

MUNICIPAL REGIONAL PERMIT – BASMAA RECOMMENDATIONS FOR OPERATIVE PROVISIONS AND PERFORMANCE STANDARDS (WHICH WOULD FOLLOW A SET OF PERMIT FINDINGS):

A. DISCHARGE PROHIBITION

The Permittees shall, within their respective jurisdictions, effectively prohibit the discharge of non-stormwater (materials other than stormwater) into the storm drain systems and watercourses. NPDES permitted discharges are exempt from this prohibition. Compliance with this prohibition shall be demonstrated in accordance with Provision C.1 and C.9 of this Order. Provision C.9 describes a tiered categorization of non-stormwater discharges based on potential for pollutant content, which may be discharged upon adequate assurance that the discharge contains no pollutants of concern at concentrations that will impact beneficial uses or cause exceedances of water quality standards.

B. RECEIVING WATER LIMITATIONS

1. The discharge shall not cause the following conditions to create a condition of nuisance or to adversely affect beneficial uses of waters of the State:
 - a. Floating, suspended, or deposited macroscopic particulate matter, or foam;
 - b. Bottom deposits or aquatic growths;
 - c. Alteration of temperature, turbidity, or apparent color beyond present natural background levels;
 - d. Visible, floating, suspended, or deposited oil or other products of petroleum origin; and/or
 - e. Substances present in concentrations or quantities which will cause deleterious effects on aquatic biota, wildlife, or waterfowl, or which render any of these unfit for human consumption.
2. The discharge shall not cause or contribute to a violation of any applicable water quality standard (“WQS”) for receiving waters; where the discharge has previously been identified as causing or contributing to a violation of an applicable water quality standard related to a pollutant of concern (“POC”) for which a total maximum daily load (“TMDL”) has been adopted, it shall be controlled in a manner consistent with that TMDL and that TMDL’s implementation plan. If applicable water quality objectives are adopted and approved by the State Board after the date of the adoption of this Order, the Regional Board may revise and modify this Order as appropriate.

C. PROVISIONS

1. Duty to Comply

The Permittees shall comply with Discharge Prohibition A and Receiving Water Limitations B.1 and B.2 through the timely implementation of control measures and other actions to reduce pollutants in the discharge in accordance with the requirements of this permit, including any modifications. If exceedance(s) of water quality standards or water quality objectives (collectively, WQSs) for which TMDLs have not been developed persist notwithstanding

implementation of the requirements of this permit, a Permittee shall assure compliance with Discharge Prohibition A and Receiving Water Limitations B.1 and B.2 by complying with the following procedure:

- a. Upon a determination by either the Permittee(s) or the Regional Board that discharges are causing or contributing to an exceedance of an applicable WQS, the Permittee(s) shall promptly notify and thereafter submit a report to the Regional Board that describes best management practices (“BMPs”) that are currently being implemented and additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedance of WQs. The report may be incorporated in the Annual Report required by Provision C.5 unless the Regional Board directs an earlier submittal. The report shall include an implementation schedule. The Regional Board may require modifications to the report;
- b. Submit any modifications to the report required by the Regional Board within 30 days of notification; and
- c. Within 30 days following approval of the report described above by the Regional Board, the Permittees shall begin implementing the approved modified control measures and any additional monitoring required in accordance with the implementation plan.

As long as Permittees have complied with the procedures set forth above, they do not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by the Regional Board to develop additional control measures and BMPs.

2. Performance Standards

- a. The Permittees shall implement control measures/BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable pursuant to the Performance Standards set forth below. Performance Standards are defined as the level of implementation necessary to demonstrate the control of pollutants in stormwater to the maximum extent practicable (“MEP”). More specifically, Performance Standards are the baseline components and activity levels of the Discharger’s stormwater/urban runoff management programs and include the reporting methods to be used to verify that the implementation has been achieved.
- b. The Performance Standards set forth below must be addressed by each of the Dischargers to the extent applicable. The Dischargers may elect to address their responsibilities for the Performance Standards via joint or individual Management Plans and/or Workplans, which can serve as the framework for identification, assignment, and implementation of practices of such control measures/BMPs as are necessary to address the Performance Standards.

Industrial/Commercial Inspection Program Performance Standard

Baseline List of BMPs	Level of Implementation	Recording/Reporting¹
Legal Authority	<p>Update your agency’s ordinances and/or other relevant legal documents – as necessary, and to the extent that is necessary – in order to assure that you have the following authority:</p> <p>A. Response Authority – to effectuate cessation, abatement, and/or cleanup of illegal stormwater discharges:</p> <p>-Agency is able to legally require an industrial or commercial facility within its jurisdiction to terminate, abate, and/or cleanup illegal stormwater discharges within a timeframe commensurate with the threat to water quality being posed, or, if that is not possible,</p> <ul style="list-style-type: none"> • Allows the municipality to take necessary action and, if possible, recover costs incurred <p>B. Citation Authority:</p> <p>--Municipality is able to issue citations for fines/administrative penalties without having to file lawsuits, and/or</p> <p>--Municipality is able to seek recovery of costs incurred in effectuating a necessary response to an illegal stormwater discharge from responsible party</p> <p>C. Authority to Address Repeat Offenses:</p> <p>--Municipality is able to impose more substantial sanctions</p>	<p>Confirm existence of required legal authority in first annual report due at least 18 months following permit reissuance. Provide Water Board with updates in Annual Report, if/when Permittee’s ordinances are updated.</p>

¹ Reporting to be manifested in Annual Report unless otherwise specified

Baseline List of BMPs	Level of Implementation	Recording/Reporting ¹
	<p>(including referral to a City or District Attorney) and maintain response authorities where repeat and/or escalating violations occur over a two year period</p> <p>D. Enforcement Authorities Differentiate Between Categories of Violation:</p> <p>--Tier One (Less Significant) Violations applicable where there is evidence of non-compliance with ordinances and/or other municipal legal authorities without illegal non- stormwater discharge reaching or having reached municipal storm drain or surface waters;</p> <p>--Tier Two (Substantial Violations) applicable where there is evidence of illegal non-stormwater discharge of significant volume, flow or toxicity reaching or having reached municipal storm drain or surface waters or repeated Tier One violations (defined above)</p>	
<p>Enforcement Response Policy (ERP)</p>	<p>Municipality to implement tiered enforcement responses to violations of ordinances and/or other legal authorities. Tiers should reflect Tier 1 and Tier 2 categories described above, with implementation subject to the following unless justification documented:</p> <ol style="list-style-type: none"> 1. Verbal warnings must be documented; only allowed for first observed Tier 1 offense within yearly period 2. Where second violation for same offense occurs within 	<p>Report, in first annual report due at least 18 months following permit reissuance, the following:</p> <ol style="list-style-type: none"> A) Summary of written enforcement actions taken denominated by categories of violations and noted by business type; B) Summary of discretionary actions concerning enforcement less stringent than ERP

Baseline List of BMPs	Level of Implementation	Recording/Reporting ¹
	<p>yearly period, written warning must be issued</p> <p>3. Observed or evidence of Tier 2 violation requires written enforcement action/citation</p> <p>4. Additional violation of same offense within two year period is documented and triggers escalated enforcement action</p>	<p>structure and justification</p> <p>In addition, municipality to maintain records of inspections and follow up enforcement responses for facilities inspected</p>
Source Identification	<p>Municipality to maintain a current inventory of industrial and commercial businesses with significant potential for illegal discharges (see categories A-D below) to be updated annually using a variety of the following methods, such as: yellow pages, business licensing, other permitting programs, Water Board Industrial General Permit NOI lists. List should reflect municipality's inspection priorities and include name and address of business owner/operator; whether business has obtained coverage under Industrial Storm Water General Permit and some description of business type (e.g., SIC, narrative)</p>	<p>Confirm in next occurring annual report that source identification inventory is maintained and has been updated</p>
Industrial and Commercial Inspection Program	<p><u>Municipality to maintain inventory for use with industrial and commercial inspections.</u> Businesses on inventory and subject to inspection include:</p> <p>A. General Industrial Permit NOI Facilities</p> <p>B. Auto repair/servicing-related Facilities</p> <p>C. Food Service-related Facilities</p> <p>D. Other Facilities municipality</p>	

Baseline List of BMPs	Level of Implementation	Recording/Reporting ¹
	<p>prioritizes based on significance of potential stormwater pollutant discharge, known history of illegal non-storm water discharges, and inspection for hazardous materials/waste (such businesses may include facilities subject to local POTW pretreatment requirements, kennels, nurseries, and construction/heavy equipment rental). Permittees need not include those facilities determined by the permittee to have no pollutant exposure to storm water from commercial or industrial activity.</p> <p><u>Frequency of Inspection:</u> Municipalities to prioritize and establish annual schedules for inspections based on the following objectives:</p> <ul style="list-style-type: none"> • Facilities with Tier 1 written violation occurring in previous year inspected at least 1x within following year • Facilities with Tier 2 violation occurring in previous year inspected at least 1x to assure illegal discharge has terminated; • Facilities with high <i>potential</i> for stormwater pollution (per determination of permittee) 1x/year; all other facilities, 1x/5 yr. <p><u>Guidelines for Conducting Inspections.</u> Municipal inspector to capture nature of observed conditions and any violations on</p>	<p>Report in annual report that inspections have occurred and % of goal achieved; includes summary of facilities inspected.</p> <p>In addition, municipality to maintain records of inspections and follow up enforcement responses for facilities inspected.</p> <p>Municipalities also to include in annual report inspection priorities for following year. Priorities shall, in part, be based upon previous year's inspection results</p>

Baseline List of BMPs	Level of Implementation	Recording/Reporting¹
	inspection form. Inspection forms may be paper or electronic. Inspection form to record both nature of violation and corrective action required. Violations to be noted may include: (1) non-compliance with local requirements; (2) failure to prevent pollution to the MEP; (3) illicit connections; (4) unauthorized discharges.	
Staff Training	<u>Focused training for inspectors.</u> One inspector training per year, that is conducted either on an municipality-specific, or Program or Region-wide basis.	Annual report to include information on training conducted, including dates, # of attendees, and information on subject matter and training evaluations.

