

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,  
SAN DIEGO REGION

**Commitments Made in the Orange County Storm Water Co-Permittees' Report of Waste Discharge (ROWD)**

**Discussion**

The ROWD commitments are specific programmatic activities planned by the Copermittees as a group to address common issues. They are proposed to be developed and implemented over the period of the reissued Permit. The ROWD commitments do not necessarily represent measures planned by individual Copermittees to address significant local issues. Therefore, many of the commitments translate to Permit requirements only if a particular situation is applicable to a specific Copermittee and the Copermittee chooses to incorporate the results of the programmatic activity. In addition, some of the commitments represent viable options for implementing specific Permit requirements, but the Permit does not specify that those options must be selected by each Copermittee. As a result, the Permit generally allows for implementation of the ROWD commitments without specifically requiring or prohibiting the commitments from being implemented.

This table identifies whether the ROWD commitments are included in Tentative Order No. R9-2007-0002 (dated February 9, 2007). A list of acronyms follows the table.

<b>ROWD Commitment (ROWD section)</b>	<b>Applicable Tentative Order Section and Page</b>	<b>Is ROWD Commitment Included in Tentative Order (Permit)?</b>	<b>Notes and Comments</b>
Prepare a training schedule and define expertise and competencies for jurisdictional program manager positions (Section 2.3.2).	D.1.i(1) p.36	Partially required. Copermittees must appropriately train responsible staff.	The Permit does not establish expertise and competencies for program managers.
Prepare a fiscal reporting strategy based upon an audit of the fiscal analysis reporting section of the PEA [Program Effectiveness Assessment], to better define the expenditure and budget line items included in the fiscal report (Section 2.3.4).	F p.74	No. Copermittees are required instead to develop a long-term funding strategy (business plan) that includes costs and benefits of the program.  The Copermittees' proposal does not include any assessment of benefits provided by the program.	The requirements for a long-term business plan are based on guidance for municipal stormwater funding developed by the National Association of Flood and Stormwater Management Agencies under a grant provided by the U.S. Environmental Protection Agency.

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Prepare metric definitions and guidance to improve efficacy of the assessment process (Section 3.3.2)	G.1.A p.75	Yes. The Permit allows each Copermittee to develop assessment procedures based on the CASQA guidance.	The Permit provides some guidance to focus the approach proposed by the Copermittees.
Standardize SDR [San Diego Regional Board] and SAR [Santa Ana Regional Board] definitions of "high priority" [municipal activities] and develop prioritization process that is better predicated on the threat (diminished by BMP implementation) posed by the facility, and consider the presence of "constituents of concern" (Section 5.3.1).	D.3.a p.46	Partially incorporated. The Permit replaces the former municipal activity prioritization process with one that emphasizes water body impairments, environmentally-sensitive areas, and certain activities.	It is unknown at this time how the new tentative Santa Ana Region Permit will prioritize municipal activities.
Redefine IPM (pesticide use) indicators (Section 5.3.1).	D.3.a.11 p.51	No. The Permit does not specify how to track and report use of Integrated Pest Management (IPM) measures.	Developing common indicators of IPM implementation is a prerogative of the Copermittees.
Develop Model Integrated Pest Management, Pesticide and Fertilizer Guidelines into a Model Program (rather than guidelines) with implementation goals and including model contract language (Section 5.3.2).	D.3.a.3 p.46	No. Each Copermittee must implement BMPs for management of pesticides, herbicides and fertilizers including education, permitting and certifications.  Developing a model IPM program is a prerogative of the Copermittees.	Each Copermittee has the responsibility to ensure that use of a model program appropriately addresses local conditions.

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Develop recommendations for the selection and installation of drain inlet screens (Section 5.3.3).	D.3.a.2 and D.3.a.4	Yes, if needed. Although the Permit does not specify inlet screen recommendations be prepared, it does require that BMPs be implemented. Implicit is that appropriate guidance is used in BMP selection and operation.	The Copermittees have presented their interest in drain inlet screens as an iterative step in the management of dry-weather runoff from existing developments.
Develop model language for municipal trash collection and haulage contracts that addresses water quality protection issues (Section 5.3.3)	D.3.a	No. The Permit requires BMP implementation for municipal activities, without specifically addressing municipal trash collection and haulage.	The Copermittees present this commitment within a discussion of "cradle-to-grave" solid waste management.
Media Outreach Plan: 1. Continue to "fine tune" the multi-media approach; 2. Re-evaluate audiences & key messages for targeted behaviors; and 3. Pursue opportunities for regional collaboration (Section 6.2.2)	D.1.i; D.2.h; D.3.a(10); D.3.b(6); D.3.c.(6); D.4.i; and E.1.e.	Partially. The Copermittees have great flexibility in designing educational programs. The Permit requires the program to be designed to measurably increase knowledge and change behavior.	The first two ROWD commitments are general steps in an adaptive management approach, and are therefore expected. Regional collaboration is at the discretion of each Copermittee.
Continue to foster new relationships and partnerships (regarding public outreach/education) (Section 6.2.3)	D.1.i; D.2.h; D.3.a(10); D.3.b(6); D.3.c.(6); D.4.i; and and E.1.f	Yes, if needed. Public education and outreach is required. Whether <i>new</i> relationships and partnerships are necessary depends on the local program management.	

