change in the behavior of targeted groups to reduce pollutant discharges. The Draft Order requires the City to measurably increase the knowledge and change the behavior of target audiences.
- The existing Order No. R3-2004-0135 requires the City to conduct outreach to residential and commercial builders with construction sites smaller than one acre. The Draft Order requires the City to develop and implement effective education for project applicants, developers, contractors, property owners, and other responsible parties that are required to adhere to laws and regulations applicable to stormwater management on development projects.
- The existing Order No. R3-2004-0135 requires the City to conduct two public involvement sessions each year to solicit comment about the City's stormwater management program. The Draft Order requires the City to implement a public advisory group.
- The existing Order No. R3-2004-0135 requires the City to incorporate a mechanism for public participation in the implementation of the SWMP. The Draft Order requires the City to create opportunities for public participation in the planning and implementation of the stormwater management program.

Requirements Similar to Existing Order

- Target school children for public education efforts.
- Maintain an up-to-date stormwater website.

Trash Load Reduction

New Requirements

- The Draft Order requires the City to develop a methodology for tracking and quantifying trash reductions.

Requirements Modified

- The existing Order requires the City to designate and implement BMPs, including legal authority, to minimize plastics and other trash entering into the MS4. The Draft Order incorporates the following modifications to this requirement:
 - The Draft Order identifies public parks, Permittee-owned or operated public venues, and municipal facilities as priority targets for trash and litter control BMPs.
 - The Draft Order requires the City to identify sources of trash to surface drainage structures found to contain significant deposits of trash, and identify and implement BMP modifications to address the identified sources.
 - The Draft Order requires the City to have enforceable mechanisms to effectively reduce trash discharges to the MS4 and remove trash from the MS4.
 - The Draft Order requires the City to develop and implement a Trash Reduction Plan to significantly reduce trash entering the MS4 and remove trash that has entered the MS4. The Plan must include objectives for trash capture at the stormwater pump station, catch basins and inlets, and flood management facilities; and objectives for trash and litter control in municipally-owned and maintained streets and sidewalks in downtown commercial and shopping districts.
- The existing Order requires the City to inspect and clean storm drain “hot spots” each year. The Draft Order specifies trash inspection and cleaning of priority problem areas at least three times per year. The Draft Order also specifies that cleaning must occur within 14 working days of inspection.

Total Maximum Daily Loads

New Requirements

- Develop Wasteload Allocation Attainment Plans for every Total Maximum Daily Load (TMDL) where the City is assigned a wasteload allocation due to its MS4 discharges.

Monitoring, Effectiveness Assessment, and Program Improvement

Requirements Reduced or Eliminated

- The existing Order requires water toxicity testing at four locations in receiving waters twice per year. The Draft Order requires water toxicity testing at one receiving water monitoring location twice per year.
- The existing Order requires sediment toxicity testing at four locations in receiving waters once per year. The Draft Permit requires sediment toxicity testing at one receiving water monitoring location once per year.
- The existing Order requires biological assessment at four locations in receiving waters once per year. The Draft Permit requires biological assessment at one receiving water monitoring location once per year.

New Requirements

- The Draft Order requires the City to analyze solids removal data from catch basin cleaning efforts to identify and address potential sources of sediment and debris.
- The Draft Order requires the City to analyze monitoring data reported under the General Industrial Permit, to evaluate the effectiveness of designated BMPs for industrial sites at reducing pollutant discharges, and to modify BMPs as necessary to achieve reductions in pollutant discharges.
- The Draft Order requires the City to conduct trash assessments twice per year at four sites, or implement trash capture measures as alternative compliance.
- The Draft Order requires the City to quantify runoff volume.
- The Draft Order requires the City to analyze Urban Catchment Action Level Pilot Project Monitoring results to determine Action Level exceedances, and to take required actions.
- The Draft Order requires the City to analyze the results of trash assessments to determine Action Level exceedances, and to take required actions.
- The Draft Order requires the City to purchase, install, and use an automated sampling device for urban discharge monitoring at the stormwater pump station.
- The Draft Order requires the City to conduct a physical habitat assessment at the receiving water monitoring site once per year.

Requirements Modified

- The existing Order requires the City to conduct annual review of municipal maintenance BMPs and revise any item determined to be less than satisfactory in reducing stormwater pollution. The Draft Order requires the City to analyze inspection results collected for High Priority Municipal Facilities, Operations, and Events, to determine the effectiveness of BMPs, and to modify BMPs as necessary to increase Inspection Ratings over time.
- The existing Order requires the City to conduct annual and ongoing assessment of the effectiveness of BMPs, addressing specific direct and indirect measurements and including measurements or estimates of pollutant load reductions, to determine the effectiveness of BMPs at adequately protecting water quality and to track progress toward achieving improvements in water quality. The Draft Order incorporates the following modifications to this requirement:
 - The Draft Order requires the City to analyze inspection results collected for Commercial and Industrial Facilities and High Priority Construction Sites to determine the effectiveness BMPs, and to modify BMPs as necessary to increase Inspection Ratings over time.
 - The Draft Order requires the City to analyze solids removal data from catch basin cleaning efforts and modify its catch basin inspection and cleaning efforts to optimize solids removal.
 - The Draft Order requires the City to analyze structural BMP inspection and maintenance records to ensure that all structural BMPs were inspected and maintained in the manner that ensures their effective performance, and to modify structural BMP inspection and maintenance procedures as necessary to achieve effective maintenance.
 - The Draft Order requires the City to analyze street sweeping data and determine whether the street sweeping schedule is achieving an increase in the total volume of