Construction Inspection Program Performance Standard

Baseline List of BMPs	Level of Implementation	Recording/Reporting²
Legal Authority	Each permittee shall have the legal ability to oversee construction projects within their jurisdiction for storm water protection and be legally able to require an effective combination of erosion control, sediment control, and source control for other pollutants.	Confirm existence of required legal authority in first annual report due at least 18 months following permit reissuance. Provide Water Board with updates in Annual Report, if/when Permittee's ordinances are updated.
Enforcement Response Policy	Municipality to implement enforcement responses to violations of ordinances and/or other legal authorities such that the permittee responds to violations with an appropriate educational or enforcement response actions, and	Provide summaries of enforcement actions in Annual Report

² Reporting to be manifested in Annual Report unless otherwise specified

Baseline List of BMPs	Level of Implementation	Recording/Reporting ²
	<p>repeat violations are dealt with in progressively stricter responses as needed to achieve compliance. The enforcement response shall be based upon the site-specific situation and nature and threat encountered:</p> <ol style="list-style-type: none"> 1. <u>Verbal Warnings</u>: shall be primarily educational in nature, and specify the nature of violation and required corrective action. 2. <u>Written Notices</u>: stipulate nature of violation and required corrective action, with timeline. 3. <u>Escalated Enforcement</u> <ol style="list-style-type: none"> 3a. <u>Citations (with Fines)</u>: levying of civil penalties or monetary penalties. 3b. <u>Stop Work Orders</u>: requiring that construction activities be halted, except for those activities directed at cleaning up, abating discharge and correct installation of appropriate BMPs. 3c. <u>Other Escalated Measures provided for under local legal authorities</u>. 4. <u>Referral to City or District Attorney, Regional Board or other appropriate regulatory agency (e.g., DF&G, etc.)</u>. Where construction operator/developer fails to respond to municipality, permittee may proceed to refer matter to City or District Attorney, Water Board and/or 	

Baseline List of BMPs	Level of Implementation	Recording/Reporting ²
	other appropriate regulatory agency for enforcement action.	
Plan check	As a condition of issuance of a grading permit, each permittee will require developers to prepare, submit for review, and implement an erosion and sediment control plan or similar administrative document that contains erosion and sediment control measures.	In annual report, municipality to summarize grading permits issued subsequent to plan check.
NOI/SWPPP Inspections	Municipality to conduct inspections of construction sites under State's General Permit, to determine whether NOI has been filed and whether SWPPP exists at site.	Summarize results of inspections in annual report.
Frequency of Inspections	<p>Municipality to determine frequency of inspection based on size of projects, potential to impact storm water quality, time of year, and the number of active construction sites within the jurisdiction based on the following guidelines:</p> <p><u>Large Sites</u> (Sites greater than or equal to one acre of land disturbance):</p> <ul style="list-style-type: none"> ▪ Pre-rainy season inspections conducted at all large sites, following issuance of pre-inspection notification letters. Notifications to be provided by September 1st; inspections to be conducted by October 15th ▪ Rainy Season (Oct. 15-April 15th) inspections: 1) Screening level inspections (see below) done as part of other occurring construction inspections (i.e., building). <p>2) Regular storm water-specific inspections conducted at every</p>	<p>Report in annual report that inspections have occurred at required frequency; include description of Large Sites inspected and summary of types of violations identified in field and enforcement actions taken. Analyze trends in BMP implementation.</p> <p>In addition, municipality to maintain records of inspections and follow up enforcement responses for Large Sites inspected.</p>

Baseline List of BMPs	Level of Implementation	Recording/Reporting ²
	<p>large site once per month.</p> <p><u>Small Sites</u> (Sites less than one acre of land disturbance):</p> <ul style="list-style-type: none"> ▪ Screening level inspections done as part of other occurring construction inspections. 	
<p>Type/Contents of Inspections</p>	<p><u>Pre-Rainy Season:</u> Inspections shall determine whether NOI has been filed, SWPPP developed, and preparations for rainy season being implemented.</p> <p><u>Rainy Season/Screening Level:</u> Screening inspections completed during routine inspections occurring primarily for other purposes. Inspections are not typically comprehensive with respect to storm water issues but focus on high priority or visibly apparent threats to storm water quality.</p> <p><u>Rainy Season/ Regular Storm Water Inspection:</u> Inspections shall include:</p> <ol style="list-style-type: none"> 1. Inspection and prohibition of non-storm water discharges to the MEP. 2. Whenever possible, visual observation of the quality of storm water runoff during and after a major storm event. 3. BMPs are properly installed and maintained. 	

Baseline List of BMPs	Level of Implementation	Recording/Reporting²
Education & Outreach	<p><u>Large Sites:</u></p> <ul style="list-style-type: none"> ▪ Promote yearly attendance by contractor representatives at Water Board’s construction seminars. ▪ Provide outreach materials during plan review and/or inspections. <p><u>Small Sites:</u></p> <ul style="list-style-type: none"> ▪ Provide outreach materials during plan review and/or inspections. 	In annual report, provide summary of efforts, including dates, topics, and number of attendees.
Staff Training	<p>Provide training at least every other year to municipal staff responsible for conducting construction site storm water inspections.</p> <p>Cover elements of each category of construction site, updated information on BMPs (including ‘lessons learned’ from observations of previous year BMP implementation), and implementation of Enforcement Response Policy.</p>	Provide summary information in annual report on training conducted and # staff attending.

Illicit Connection/Illegal Dumping and Trash/Litter Control Program Performance Standard

Baseline List of BMPs	Level of Implementation	Recording/Reporting³
Legal Authority	<p>Update your agency’s ordinances and/or other relevant legal documents—if necessary, and to the extent that is necessary—in order to assure that you have the following authority:</p> <p>A. Response Authority -- to effectuate cessation, abatement, and/or cleanup of illicit non-stormwater discharges and illegal dumping and significant trash/litter generating activities:</p> <p>-Agency is able to legally require a facility (including construction sites) within its jurisdiction to terminate, abate, and/or cleanup non-exempted non-stormwater discharges (including illicit cross connections) and/or illegal dumping and significant trash/litter-generating activities within a timeframe commensurate with the threat to water quality being posed, or, if that is not possible,</p> <ul style="list-style-type: none"> • Allows the municipality to take necessary action and, if possible, recover costs incurred <p>B. Citation Authority:</p> <p>--Municipality is able to issue citations for fines/administrative penalties</p>	<p>Confirm existence of required legal authority necessary to meet the level of implementation requirements in initial annual report due at least 18 months following permit reissuance. Provide Water Board with updates in Annual Report, if/when Permittee’s ordinances are updated.</p>

³ Reporting to be manifested in Annual Report unless otherwise specified

Baseline List of BMPs	Level of Implementation	Recording/Reporting ³
	<p>without having to file lawsuits, and/or</p> <p>--Municipality is able to seek recovery of costs incurred in effectuating a necessary response to an illicit non-stormwater discharge and/or illegal dumping/trash-litter generating activity from responsible party</p> <p>C. Authority to Address Repeat Offenses:</p> <p>--Municipality is able to impose more substantial sanctions (including referral to a City or District Attorney) and maintain response authorities where repeat and/or escalating violations occur</p> <p>D. Enforcement Authorities Differentiate Between Categories of Violation:</p> <p>--Tier One (Less Significant) Violations applicable where there is evidence of non-compliance with illegal dumping and trash/litter control ordinances or other municipal legal authorities prohibiting illegal non- stormwater discharges from reaching or having reached municipal storm drain or other municipal conveyances leading to surface waters;</p> <p>Tier Two (Substantial Violations) applicable where there is evidence of illegal non-stormwater discharge or dumping or illicit connections of significant volume, flow or toxicity reaching or having</p>	

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Baseline List of BMPs	Level of Implementation	Recording/Reporting ³
	reached municipal storm drain or other municipal conveyances leading to surface waters or repeated Tier One violations (defined above)	
Progressive (Enforcement) Response Policy	<p>Municipality to implement progressive responses to violations of ordinances and/or other legal authorities. Tiers should reflect Tier 1 and Tier 2 categories described above, with implementation subject to the following unless justification documented:</p> <p>Permittee shall implement progressive responses to illicit non-stormwater discharges and illegal dumping and trash/litter generating activities of varying seriousness, and/or repeat violations. Progressive response policy shall explain how and when to use each type of outreach, education and/or enforcement available in permittee’s ‘toolbox’, in a reasonable progression (e.g., reactive inspections and follow-up: patrol on routine basis – while conducting other inspections is OK – and at a minimum, respond to referrals or directly observed discharges or potential discharges, as they occur).</p> <p>As illicit discharge, illegal dumping activities and trash/litter generation are, by nature, highly variable in type of substance, level of seriousness, and intent of perpetrator, the appropriate response (outreach, education,</p>	<p>Report in next occurring annual report 18 months following permit adoption, the following:</p> <p>A) Summary of enforcement actions taken denominated by categories of violations (e.g., illicit discharges, illegal dumping, and trash/litter generating activities);</p> <p>B) Summarize discretionary actions differing from Progressive Response Policy structure and justification</p> <p>In addition, municipality to maintain records of reported incidences of significant illicit discharges, illegal dumping and trash/litter generating activities and follow up progressive responses for all such incidences per investigator’s best professional judgment</p>

Baseline List of BMPs	Level of Implementation	Recording/Reporting ³
	<p>enforcement) may vary, case to case, and city to city. The identification of the appropriate response shall ultimately be a function of the inspector's Best Professional Judgment. For some discharges, the appropriate response will be verbal; for others, it will be written. Likewise, in some cases the appropriate response is educational and instructive, where other cases also require enforcement (of varying levels).</p> <p>The inspectors' Best Professional Judgment shall, at a minimum, take into account the following:</p> <ul style="list-style-type: none"> • Nature of substance (whether hazardous to humans and/or environment) • Quantity of discharge • Intentional act (as opposed to negligent or uneducated) • Whether prior verbal warning was previously issued • Whether multiple offenses occurred within a one year period <p>Each permittee shall focus their proactive activities (proactive outreach/education; distribution of educational materials; focused enforcement, etc.) on the most prevalent categories of illicit non-stormwater discharges, illegal dumping, and trash/litter</p>	