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Prepare guidance documentation and clarify requirements or conceptual Project WQMP [water quality management plan] (Section 7.3.1).	D.1.b (p.20) and D.1.d (p.23)	Yes, if needed. The Permit requires that the environmental review and Priority Development Project approval processes be revised as necessary.	The ROWD states that some Copermittees feel their new development approval process could be improved by improving the WQMP guidance.
Develop and implement BMPs for architectural uses of copper and zinc (Section 7.3.1).	D.1.c p.21	Not explicitly. The Permit requires that BMPs be implemented to prevent and treat urban runoff pollutants generated in new and re-developments. The Permit requires BMPs be specifically targeted at local pollutants of concern.	Water quality monitoring data show copper and zinc levels in urban runoff and receiving waters is elevated in several portions of the County.
Develop recommendations for incorporation of LID [low-impact development] techniques into resource and water quality protection requirements (Section 7.3.1)	D.1.c (p.21) D.1.d.4 (p.26) D.1.d.9 (p.31)	Yes. Permit requires site design BMPs be implemented at all new development projects and that LID techniques be incorporated into BMP design criteria.	Site design BMPs are LID storm water management techniques.
Prepare guidance and training as needed on the recordation process (timing and appropriate documents to use) and develop recommendations for appropriate methods to employ to enable the Permittees to enforce the approved WQMP against subsequent property owners (Section 7.3.1).	D.1.g (p.33) D.1.i. (p.36)	Required. The Permit requires that training be provided to responsible personnel. The Permit also requires that each City enforce its new development requirements.	The Permit does not specifically address the recordation process. The ROWD commitment is an initiative taken by the Copermittees in response to program findings.

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Develop library of BMP performance reports (Section 7.3.1).	D.1.d.11 p.31	Not required. Copermittees must review and update BMPs in their Standard Urban Storm Water Mitigation Plans (SUSMPs), removing ineffective BMPs, incorporating new LID BMPs and including review of treatment BMP pollutant removal efficiencies.	Developing a BMP library may be one step toward implementing the update provision.
Develop standard design checklist/plans/details for source and treatment control BMPs (Section 7.3.1).	D.1.d.9 p.31	Required. Each Copermittee must develop site design and treatment control BMP design standards for BMPs in the local SUSMP.	
Develop recommendations/guidance for enhanced Model WQMP language regarding Site Design BMPs (Section 7.3.1).	D.1.c (p.21) D.1.d.4 (p.26) D.1.d.9 (p.31)	Required. New development is required to implement site design BMPs, and each local SUSMP (a.k.a. WQMP) must include provisions for site design BMPs.	
Evaluate the NTS [Natural Treatment System] approval process and develop recommendations for streamlining regulatory agency approval of regional treatment control BMPs (Section 7.3.1).	D	Not included in the Permit. The NTS is a type of engineered treatment BMP system. While the Permit encourages the restoration of streams and stream habitat, the Permit prohibits receiving waters from being converted to serve as treatment BMPs. Regional treatment BMPs may be used as long as adequate treatment occurs before pollutants are discharged to receiving waters.	An NTS regional treatment control BMP was approved by the Santa Ana Regional Board for the Irvine Ranch Water District. The system includes some sites that are located in receiving waters.

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Prepare a training schedule including defined expertise and competencies for staff with WQMP review and approval responsibilities (Section 7.3.1).	D.1.i p.36	Partially required. Copermittees must appropriately train responsible staff.	
Prepare a workshop schedule and curriculum for the private sector on WQMP preparation (Section 7.3.1).	D.1.i(2) p.37	Required, as appropriate. Each Copermittee is required to implement an education program for applicants, developers, contractors, etc.	A workshop may be one method for meeting the Permit's requirements for education.
Prepare a training schedule including defined expertise and competencies for construction inspectors (Section 8.3.1).	D.2.h p.44	Required. Copermittees must appropriately train responsible staff.	
Develop a more detailed prioritization process to improve standardized reporting and to support re-direction of inspection resources to significant sources of priority constituents of concern (Section 9.3.1).	D.3.b.1 p.53	Supported. The Permit has modified the prioritization process to better focus BMP development and inspections on priority pollutants.	
Develop effective alternative to re-inspection such as self-certification (Section 9.3.1).	D.3.b.4.e and D.3.b.5 (p.57)	The Permit provides flexibility to the Permittees for developing appropriate follow-up actions in response to inspections of commercial and industrial activities.	The ROWD suggests an alternative to re-inspection criteria because Copermittees feel that re-inspections are not necessary in order to compel compliance from facilities previously found to have incomplete BMPs.

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Prepare defined expertise and competencies for authorized inspector positions and develop a training schedule to meet these requirements (Section 9.3.1).	D.3.b.6 p.58	Required. Copermittees must appropriately train responsible staff.	
Complete DAMP/Watershed Action Plans for all 11 Orange County watersheds (Section 12.3.2).	E p.66	Required. Each Copermittee must participate in implementing and updating WURMPs	

**Acronyms used in the table**

BMP	Best Management Practice
CASQA	California Stormwater Quality Association
DAMP	Drainage Area Management Plan
IPM	Integrated Pest Management Program
JURMP	Jurisdictional Urban Runoff Management Plan
LID	Low-Impact Development
NTS	Natural Treatment System
ROWD	Report of Waste Discharge
SUSMP	Standard Urban Storm Water Mitigation Plan
WQMP	Water Quality Management Plan
WURMP	Watershed Urban Runoff Management Plan