

Draft Definition of Prior Lawful Approval for Priority Development Projects

Insert the following as Provision E.3.e.(1)(b) and renumber the following provisions appropriately:

- (b) For private development projects, prior lawful approval under this Order is a development approval or construction permit that either: 1) complies with the Priority Development Project requirements of the Fourth Term MS4 permits¹ and includes the design of the storm water drainage system for the project in its entirety as accepted by the Copermittee, or 2) confers a vested right to proceed under prior storm water requirements. For public projects, approval means that the design of the storm water drainage system for the project in its entirety has been stamped by the City or County Engineer. For any applicable portion(s) of the project, approvals may be extended to any subsequent discretionary or ministerial approvals necessary to implement the initial project approval with the following conditions:
 - (i) All subsequent permits must be issued within 5 years of the effective date of the BMP Design Manual pursuant to Provision E.3.d; and
 - (ii) BMP installation under subsequent approvals must remain in substantial conformity with the design of the storm water drainage system included in the initial approval.

¹ Order Nos. R9-2007-0001, R9-2009-0002, and R9-2010-0016 for San Diego, Orange, and Riverside Counties, respectively.