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Baseline List of BMPs	Level of Implementation	Recording/Reporting³
	generating activities within their jurisdiction (refer to PI/P Performance Standard for further detail).	
Screening Collection System for Illicit Connections	Municipality to review aboveground checkpoints in the collection system for illegal cross connections during routine maintenance activities.	Summarize illicit connections identified in Annual Report
Spill and Dumping Response Planning	Permittees shall have or develop a spill/dumping response flow chart and phone tree, which shows the various responsible agencies and their contacts, who would be involved in Illicit discharge, illegal dumping and trash/litter incidence response. Also to be included is contact information for after hours/weekend incidents. Update as necessary.	Confirm that up-to-date flow chart/phone tree is in place in next occurring annual report due within 18 months following permit adoption

Baseline List of BMPs	Level of Implementation	Recording/Reporting ³
<p>Trash and Litter Control</p> <p>a) Phased approach to litter/trash clean up activities related to stormwater and within agency jurisdiction. (If desirable, conduct on inter-agency basis in coordination with other local agencies and programs.)</p>	<ul style="list-style-type: none"> • Identify and assess potential litter/trash high accumulation areas/watersheds. Consider use of information previously collected through trash assessments collected by storm water quality monitoring programs. • Identify potential management actions (BMPs) to reduce trash levels in stormwater conveyances at such locations and identify current trash collection/control options for minimizing trash/litter inputs to storm drain inlets. Determine the relative ease of implementation, costs and effectiveness of devices/BMPs investigated. • Identify high priority storm drain inlets within key urban areas/watersheds that have had high accumulations of litter/trash to prioritize inlets for potential pilot projects. • Select locations for pilot projects and implement demonstration studies to assess their effectiveness and associated costs. If the management actions are not effective or overly costly, propose and implement an alternative pilot approach. 	<p>Annually report on actions taken for items a, b, and c, potential revisions to trash management actions and enforcement actions taken.</p>
<p>b) Litter receptacles placement and maintenance</p>	<ul style="list-style-type: none"> • Provide public trash receptacles in appropriate 	

Baseline List of BMPs	Level of Implementation	Recording/Reporting ³
	locations and minimize overflowing trash receptacles in these areas.	
c) Public education – litter prevention (If appropriate, conduct on inter-agency basis in coordination with other local agencies and programs.)	<ul style="list-style-type: none"> Incorporate litter prevention messages in PIP outreach programs. 	
d) Anti-littering codes and ordinances	<ul style="list-style-type: none"> Where not in existence, adopt anti-littering codes/ordinances; where codes/ordinances exist, encourage enforcement. 	
Staff Training	One inspector training per year, that is conducted either on an municipality-specific, or Program or Region-wide basis	Annual report to include information on training conducted, including dates, # of attendees, and information on subject matter and training evaluations.

**Performance Standard for Municipal Maintenance Activities
(including Public Streets, Roads and Highways Operation and Maintenance)**

Baseline List of BMPs	Level of Implementation	Recording/Reporting ⁴
Street and Road Sweeping and Cleaning		
a) Sweeping <ul style="list-style-type: none"> Identify and designate curbed streets and roads and municipally owned uncovered parking lots for sweeping. Sweeping frequency should be assigned based on the volume of 	<ul style="list-style-type: none"> Planning: Identify and/or map designated curbed streets, roads, and municipally owned uncovered public parking lots for sweeping within 12 months after permit adoption). Implementation frequency, timing and efficiency: sweep 	1. In the first full reporting year after Permit adoption, identify the high, medium, and low priority areas and an implementation schedule with respect to each. Annually identify any

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Baseline List of BMPs	Level of Implementation	Recording/Reporting ⁴
<p>trash present and/or rate at which debris is generated. The following priorities shall be assigned:</p> <ul style="list-style-type: none"> - High Priority: Curbed streets and road segments and/or municipally owned uncovered parking lots designated as high priority may include, but not limited to, high traffic zones, heavy commercial and industrial districts, high density residential neighborhoods and plazas. These areas consistently generate high volumes of trash, debris and other storm water pollutants; - Medium Priority: Curbed streets, road segments and/or municipally owned uncovered parking lots designated as medium priority may include, but not limited to, medium traffic zones, warehouse districts, and medium commercial and industrial districts; and 	<p>curbed streets/roads and municipally owned uncovered parking lots at a minimum, at least an average of at least once per month or as follows:</p> <ul style="list-style-type: none"> - High Priority: average of at least twice per month; - Medium Priority: average of at least once per month; and - Low Priority: as necessary, but at least once before the onset of the rainy season. 	<p>changes thereafter.</p> <ol style="list-style-type: none"> 2. Maintain records of types of sweepers used. 3. Maintain records of swept curb miles, volume or weight of materials removed. 4. Maintain municipal staff training records. 5. Maintain a summary of seasonal leaf removal program efforts. 6. Maintain records concerning co-permittee's public outreach efforts to improve sweeping efficiency 7. Report information for items 3-6 (listed above) in summary form within Annual Report.

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Baseline List of BMPs	Level of Implementation	Recording/Reporting ⁴
<p>– Low Priority: Curbed streets, road segments and/or municipally owned uncovered parking lots designated as low priority may include, but not limited to, light traffic zones, residential zones and light commercial districts.</p>		
<p>b) Sweeping equipment operation</p>	<ul style="list-style-type: none"> • Follow equipment performance specifications to ensure that street sweeping equipment operates effectively at the proper speed and is properly maintained to optimize pollutant removal from the curb (where dirt deposition is probably higher). 	
<p>c) Measures to improve efficiency</p>	<ul style="list-style-type: none"> • Perform, within three years of Permit adoption, an internal review or supervised inspection using appropriate methodology to evaluate street sweeping effectiveness to the maximum extent practicable. 	
<p>d) Management of material removed by sweeping</p>	<ul style="list-style-type: none"> • To prevent discharges of pollutants to waterways, ensure proper handling and disposal of materials removed from streets. • Effectively prohibit discharge of untreated wash water from street sweeping and street sweeper rinse out to storm drains unless otherwise authorized by an NPDES 	

Baseline List of BMPs	Level of Implementation	Recording/Reporting ⁴
	permit.	
e) Street cleaning (wet) and flushing	<ul style="list-style-type: none"> • Avoid street flushing. However, if necessary, effectively prohibit discharges to storm drain. 	
f) Staff training	<ul style="list-style-type: none"> • Provide annual training to municipal staff on how to fully comply with Performance Standards and permit requirements; if outside contractors are used, require appropriate training for their staff. 	
Street and Road Repair and Maintenance		
a) Asphalt/concrete removal, installation and repair	<ul style="list-style-type: none"> • Minimize discharges to streets, gutters, storm drain inlets, or waterways by requiring pavement cutting crews to recover and properly dispose of saw cutting wastes. • If concrete slurry enters the storm drain system (from accidental spills or releases), require removal of the material to the maximum extent practicable. • Properly manage concrete slurry, asphalt, and other street and road maintenance materials and waste to minimize discharge to storm water runoff. • Require implementation of BMPs for storm drain protection and sediment transport control measures when performing maintenance activities involving road repair construction. 	1. Annually certify implementation of the BMPs listed in a-c of this section to MEP.

Baseline List of BMPs	Level of Implementation	Recording/Reporting ⁴
	<ul style="list-style-type: none"> • Effectively prohibit discharge of untreated wash water from maintenance areas to storm drains unless otherwise authorized by an NPDES permit. • Require sweeping and/or vacuuming to remove debris, concrete, or sediment residues from work sites upon completion of work. Require clean up of significant road repair construction remains, spills and leaks, preferably using dry methods (e.g., absorbent materials, rags, pads, and vacuum) consistent with methods such as those outlined in the BASMAA “Blueprint for a Clean Bay” and other generally accepted practices. • Implement BMPs and/or SOPs for pollutant removal from street maintenance/utility repairs. • Require that public works inspectors and maintenance crews have received training to facilitate compliance with storm water requirements. 	
<p>b) Equipment cleaning, maintenance, and storage</p>	<ul style="list-style-type: none"> • Effectively prohibit discharge of untreated wash water from equipment cleaning and maintenance activities to storm drains unless otherwise authorized by an NPDES permit. • Unless otherwise authorized by an NPDES permit, require containment of washout from concrete trucks, chutes, and/or concrete rinse within a designated area during 	

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	<p>concrete pours and operation. Unless otherwise authorized by an NPDES permit, effectively prohibit discharge of these wastes to storm drain inlets, streets or ditches consistent with methods such as those outlined in the BASMAA “Blueprint for a Clean Bay” and/or other generally accepted practices.</p>	
<p>c) Signing and striping</p>	<ul style="list-style-type: none"> Unless otherwise authorized by an NPDES permit, require containment and proper disposal of paint waste and/or thermoplastic residue. 	
<p>Sidewalk/Plaza Maintenance & Surface Cleaning</p>		
<p>a) Cleaning protocols</p>	<ul style="list-style-type: none"> Consistent with BASMAA’s recognized surface cleaning BMPs (BASMAA 1996), require effective containment and proper disposal of wash water to effectively prevent untreated discharges to storm drains unless otherwise authorized by an NPDES permit. 	<p>Annually certify implementation with the BMPs listed in a to MEP</p>
<p>Bridge and Structure Maintenance</p>		
<p>a) Repair Work</p>	<ul style="list-style-type: none"> Require prevention of concrete, steel, wood, metal parts, or other work-related materials from entering storm drains or water courses. 	<p>Annually certify implementation with the BMPs listed in a-b of this section to the MEP.</p>
<p>b) Graffiti removal</p>	<ul style="list-style-type: none"> Consistent with BASMAA’s recognized surface cleaning BMPs (BASMAA 1996), require the protection of nearby storm drain inlets prior to removing graffiti from walls, signs, sidewalks or other 	

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	<p>structures needing graffiti abatement. Effectively prevent untreated discharges of debris, cleaning compound waste, paint waste or wash water-containing cleaning compounds from entering storm drains or water courses unless otherwise authorized by an NPDES permit.</p>	
Landscape Maintenance		
a) Erosion controls	<ul style="list-style-type: none"> Minimize soil erosion from storm water runoff on municipally maintained medians and road embankments, including via maintenance of vegetative cover. 	<p>Annually certify implementation with the BMPs listed in a-c of this section to the MEP.</p>
b) Irrigation practices	<ul style="list-style-type: none"> Require regular maintenance of municipally operated landscape irrigation systems to help minimize unnecessary water usage and related runoff. 	
c) Vegetation controls	<ul style="list-style-type: none"> Require that vegetation removed by municipal crews (including clippings, chips and pruning debris) be kept away from storm drain inlets and water courses. 	
Catch Basin Inspection and Cleaning		
a) Catch Basin Inspection and Cleaning	<ul style="list-style-type: none"> Label/stencil storm drain inlets with “No Dumping - Drains to Bay” or equivalent signage (See PI/P performance standard). Maintain storm drain inlets and storm water collection system, including by means of the following: <ul style="list-style-type: none"> Inspect storm drain inlets/catch basins for trash 	<ol style="list-style-type: none"> Keep annual records of inspections, cleaning, and maintenance; provide this information in a summary form within the annual report.