- solids collected, and to modify the schedule as necessary to optimize the total volume of solids collected.
- The Draft Order requires the City to evaluate the effectiveness of trash load reduction BMPs, and to modify them as necessary to increase their effectiveness.
 - The Draft order requires the City to analyze Stormwater Discharge Trend Monitoring and Receiving Water Monitoring results for stormwater discharge quality and receiving water quality trends.
 - The Draft Order requires the City to track exceptions from riparian protection requirements allowed each year, to determine the impacts of the exceptions, to determine the total amount of riparian area created or enhanced as mitigation for allowed exceptions, and to evaluate the effectiveness of riparian protection BMPs.
 - The existing Order requires the City to implement BMPs to reduce the contribution of pollutants associated with municipal pesticide, herbicide, and fertilizer usage. The Draft Permit requires the City to analyze municipal pesticide, herbicide, and fertilizer usage data to determine the total amount and primary chemical constituent of each type of pesticide, herbicide, and fertilizer applied by the Permittee within 7 days prior to all rain events that produced runoff, to evaluate the effectiveness of efforts to reduce usage, and to modify BMPs as necessary to achieve reduced usage.
 - The existing Order requires the City to measure or estimate pollutant load reductions. The Draft Order incorporates the following modifications to this requirement:
 - The Draft Order requires the City to quantify baseline loads and load reductions for several pollutants.
 - The Draft Order requires the City to quantify baseline trash loads and load reductions.
 - Monitoring Program
 - Monitoring in receiving waters – The existing Order requires monitoring at four sites in receiving waters during two storm events each year. The Draft Order requires receiving water monitoring at one location nine times per year.
 - Urban discharge monitoring – The existing Order requires in-situ monitoring once per year and lab analysis monitoring twice per year at four urban discharge locations, when indicated by the results of monitoring in receiving waters. The Draft Order requires monitoring of three urban discharge sites twice per year for four in-situ parameters and four lab analysis parameters, and monitoring three times per year at the stormwater pump station for in-situ measurements, lab analysis, and discharge (flow rate).
 - The existing Order requires the City to develop measures to assess the effectiveness of the overall stormwater management program. The Draft Order requires the City to determine Urban Subwatershed Program Effectiveness Ratings and identify program improvements needed.

Requirements Similar to Existing Order

- The existing Order requires the City to conduct public awareness surveys at least twice during the permit term, and use the results to analyze the effectiveness of public education efforts at changing the behavior of targeted groups to reduce pollutant discharges in stormwater runoff. The Draft Order requires the City to develop and implement a plan to assess the effectiveness of public education and municipal staff training BMPs.

- The Draft Order requires the City to develop and submit a Quality Assurance Project Plan for the monitoring program.
- The Draft Order requires the City to conduct toxicity identification evaluations as required.

Watershed Characterization

New Requirements

- Characterize the City's watersheds and compile and manage information by completing the following: watershed delineation, water body identification, watershed physical condition assessment, and meteorological information.
- Reporting requirements.

Requirements Modified

- The existing Order No. R3-2004-0135 requires an inventory and map of all inlets to the MS4, structural treatment controls, outfalls to receiving waters, and collection system pipes. The existing Order No. R3-2004-0135 encourages the City to establish the inventory using Geographic Information System software. The Draft Order requires the City to develop an accurate MS4 system map that includes all of the above items except for structural treatment controls (this is required in Provision E). The Draft Order includes more details for each item and also requires the City to map drainage conveyances in addition to the MS4 and the drainage areas contributing to each outfall.

Fiscal Analysis

New Requirements

- The fiscal analysis must include an Annual Budget Summary for the current reporting year.
- The Draft Order includes a list of the categories for the fiscal analysis.

Requirements Similar to Existing Order

- Submit a fiscal analysis in each Annual Report that describes the source of funds, including restrictions on the use of such funds and identification of other available resources, for expenditures necessary to comply with upcoming requirements in the Draft Order.
- The City must secure the resources necessary to meet all requirement of the Draft Order.

Legal Authority

New Requirements

- Requires documentation on the effectiveness of BMPs implemented to reduce discharge of pollutants to the MS4
- Enforcement information management system
- Certified statement to verify the City has taken the necessary steps to obtain and maintain full legal authority
- Training for all City staff whose job duties are related to implementing the requirements of the legal authority

- Additional reporting requirements

Requirements Modified

- The existing Order No. R3-2004-0135 requires interagency agreements with other agencies with shared MS4s. The Draft Order requires the City to control the contribution of pollutants and flows between its MS4 and other MS4s.
- The existing Order No. R3-2004-0135 requires the use of escalating enforcement mechanisms. The Draft Order requires an Enforcement Response Plan to outline the City's potential responses to violations and its escalating enforcement strategy.

Requirements Similar to Existing Order

- Establish, maintain, and enforce adequate legal authority to control pollutant discharges into and from its MS4 and to implement the Draft Order requirements
- Legal authority to control pollutants from industrial and construction activity, prohibit unauthorized non-stormwater discharges, and prohibit illicit connections and discharges
- Carry out inspections, surveillance, and monitoring to determine noncompliance
- Require the use of BMPs to prevent or reduce discharge of pollutants to the MS4