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Baseline List of BMPs	Level of Implementation	Recording/Reporting ⁴
	<p>and accumulated debris at least once annually and clean as appropriate. During inspections, Co-permittees to check for the following:</p> <ol style="list-style-type: none"> 1. Operational integrity; 2. Presence of illicit discharges, and 3. Stencil legibility. 	
Stormwater Pump Stations		
<p>a) Operation and Maintenance of municipally owned storm water pump stations</p>	<ul style="list-style-type: none"> • Develop a schedule for inspection and maintenance at key pump stations and conduct such inspections and maintenance prior to the rainy season. 	<ol style="list-style-type: none"> 1. Maintain records of the stations inspected and maintenance performed. 2. Compile and report information gathered in this section in a summary form within the annual report.
Rural Public Works Maintenance and Support		
<p>a) Implement and require contractors to implement BMPs to the MEP when performing maintenance activities in or adjacent to stream channels unless required to do otherwise by emergency flood control procedures.</p>	<ul style="list-style-type: none"> – Manage large woody debris in stream channels and attempt to preserve vegetation in protected riparian corridors. – Promote stream bank stabilization projects/activities. – Promote design, maintenance and repair of roads and culverts in rural areas to minimize related erosion. – Manage storm water runoff to minimize erosion. – Obtain appropriate agency permits (if any) for rural 	<p>Report annually on the rural public works activities described in this section.</p>

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Baseline List of BMPs	Level of Implementation	Recording/Reporting ⁴
	public works activities.	
Municipal Corporation Yard Maintenance		
<p>a) Prepare and implement a specific Stormwater Pollution Prevention Plan (“SWPPP”) for public vehicle maintenance facilities, material storage facilities and corporation yards that have the potential to discharge pollutants to storm water and/or the waters of the State. This requirement shall only apply to facilities not already covered under the Industrial Stormwater General Permit.</p>	<ul style="list-style-type: none"> • Maintain a list of all municipal yards, including their location and a description of facility use. • Implement BMPs to minimize pollutant discharges in stormwater and prohibit non-stormwater discharges (e.g., wash waters and street sweeper, vactor and other related equipment cleanout water). Actions include but not limited to, good housekeeping practices, material storage control, vehicle leak and spill control and illicit discharge control. • Routinely inspect municipal corporation yards to ensure that no illegal discharges are entering the storm drain system and that during storms, pollutant discharges are controlled to the maximum extent practicable. At a minimum, inspections shall occur prior to the start of the rainy season. • All vehicle and equipment wash areas shall be plumbed to 	<p>Annually report on any changes or updates to the SWPPP.</p>

Baseline List of BMPs	Level of Implementation	Recording/Reporting ⁴
	<p>the sanitary sewer or equivalent after coordination with local authorities and equipped with a pre-treatment device (if necessary) in accordance with the requirements of the local sewer agency.</p> <ul style="list-style-type: none"> • Consistent with the BASMAA recognition program (BASMAA 1996), use dry clean up methods to clean up debris. If wet cleaning methods must be used (e.g., pressure washing), ensure that wash-water is collected and disposed in the sanitary sewer in accordance with the requirements of the local sewer agency. Any private companies hired by the agency to perform cleaning activities on agency-owned property shall follow these same requirements. • If necessary, outdoor storage areas shall be covered and/or bermed to prevent cross contamination of stormwater run-on to operation areas or to prevent runoff from reaching storm drain inlets. • Storage areas for refuse and waste materials removed from yards and storm drainage facilities shall be designated and be properly maintained to prevent cross contamination of stormwater run-on to operation areas or to prevent runoff from reaching storm drain inlets. • Ensure each storm drain inlet is labeled/stenciled with “No Dumping, Drains to Bay” or 	

Baseline List of BMPs	Level of Implementation	Recording/Reporting⁴
	equivalent signage.	
b) Train staff on SWPPP requirements and implementation	<ul style="list-style-type: none"> • Provide staff training annually. 	Report on staff training received in annual report.
c) Revise and update procedures and plans as needed, but with a full review at least once each 5 years.		Report when full review of the SWPPP occurs.

New Development and Redevelopment Performance Standard

BMPs	Level of Implementation	Reporting⁵
<p>Maintain prior new and redevelopment control measures (except as otherwise provided below or in Permit).</p> <p>To the extent not already accomplished, Permittees shall, within 24 months of the date of this Permit’s adoption, modify their stormwater management programs and/or project review processes as needed to incorporate the requirements of a-i above.</p>	<p>a. Legal authority in place to implement the requirements of prior permit provision C.3;</p> <p>b. Local permitting procedures and/or conditions of approval/authorization in place to regulate new and redevelopment projects. For projects discharging directly to 303(d) listed water bodies, conditions of approval must require that post-project runoff does not exceed pre-project levels for such pollutants that are listed;</p> <p>c. When conducting environmental reviews, such as CEQA, municipality requires evaluation of water quality effects and identification of</p>	<p>Confirm a-i in first Annual Report submitted 24 months following permit reissuance. Provide Water Board with relevant updates in Annual Report thereafter.</p>

⁵ Reporting to be manifested in Annual Report unless otherwise specified.

BMPs	Level of Implementation	Reporting⁵
	<p>appropriate mitigation measures, where applicable;</p> <p>d. Training performed for municipal staff associated with new and redevelopment functions;</p> <p>e. Outreach efforts undertaken, including providing education materials to municipal staff, developers, contractors and owner/builders, early in the planning process and as appropriate;</p> <p>f. Mosquito and vector control staff have access to projects for purposes of inspecting control measures;</p> <p>g. Site design standards and/or guidance or their equivalent) exist that encourage minimization of land disturbance and impervious surfaces, clustering of structures and pavement, disconnecting roof downspouts, use of microdetention, including landscape detention, preservation of high-quality open space, maintenance and/or restoration of riparian areas and wetlands as project amenities;</p> <p>h. Source control requirements exist to limit pollutant generation, discharge, and runoff, to the maximum extent practicable. Source control measures may include the following which</p>	

BMPs	Level of Implementation	Reporting⁵
	<p>are offered as examples: indoor mat/equipment wash racks for restaurants, or covered outdoor wash racks plumbed to the sanitary sewer, covered trash and food compactor enclosures with a sanitary sewer connection for dumpster drips, sanitary sewer connections for swimming pool discharges, sanitary drained outdoor covered wash areas for vehicles, equipment, and accessories, sanitary sewer drain connections to take fire sprinkler test water, storm drain system stenciling; landscaping that minimizes irrigation and runoff, promotes surface infiltration where appropriate, and minimizes the use of pesticides and fertilizers; and appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas;</p> <p>i. Revisions made to General Plans, as necessary, to incorporate water quality and watershed protection principles and policies and to establish a policy basis for measures for regulated development projects.</p>	

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BMPs	Level of Implementation	Reporting⁵
<p>Applicable projects/new and redevelopment project categories.⁶</p> <p>To the extent not already accomplished, Permittees shall, within 24 months of the date of this Permit’s adoption, modify their stormwater management programs and/or project review processes as needed to incorporate these requirements.</p>	<p>Municipalities to utilize the following thresholds, as described:</p> <p>1. New commercial, industrial, or residential developments that create 10,000 square feet or more of impervious surface, including roof area, streets and sidewalks. This category includes any development of any type on public or private land, which falls under the planning and building authority of the Permittees, where 10,000 SF or more of new impervious surface, collectively over the entire project site, will be created. Construction of one single-family home on sites greater than one acre, which is not part of a larger common plan of development, with the incorporation of appropriate pollutant source control and design measures, and using landscaping to appropriately treat runoff from roof and</p>	

⁶ While all projects regardless of size should consider incorporating appropriate source control and site design measures that minimize stormwater pollutant discharges to the maximum extent practicable, new and redevelopment projects that fall beneath the level of implementation threshold are not subject to the numeric sizing requirements. In addition, the numeric sizing requirements set forth herein shall not be applicable to Vallejo for two years following the adoption of this Order. These requirements shall also not apply to projects for which a privately-sponsored development application has been filed as complete or deemed complete. With respect to public projects, these requirements shall not apply to projects for which funding has been committed and for which construction has previously been scheduled.

⁷ Where a Significant Redevelopment project results in an increase of, or replacement of, more than fifty percent of the impervious surface of a previously existing development, and the existing development was not subject to stormwater treatment measures, the entire project must be included in the treatment measure design. Conversely, where a Significant Redevelopment project results in an increase of, or replacement of, less than fifty percent of the impervious surface of a previously existing development, and the existing development was not subject to stormwater treatment measures, only that affected portion must be included in treatment measure design.

BMPs	Level of Implementation	Reporting⁵
	<p>house-associated impervious surfaces (e.g., runoff from roofs, patios, driveways, sidewalks, and similar surfaces), are deemed to be in substantial compliance with the numeric sizing criteria; construction of one single-family home on sites of 10,000 square feet to one acre, which is not part of a larger common plan of development, is excluded from the requirement to address the numeric sizing criteria.</p> <p>2. Streets, roads, highways, and freeways that are under the Permittees’ jurisdiction and that create 10,000 square feet or more of new impervious surface. This category consists of any newly constructed paved surface used primarily for the transportation of automobiles, trucks, motorcycles, and other motorized vehicles. Excluded from this category are sidewalks, bicycle lanes, trails, bridge accessories, guardrails, and landscape features.</p> <p>3. Significant Redevelopment projects. This category is defined as a project on a previously developed site that results in addition or replacement, which combined total 10,000 sq ft or more of impervious surface on such an already developed site (“Significant Redevelopment”).⁷ Excluded from this category are interior remodels and routine</p>	

Municipal Regional Permit

BMPs	Level of Implementation	Reporting ⁵
	<p>maintenance or repair. Excluded routine maintenance and repair include roof or exterior surface replacement, pavement resurfacing, repaving and road pavement structural section rehabilitation, within the existing footprint, and any other reconstruction work within a public street or road right-of-way where both sides of that right-of-way are developed.</p>	
<p>Numeric sizing criteria for pollutant removal/treatment systems:</p> <p>All Permittees shall require that treatment measures , or measures to disperse and infiltrate runoff from impervious areas, be constructed for applicable projects, as defined by the thresholds above that incorporate, at a minimum, the following hydraulic sizing design criteria to treat stormwater runoff, or equivalent criteria to achieve treatment or dispersal and infiltration of 80% of total runoff over the life of the project.. As appropriate for each criterion, the Permittees shall use or appropriately analyze local rainfall data to be used for that criterion.</p> <p>To the extent not already</p>	<p>Municipalities shall implement based on the following alternatives:⁸</p> <p>i. Volume Hydraulic Design Basis:</p> <p>Treatment measures whose primary mode of action depends on volume capacity, such as detention/retention units or infiltration structures,⁹ shall be designed to treat stormwater runoff equal to:</p> <p>1. The maximized stormwater quality capture volume for the area, based on historical rainfall records, determined using the formula and volume capture coefficients set forth in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ ASCE Manual of Practice No. 87, (1998), pages 175-178 (e.g., approximately the 85th percentile 24-hour storm runoff</p>	<p>For each project approved and made subject to numeric sizing requirements, include the following in tabular format in Annual Report:</p> <ul style="list-style-type: none"> • Project Name • Project Type (e.g., commercial, industrial, residential multi-unit, single-family residential), and description. • Site Acreage (or square footage of land disturbance). • New or replaced impervious surface area. • Source control measures BMPs. • Site design measures BMPs. • Post construction treatment BMPs onsite.

⁸ The volume and flow-based criteria set forth in alternatives i. and ii. below may be combined provided that the overall effect is to achieve treatment of 80% of total runoff over the life of the project.

⁹ This includes allowance for measures to disperse and infiltrate runoff from impervious areas as part of the site design.

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BMPs	Level of Implementation	Reporting⁵
<p>accomplished, Permittees shall, within 24 months of the date of this Permit’s adoption, modify their stormwater management programs and/or project review processes as needed to incorporate these requirements.</p>	<p>event); or</p> <p>2. The volume of runoff required to achieve 80 percent or more capture, determined in accordance with the methodology set forth in the California Stormwater Best Management Practices New and Redevelopment Handbook (CASQA, 2003), using local rainfall data.</p> <p>ii. Flow Hydraulic Design Basis Treatment measures whose primary mode of action depends on flow capacity, such as swales, sand filters, or wetlands, shall be sized to treat:</p> <p>1. 10% of the 50-year peak flow rate; or</p> <p>2. The flow of runoff produced by a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall depths; or</p> <p>3. The flow of runoff resulting from a rain event equal to at least 0.2 inches per hour intensity.</p>	<ul style="list-style-type: none"> • Hydraulic Sizing Criteria used. • Operation & maintenance responsibility mechanism. <p>Information shall be sent to the Mosquito Abatement District which is associated with the Permittee’s geographic jurisdiction.</p> <p>In addition, include in Annual Report:</p> <ul style="list-style-type: none"> • Discussion of effectiveness of program. • Proposed changes to improve program.
<p>Limitations on Use of Infiltration Treatment Measures - Infiltration and Groundwater Protection (for the purpose of this section, “treatment measures” include flow duration control measures)</p>	<p>In order to protect groundwater from pollutants that may be present in urban runoff, treatment measures that function primarily as infiltration devices (such as infiltration basins and infiltration trenches not deeper</p>	

BMPs	Level of Implementation	Reporting ⁵
	<p>than their maximum width) shall meet the following conditions:</p> <ul style="list-style-type: none"> i. Pollution prevention and source control measures shall be implemented at a level appropriate to protect groundwater quality at sites where infiltration devices are to be used; ii. Use of infiltration devices shall not cause or contribute to degradation of groundwater water quality objectives; iii. Infiltration devices shall be adequately maintained to maximize pollutant removal capabilities; iv. The vertical distance from the base of any infiltration device to the seasonal high groundwater mark shall be at least 10 feet. Note that some locations within the Permittees' jurisdiction are characterized by highly porous soils and/or a high groundwater table; in these areas treatment measure approvals should be subject to a higher level of analysis (e.g., considering the potential for pollutants such as on-site chemical use, the level of pretreatment to be achieved, and similar factors); v. Unless stormwater is first treated by a means other than infiltration, infiltration devices shall not be recommended as treatment measures for areas of industrial or light industrial 	

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BMPs	Level of Implementation	Reporting ⁵
	activity; areas subject to high vehicular traffic (25,000 or greater average daily traffic on main roadway or 15,000 or more average daily traffic on any intersecting roadway); automotive repair shops; car washes; fleet storage areas (bus, truck, etc.); nurseries; and other high threat to water quality land uses and activities as designated by each Permittee; and, Infiltration devices shall be located a minimum of 100 feet horizontally from any water supply wells.	
Alternative Compliance Based on Impracticability (for the purpose of this section, “treatment measures” include flow duration control	As an alternative to requiring a project sponsor to install onsite treatment measures meeting the numeric sizing criteria set forth above, a permittee may but is	Report in next occurring annual report 18 months following permit adoption, the following: A) Summary of alternative

¹⁰ Redevelopment Projects are defined as projects on a previously developed site that results in the addition and/or replacement of impervious surface. Brownfields are defined per US EPA as a project located on a site where the expansion of a use, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Low or Moderate-Income or Senior Housing is defined per Government Coder Sections 65589.5(h)(3) or (4) or 65195(b) or as an Affordable Housing Project - a project that creates housing units, and more than 50 percent of the housing units are affordable to persons of low or moderate income as defined by Health and Safety Code Section 50093, but for purposes of this section, only the actual low or moderate income or senior housing portion of the development will be allowed the benefit of this section. Transit Village developments are defined as projects located within one-fourth (1/4) to one-half (1/2) of a mile of a transit station and/or intermodal facility that creates or contributes to an existing or planned compact, mixed-use, walkable community, centered around the transit station or intermodal facility that, by design, invites residents, workers, visitors, and shoppers to drive their cars less and ride mass transit more. Bus stops are not included in this definition.

¹¹ Equivalent offsite treatment – based on the area of new/replaced impervious surface created by the project, the amount of pollutant loading, surface area, or quantity of runoff, which would be treated if hydraulically-sized treatment controls meeting the numeric sizing criteria set forth above were installed onsite. The cost of treatment does not have to exceed 2% of Total Project Costs (as defined above). Examples of acceptable equivalent treatment projects include but are not limited to the installation of hydraulically-sized stormwater treatment measures in a nearby parking lot or other development where hydraulically-sized treatment measures were not previously installed, or the construction of hydraulically-sized swales along a public road.

BMPs	Level of Implementation	Reporting ⁵
measures)	<p>not required to allow the project sponsor to:</p> <p>i. Establish the impracticability of onsite treatment. Impracticability may be established by means such as or substantially equivalent to one or more of the following:</p> <ul style="list-style-type: none"> • Soil conditions - Geotechnical constraints may prevent installation of treatment controls. (see e.g., limitations on infiltration treatment measures set forth above.) This includes projects in an area where infiltration is not permitted and other means of meeting hydraulic sizing requirements are impracticable for cost or regulatory reasons, or • Cost – Projected cost of the required treatment measure (cost of labor and materials for the treatment measure) would exceed two percent (2%) of Total Project Cost (labor and materials cost of the physical improvements proposed; this does not include land, transaction, financing, permitting, demolition or off-site mitigation costs.) • Lack of adequate space – Lack of adequate space may be considered as a basis of impracticability to apply post construction treatment control measures. However, there are some treatment 	<p>compliance actions taken;</p> <p>B) In addition, municipality to maintain full records of alternative compliance decisions for all applicable projects where equivalent offsite treatment and/or water quality benefit required</p>

¹² A showing of impracticability is not necessary if this option is exercised.

BMPs	Level of Implementation	Reporting ⁵
	<p>measures that require little space that should be carefully considered before a finding based on inadequate space may be made.</p> <ul style="list-style-type: none"> • Regulatory Conflict – Installation of treatment measures are impracticable if they would result in inability of project sponsor to comply with other regulatory requirements at the federal, state and/or local levels. <p>ii. For Redevelopment projects which are Brownfields, Low or Moderate-Income or Senior Housing, or Transit Village developments,¹⁰ alternative compliance shall consist of maximizing site design treatment controls (including landscaping, bioretention gardens, etc.) to provide as much onsite treatment as possible.</p> <p>iii. For all other projects subject to numeric sizing criteria for which impracticability is established, the project sponsor shall be required to minimize new/replaced impervious surface in site design and address any shortfall in volume of flow treated onsite via one or combination of the following options:</p> <ul style="list-style-type: none"> • Provide equivalent offsite treatment¹¹ at another project or through a regional or municipal treatment system discharging in the same 	

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BMPs	Level of Implementation	Reporting⁵
	<p>watershed and to the same receiving waters, where feasible.¹²</p> <ul style="list-style-type: none"> • Provide equivalent water quality benefit (e.g., stream restoration, habitat conservation easement, riparian enhancement, wetlands construction, reduced vehicular usage or other means of effectuating pollutant loading reduction, etc.) for the same watershed and to the same receiving waters, where feasible <p>Where the Regional Board has approved of a banking program, project sponsors may provide for equivalent offsite treatment or equivalent water quality benefits via the purchase of “banked” credits. Where a municipality wishes to establish them, banking procedures would allow agencies to document the creation of credits and apply them to a future development or redevelopment project that meets the offsite equivalent criteria listed above.</p>	
<p>Alternative Certification of Adherence to Numeric Design (includes treatment and flow control measures)</p>	<p>A Permittee may elect to accept a signed certification from a Civil Engineer or a Licensed Architect or Landscape Architect registered in the State of California, or another Permittee that has overlapping jurisdictional project permitting authority, that a proposed project meets the numeric</p>	

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BMPs	Level of Implementation	Reporting ⁵
	design criteria established above, when applicable. ¹³	
<p>Operation and Maintenance of Treatment Measures:</p> <p>All treatment measures required by municipalities to address numeric sizing criteria pursuant to the above shall be required to be adequately operated and maintained by the project owner/operator, including for purposes of assuring appropriate vector control measures. Municipalities shall follow up on the above by implementing a treatment measures operation and maintenance (O&M) verification program (O&M Program).</p> <p>To the extent not already accomplished, Permittees shall, within 24 months of the date of this Permit’s adoption, modify their stormwater management programs and/or project review processes as needed to incorporate these requirements</p> <p>(For the purpose of this section, “treatment measures” include flow duration control measures.)</p>	<p>Each Permittee’s O&M Program shall include:</p> <p>i. Inspection of a subset of prioritized treatment measures for appropriate O&M, on an annual basis, with appropriate follow-up and correction.</p> <p>ii. Obtaining adequate assurance of acceptance of responsibility for maintenance and provision of access for purposes of verification. Where a private entity is responsible for O&M, the municipality shall obtain the entity’s signed statement accepting responsibility for maintenance until the responsibility is legally transferred to another entity, and providing access permission for representatives of the Permittee, local vector control district, and Regional Board staff to conduct onsite inspections for the purpose of O&M verification for the stormwater treatment system to the extent allowable by law; and, for all entities, either</p> <p>1. A signed statement from the public entity assuming post-construction responsibility for treatment measure</p>	<p>For the O&M Program, include the following in tabular format in Annual Report:</p> <ul style="list-style-type: none"> • Facility/site subset inspected during the reporting period and Responsible Party for O&M. • Date(s) of inspection. • Type of inspection (e.g., annual, follow-up, spot). • Type(s) of BMPs inspected. • Enforcement action(s) taken (e.g., verbal warning, notice of violation, administrative citation, administrative order).

¹³ The Permittee should verify that each certifying person has been trained on treatment measure design for water quality not more than three years prior to the signature date, and that each certifying person understands the groundwater protection principles applicable to the project site. Training conducted by an organization with stormwater treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association) may be considered qualifying.

BMPs	Level of Implementation	Reporting⁵
	<p>maintenance and that the treatment measures meet all local agency design standards;¹⁴ or</p> <p>2. Written conditions in the sales or lease agreement requiring the buyer or lessee to assume responsibility for O&M consistent with this provision, which conditions, in the case of purchase and sale agreements, shall be written to survive beyond the close of escrow; or</p> <p>3. Written text in project conditions, covenants and restrictions (CCRs) for residential properties assigning O&M responsibilities to the home owners association for O&M of the treatment measures; or</p> <p>4. Any other legally enforceable agreement or mechanism that assigns responsibility for the maintenance of treatment measures.</p>	

¹⁴ The Dischargers are expected to work diligently and in good faith with the appropriate agencies to obtain any approvals necessary to complete maintenance activities for treatment controls. If the Dischargers have done so, when necessary and where maintenance approvals are not granted by the agencies, the Dischargers shall be considered by the Water Board to be in compliance with this permit.

Public Information and Participation (PI/P) Performance Standard

BMPs¹⁵	Level of Implementation¹⁶	Reporting¹⁷
Storm Drain Marking	Inspect and maintain or mark municipally-maintained storm drain inlets with a legible “no dumping” message or equivalent once per permit cycle with a goal of achieving at least 90% coverage if a generic message is used or effectuate at least 75% coverage through a program/method that utilizes volunteers and/or a watershed-specific message.	Verify percentage of municipally-maintained inlet markings inspected and maintained with a “no dumping” message or equivalent once per permit cycle; if equivalent program/method used, verify implementation.
Advertising Campaign/ Media Buys Participate in or contribute to an advertising campaign with goal of increasing overall awareness in target audience of message and behavior change	Campaigns/Media Buys to address up to 2 pollutants of concern over permit cycle; conduct at least one pre-campaign survey and one post-campaign survey to assess awareness/behavioral change. Implementation may be coordinated regionally to address a broad target audience.	Confirm status of implementation and, when available, survey results, in annual report
Media Relations (unpaid media coverage) Attempt to maximize use of	Implementation may occur at agency, program or regional level; at a minimum, conduct outreach to media community	Summarize outreach efforts undertaken and coverage generated in annual report

¹⁵ BMPs shall be implemented in a manner addressing the following goals to the maximum extent practicable: Change behaviors that negatively impact the watershed and stormwater quality.

1. Encourage behaviors that protect, preserve, and restore the watershed and stormwater quality.
2. Increase awareness in audiences that their activities impact our watershed and stormwater quality.
3. Deliver messages designed to encourage personal responsibility and actions that benefit the watershed and stormwater quality.
4. Attempt to leverage resources, including by partnering with other agencies and organizations, where appropriate.

¹⁶ The levels of implementation set forth below include advertising, media relations, awareness events, and outreach activities required by and cross-referenced in the tables set forth in Provision C.3 of this Order concerning pollutants subject to TMDLs or otherwise previously identified as POCs.

¹⁷ Reporting to be manifested in Annual Report unless otherwise specified.

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BMPs¹⁵	Level of Implementation¹⁶	Reporting¹⁷																
free media/media coverage through participating in available media relations efforts, to increase overall awareness of message and behavior change in target audience.	via press release, PSAs, and/or other means – minimum of five pitches/outreach efforts per FY at county-wide program and/or regional level, with priority given to POC items. Co-permittees encouraged to enhance efforts at local level.																	
<p>Establish PIP Point of Contact</p> <p>Have a point of contact, either as an individual co-permittee or collectively, set up to make available to the public information on watershed and/or stormwater quality/control efforts, (e.g.: telephone number, website)</p>	At least one point of contact established, either individually or collectively	List point of contact in annual report																
<p>Events</p> <p><u>Stormwater and Pollutant of Concern Awareness¹⁸</u></p> <p>Participate and/or host events, either individually or collectively, to raise awareness concerning stormwater and pollutants of concern and measures designed to address their adverse effects on water quality (e.g.: fairs, shows, public/commercial workshops, community events, Farmers Markets)</p>	<p>Annually, each co-permittee will individually or collectively participate in and/or host a number of events based on population, according to the table below:¹⁹</p> <table border="1" data-bbox="618 1199 1037 1654"> <thead> <tr> <th><u>Population</u></th> <th><u># of Events</u></th> </tr> </thead> <tbody> <tr> <td>< 10,000:</td> <td>1</td> </tr> <tr> <td>10,001 – 40,000:</td> <td>2</td> </tr> <tr> <td>40,001 – 100,000:</td> <td>3</td> </tr> <tr> <td>100,001-150,000:</td> <td>4</td> </tr> <tr> <td>150,001-250,000:</td> <td>5</td> </tr> <tr> <td>> 250,000:</td> <td>7</td> </tr> <tr> <td>Non-population-based agencies</td> <td>5</td> </tr> </tbody> </table>	<u>Population</u>	<u># of Events</u>	< 10,000:	1	10,001 – 40,000:	2	40,001 – 100,000:	3	100,001-150,000:	4	150,001-250,000:	5	> 250,000:	7	Non-population-based agencies	5	Summarize in annual report, number of events participated in and success of efforts (using, where applicable, with appropriate measures such as # of participants, post-event survey)
<u>Population</u>	<u># of Events</u>																	
< 10,000:	1																	
10,001 – 40,000:	2																	
40,001 – 100,000:	3																	
100,001-150,000:	4																	
150,001-250,000:	5																	
> 250,000:	7																	
Non-population-based agencies	5																	

¹⁸ Priority must be given to events addressing Pollutants of Concern to the extent required by Permit Provision C.3.

¹⁹ Co-permittees may claim individual credit for events which their Areawide Program participates, supports, and/or hosts. Where an Areawide Program addresses all of these requirements for its co-permittees, the Program shall participate in the number of efforts shown below for a population in excess of 250,000.

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BMPs¹⁵	Level of Implementation¹⁶	Reporting¹⁷												
<p>Events</p> <p><u>Watershed Stewardship</u></p> <p>If watershed-oriented groups/collaboratives exist, either as an individual co-permittee or collectively, actively encourage their efforts (e.g.: Watershed Forum, WMI, “Friends of...” groups). If none exist, encourage formation of grassroots watershed groups or re-orientation of priorities of an existing local group (e.g. neighborhood association). Alternatively, either as an individual co-permittee or collectively, host, support, or participate in Citizen Involvement events (e.g.: Creek/shore Clean-ups, Adopt-a-*** programs, volunteer monitoring, service learning opportunities, community riparian restoration activities, other)</p>	<p>Annually, each permittee will individually or collectively participate in, support, and/or host watershed-oriented group efforts and/or a number of events²⁰ based on population according to the table below:⁵</p> <table border="0"> <tr> <td>< 10,000:</td> <td>1</td> </tr> <tr> <td>10,001 – 40,000:</td> <td>2</td> </tr> <tr> <td>40,001 – 100,000:</td> <td>3</td> </tr> <tr> <td>100,001-250,000:</td> <td>4</td> </tr> <tr> <td>> 250,000:</td> <td>6</td> </tr> <tr> <td>Non-population-based agencies</td> <td>2</td> </tr> </table>	< 10,000:	1	10,001 – 40,000:	2	40,001 – 100,000:	3	100,001-250,000:	4	> 250,000:	6	Non-population-based agencies	2	<p>Summarize implementation in annual report, as applicable</p>
< 10,000:	1													
10,001 – 40,000:	2													
40,001 – 100,000:	3													
100,001-250,000:	4													
> 250,000:	6													
Non-population-based agencies	2													
<p>Outreach and Education</p> <p>Either as an individual co-permittee or collectively, implement outreach activities designed directly or indirectly to change specific behaviors and/or increase awareness in school-age children.</p> <p>Prepare and utilize targeted outreach materials.²¹ Develop or acquire materials that:</p>	<ul style="list-style-type: none"> Implementation may occur at agency, program or regional level; at a minimum, undertake and assess effectiveness of efforts annually as needed to support goals 	<p>Summarize efforts in annual report and report on success (using, where applicable, with appropriate measures such as # of participants, post-event survey)</p>												

²⁰ Where watershed collaborative efforts or citizen involvement activities consist of a monitoring event, conference, seminar, etc., each such effort or activity may be counted as an individual event.

²¹ Priority must be given to addressing Pollutants of Concern to the extent required by Permit Provision C.3. For diazinon/pesticide-related toxicity, this includes (a) outreach and education to residents,

BMPs¹⁵	Level of Implementation¹⁶	Reporting¹⁷
<ul style="list-style-type: none"> • Contribute to an increase in overall awareness of message • Provide information through a variety of means <p>Utilize above materials as needed (e.g.: printed materials, newsletter/ journal articles, videos, other).</p>		
<p>Research to Assess Awareness of Population Served and Prioritize Future Efforts²²</p>	<p>At least once per permit cycle, either as an individual co-permittee or collectively, undertake research to identify and quantify audiences, knowledge, attitudes, practices, and trends based on previous research.</p>	<p>Report results in annual report and use to plan/update future outreach strategies</p>

3. Water Quality-Based Requirements for Specific Pollutants of Concern/TMDL Implementation

In accordance with Provision C.1 of this Order, the Permittees shall implement enhanced control programs for pollutants that are identified as a cause or contributor to exceedances of water quality standards. The Permittees shall address the following control program requirements for POCs for which a TMDL has been adopted by the Water Board and, to the maximum extent practicable, for those POCs where a TMDL is in development or has been determined not to be necessary.

Each Discharger is responsible for addressing the requirements below. To address a requirement, a Discharger may support (financially or otherwise) another entity that will address the requirements unless otherwise specified above. Examples of such other entities include the the Bay Area Stormwater Management Agencies Association, and/or a Municipal Stormwater Program or a combination of Stormwater Programs.

retailers, and distributors and (b) more targeted outreach and education to pest control operators and landscapers. For copper, this includes (a) outreach to businesses using copper-containing algacide chemicals and (b) outreach to designers and installers of copper-containing architectural materials.

²² Priority must be given to research addressing awareness of measures addressing Pollutants of Concern to the extent required by Permit Provision C.3.

TMDL-Related Requirements – Mercury

Control Measures/BMPs	Level of Implementation	Reporting
Encourage Recycling and Collection of Mercury-Containing Equipment (including thermostats and light bulbs and switches) both at the consumer level and in terms of construction-demolition contractors	Facilitate implementation of the Universal Waste Rule through education and outreach efforts (see PIP program for further detail concerning level of implementation and assessment of level of awareness) Evaluate information on collection of materials under Universal Waste Rule	Report in Annual Report (see PI/P program for further details) Include estimate of mass of mercury collected in 4 th Annual Report due following adoption of this Order
Minimize mercury discharges (including sediment-bound mercury) from construction sites	See Construction Inspection Program Performance Standard	Report as specified in Construction Inspection Program Performance Standard
Minimize mercury discharges (including sediment-bound mercury) from significant New Development and Redevelopment Project Sites	See New and Redevelopment Program Performance Standard	Report as specified in New and Redevelopment Performance Standard
Mercury Source Identification and Abatement-Proof of Concept	Identify, qualitatively rank, and map potentially key areas with significantly elevated mercury concentrations in surface soil/sediment in Bay Area (i.e., scoping exercise based on existing literature and data). Confirm the potential presence of elevated mercury concentrations in selected highly ranked locations via visual inspections (i.e., Phase 1 level type investigation) or equivalent	Report in First Annual Report due 9 or more months after Permit's adoption Report in 2 nd Annual Report due after Permit's adoption

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Control Measures/BMPs	Level of Implementation	Reporting
	<p>assessment and determine whether runoff from such locations is likely to enter municipal stormwater conveyances potentially transporting mercury to receiving waters.</p> <p>Validate existence of elevated mercury concentrations through surface soil/sediment sampling and analysis where visual inspections or equivalent have confirmed such suspect source areas (i.e., Phase 2 level type investigation).</p> <p>Where data confirms significantly elevated Hg concentrations in surface site soils/sediments at such locations, provide available information on current site owner/operators and other potentially responsible parties to other appropriate regulatory agencies to facilitate their issuance of orders for further investigation and remediation of subject sites</p>	<p>Report in 3rd Annual Report due after Permit's adoption</p> <p>Report in 4th Annual Report due after Permit's adoption</p>
<p>Mercury Control via Municipal Sediment Removal and Management Practices</p>	<p>Evaluate and, as necessary, improve existing municipal street sweeping and catch basin cleaning practices as provided in Municipal Maintenance Performance Standard</p> <p>Quantify the amount of</p>	<p>Report as provided in Municipal Maintenance Performance Standard</p> <p>Report in first Annual Report due 18 months following</p>

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Control Measures/BMPs	Level of Implementation	Reporting
	<p>mercury-related sediment removed through street sweeping and catch basin cleaning practices, flood control projects, and other municipal stormwater program components. Estimate the amount of mercury-related sediment loading avoided via implementation of New Development and Redevelopment Control Measures and add to the above.</p> <p>Undertake a cost-benefit and feasibility study of the potential to implement further improved street sweeping (as provided in Municipal Maintenance Performance Standard) and consider additional opportunities to improve municipal sediment management practices, including as to evaluating the feasibility and cost-benefit of potential stormdrain inlet retrofits.</p>	<p>permit adoption and annually thereafter²³</p> <p>Report in 4th Annual Report due following adoption of this Order.</p>
Evaluate Potential for Treating Stormwater Discharges to Reduce Mercury	In cooperation with the Bay Area Clean Water Agencies (“BACWA”) perform a feasibility and cost-benefit study on the potential for reducing mercury in select stormwater discharges via diversion of certain flows to and treatment at POTWs.	Submit report to Regional Board with recommendations on a potential Basin Plan amendment in 5 th Annual Report following permit adoption
Facilitate Risk Reduction	Participate in public outreach	Report in Annual Report (see

²³ While the quantification and/or estimation methodology employed for purposes of this reporting requirement may be developed through a regional organization, such as BASMAA, the reporting required under this item shall be submitted on a Program-wide basis as contemplated in the Mercury TMDL Implementation Plan section of the Basin Plan.

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Control Measures/BMPs	Level of Implementation	Reporting
Efforts Addressing Mercury Risks to Human Health	and education efforts t in cooperation with BACWA and the Office of Environmental Health Hazard Assessment and Department of Health Services o address mercury risks related to consumption of impacted Bay fish (see PI/P program for further detail concerning level of implementation)	PI/P program for further details)
Fate and Transport of Mercury	Encourage the RMP to undertake studies to assess the fate and transport of mercury in San Francisco Bay	Report as per Bay-wide monitoring section of Provision C.6
Mercury Allocation for Caltrans	Develop an equitable allocation of targeted mercury load reduction in consultation with Caltrans to address Caltrans' roadway and non-roadway facilities contribution of mercury-related sediments to loadings to San Francisco Bay via urban creeks	Propose allocation within 18 months of adoption of this Order
Evaluate Mercury Methylation	Reevaluate existing data concerning methylation of mercury in Bay Area urban runoff discharges	

**TMDL-Related Requirements –
Diazinon and Related Pesticides Associated with Water Quality Toxicity**

BMP	Level of Implementation	Reporting Requirement
<p>Adopt IPM policy or ordinance Include provisions to minimize reliance on pesticides that threaten water quality and encourage use of IPM in municipal operations and on municipal property</p>	<p>If not already in place, adopt policy or ordinance within 18 months of adoption of this Order</p>	<p>Confirm adoption of ordinance/policy in Annual Report</p>
<p>Training in IPM for staff and municipal contractors Train municipal employees to use integrated pest management techniques and adhere to integrated pest management practices; train employees both in agency’s policy and in specific IPM practices</p> <p>Require training for municipal contractors</p>	<p>Train staff who apply pesticides (including over-the-counter pesticides) in IPM practices and the agency’s IPM policy</p> <p>Require training for municipal contractors—both in IPM policy and specific IPM practices</p>	<p>Report in Annual Report on training conducted</p>
<p>Contract mechanisms to ensure IPM use</p> <p>Encourage use of IPM in contractor operations using contractual requirements</p>	<p>Place language in procurement documents within 18 months of adoption of this Order and to provide contractors with copy of IPM policy or ordinance following adoption</p>	<p>Confirm in first Annual Report due 18 months following permit adoption</p>

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BMP	Level of Implementation	Reporting Requirement
<p>Outreach General: Undertake targeted outreach programs to encourage communities within the municipalities jurisdiction to reduce their reliance on pesticides that threaten water quality, focusing on those most likely to use pesticides that threaten water quality; participate in UPC and work with DPR, County Ag. Commissioners, and UC-IPM to coordinate education and outreach programs to minimize pesticide discharges</p>	<p>See PI/P Performance Standard concerning level of implementation</p>	<p>Report in Annual Report (see PI/P program for further details)</p>
<p>Outreach to Residents, Retailers and Distributors Provide targeted information on proper pesticide use and disposal, potential adverse impacts on water quality, and less toxic methods of pest prevention and control. Examples of this may include: participation in OWOW program or equivalent, development and distribution of targeted information to communities, promotion of household hazardous waste collection programs, and/or development and implementation of targeted outreach campaign</p>	<p>See PI/P Performance Standard concerning level of implementation</p>	<p>Report in Annual Report (see PI/P program for further details)</p>
<p>Outreach to Pest Control Operators and Landscapers Work with BASMAA, the Urban Pesticide Committee, the EcoWise Certified</p>	<p>See PI/P Performance Standard concerning level of implementation</p>	<p>Report in Annual Report (see PI/P program for further details)</p>

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BMP	Level of Implementation	Reporting Requirement
<p>Program, the Bio-integral Resource Center or others to promote IPM to Pest Control Operators.</p>		
<p>Outreach for New Development Encourage public and private landscape irrigation management that minimizes pesticide runoff to storm drains</p>	<p>See New Development and Redevelopment Performance Standard and PI/P Performance Standard concerning level of implementation</p>	<p>Report in Annual Report per New Development and Redevelopment and PI/P Performance Standards</p>
<p>Monitor for pesticide-related toxicity Monitor diazinon in urban creeks and pesticide-related toxicity in both water and sediment</p> <p>Monitoring program design shall involve characterizing watershed, selecting representative creeks, identifying sample locations, developing sampling plans, and selecting appropriate analytical tests.</p> <p>Chemical and toxicity tests shall be conducted, including at a minimum:</p> <ul style="list-style-type: none"> -Water column toxicity -Sediment toxicity -Diazinon concentrations in water (until the diazinon concentration target is met consistently) -Concentrations of other 	<p>As specified in Permit Provision C.6, Table 2-1</p>	<p>Report as specified in Permit Provision C.6; in addition compare results to diazinon and pesticide-related toxicity targets set forth in Basin Plan and if targets consistently and repeatedly exceeded, consider follow up actions as per Provision C.6, Table 2.1.A. to address the following questions:</p> <ul style="list-style-type: none"> -Is toxicity observed in urban creeks caused by a pesticide? -How does observed pesticide-related toxicity in urban creeks (or pesticide concentrations contributing to such toxicity) vary in time and magnitude across urban creek watersheds, and what types of pest control practices contribute to such toxicity? -Are actions already being taken to reduce pesticide

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BMP	Level of Implementation	Reporting Requirement
<p>environmentally significant pyrethroid pesticides that pose potential water quality and sediment quality threats, as feasible.</p>		<p>discharges sufficient to meet the targets, and if not, what should be done differently?</p>
<p>Track and participate in relevant regulatory processes Track U.S. Environmental Protection Agency pesticide evaluation and registration activities as they relate to surface water quality and, when necessary, encourage the U.S. Environmental Protection Agency to coordinate implementation of the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Clean Water Act and to accommodate water quality concerns within its pesticide registration process</p> <p>As needed, track DPR pesticide evaluation activities as they relate to surface water quality and, when necessary, encourage DPR to coordinate implementation of the California Food and Agriculture Code with California Water Code and to accommodate water quality concerns within its pesticide evaluation process.</p>	<p>Track and participate in regulatory decisions (may be done jointly, such as through BASMAA or CASQA).</p>	<p>List participation efforts in Annual Report</p>

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BMP	Level of Implementation	Reporting Requirement
<p>Disseminate monitoring data and provide related Information to regulatory agencies Provide available data for key regulatory decisions; assemble and submit information (such as monitoring data) as needed to assist the California Department of Pesticide Regulation in ensuring that Bay Area pesticide applications comply with water quality standards</p>	<p>Provide data when regulatory decisions are under consideration (may be done jointly such as through BASMAA or CASQA).</p>	<p>Describe in Annual Report where information has been provided</p>
<p>Interface with County Agricultural Commissioners (or other appropriate State and/or local agencies) Report violations of pesticide practices (e.g., illegal disposal) associated with stormwater management issues to County Agricultural Commissioners (or other appropriate State and/or local agencies) when noted during industrial and construction inspections or in investigations occurring pursuant to ICID Performance Standard implementation.</p>	<p>See Industrial and Construction Inspection and ICID Performance Standards concerning level of implementation</p>	<p>Report in Annual Report as per Industrial and Construction Inspection and ICID Performance Standards</p>
<p>Evaluate implementation of source control actions relating to pesticides Study the effectiveness of the control measures implemented by evaluating attainment of the targets and identify effective actions to be taken in the future</p>	<p>Complete study as to water quality targets by conclusion of 4th year following adoption of this Order (may be done jointly, such as through BASMAA); also develop and submit workplan for potential future evaluation of sediment targets in conjunction with the above.</p>	<p>Submit report, recommendations, and workplan in conjunction with Annual Report due following 4 years after adoption of this Order</p>

POC-Requirements - PCBs

Control Measures/BMPs	Level of Implementation	Reporting
<p>Encourage Proper Removal and Disposal of PCB-Containing Electrical Equipment at Industrial Sites</p>	<p>Develop training materials and train municipal industrial building inspectors to identify, in the course of their inspections, improperly stored or dismantled PCB-containing electrical equipment (see Industrial Inspection Performance Standards sections concerning training)</p> <p>Incorporate such PCB identification into industrial inspection programs</p> <p>Where inspectors identify improperly stored/dismantled suspect PCB-containing electrical equipment during inspections, document incident in inspection report and refer to appropriate regulatory agencies as necessary</p>	<p>Report in 2nd Annual Report due after permit adoption (see industrial inspection program for further details)</p>
<p>Evaluate PCBs in common building materials and construction/demolition debris</p>	<p>Encourage initial research by the SF Estuary Institute/RMP on the extent of PCBs present in common building materials and construction/demolition debris and whether they contribute significant loadings to SF Bay. If so, consult with researchers on potential BMPs, including education and outreach, to address the proper future management and disposal of such materials where cost effective.</p>	

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<p>Minimize PCB discharges (including sediment-bound PCBs) from construction sites</p>	<p>See Construction Inspection Program Performance Standard</p>	<p>Report as specified in Construction Inspection Program Performance Standard</p>
<p>Minimize PCB discharges (including sediment-bound PCBs) from significant New Development and Redevelopment Project Sites</p>	<p>See New and Redevelopment Program Performance Standard</p>	<p>Report as specified in New and Redevelopment Performance Standard</p>
<p>PCB Source Identification and Abatement-Proof of Concept</p>	<p>Review available information where PCBs have previously been documented as significant hazardous substance releases in SF Bay Area and required remediation. Assess whether remediation plans addressed controlling potentially significant PCB discharges to urban runoff. Provide Regional Board with a list of sites and potentially responsible parties of sites where significant PCB discharges to urban runoff may require further investigation and regulatory action</p>	<p>Report in 2nd Annual Report due after Permit's adoption</p>
<p>PCB Control via Municipal Sediment Removal and Management Practices</p>	<p>Evaluate existing municipal street sweeping and catch basin cleaning practices as provided in Municipal Maintenance Performance Standard</p> <p>Quantify the amount of PCB-related sediment removed through street sweeping and catch basin cleaning practices, flood control projects, and other municipal stormwater program components.</p>	<p>Report as provided in Municipal Maintenance Performance Standard</p> <p>Report in first Annual Report due 18 months following permit adoption and annually thereafter</p>

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	<p>Estimate the amount of PCB-related sediment loading avoided via implementation of other aspects of the municipal stormwater management program and add to the above.</p> <p>Undertake a cost-benefit and feasibility study of the potential to implement improved street sweeping (as provided in Municipal Maintenance Performance Standard) and consider additional opportunities to improve municipal sediment management practices, including as to evaluating the feasibility and cost-benefit of potential stormdrain inlet retrofits.</p>	<p>Report in 4th Annual Report due following adoption of this Order.</p>
<p>Evaluate Potential for Treating Stormwater Discharges to Reduce PCBs</p>	<p>In cooperation with BACWA perform a feasibility and cost-benefit study on the potential for reducing PCBs in select stormwater discharges via diversion of certain flows to and treatment at POTWs.</p>	<p>Submit report to Regional Board with recommendations on a potential Basin Plan amendment in 5th Annual Report following permit adoption</p>
<p>Facilitate Risk Reduction Efforts Addressing PCB-Related Risks to Human Health</p>	<p>Participate in public outreach and education efforts in cooperation with BACWA and the Office of Environmental Health Hazard Assessment and Department of Health Services to address PCB-related risks related to consumption of impacted Bay fish (see PI/P program for further detail concerning level of implementation)</p>	<p>Report in Annual Report (see PI/P program for further details)</p>

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Fate and Transport of PCB	Encourage the RMP to undertake studies to assess the fate and transport of PCBs in San Francisco Bay	Report as per Bay-wide monitoring section of Provision Cc.6
PCB Allocation for Caltrans	Develop an equitable allocation of targeted PCB load reduction in consultation with Caltrans to address Caltrans' roadway and non-roadway facilities contribution of PCB-related sediments to loadings to San Francisco Bay via urban creeks	Propose allocation within 18 months of adoption of this Order

POC Requirements - Copper

Control Measures/BMPs	Level of Implementation	Reporting
Brake pads	Continue brake pad partnership ("BPP") to facilitate completion of current Proposition 13 copper fate and transport study and potentially encourage legislation to regulate copper content of brake pads to MEP	Report on status of participation in BPP in Annual Report.

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Control Measures/BMPs	Level of Implementation	Reporting
Copper containing pool, spa and fountain chemicals	<p>Conduct targeted education and outreach on potential water quality impacts of pool and spa-related chemicals (see PI/P program for further detail concerning level of implementation)</p> <p>Enforce non-stormwater discharge prohibition including by applying appropriate BMPs which will address copper-containing pool chemical, as per permit Provision C. 4; update local legal authority and BMPs to the extent necessary</p>	<p>Report in Annual Report (see PI/P program for further details)</p> <p>Report in Annual Report (see Provision C.4 for further details)</p>
Addressing copper-containing architectural features during construction	<p>Enforce non-stormwater discharge prohibition with respect to potential discharges from copper-related building surface cleaning activities occurring during construction, including by applying appropriate copper surface-cleaning BMPs, as per permit Provision C. 4; update local legal authority and BMPs to the extent necessary</p> <p>Conduct training addressing BMPs for cleaning and treating copper-related architectural features</p>	<p>Report in Annual Report (see Provision C.4 for further details)</p> <p>Report in Annual Report</p>

4. Non-Stormwater Discharges

a. Exempted Discharges

In carrying out Prohibition A of this Order, the following non-stormwater discharges are not prohibited unless they are identified by the Permittees or the Regional Board as sources of pollutants to receiving waters:

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- i. Flows from riparian habitats or wetlands;
- ii. Diverted stream flows (otherwise regulated, such as through a streambed alteration agreement with CDF&G);
- iii. Springs;
- iv. Rising ground waters;
- v. Discharges or flows from emergency fire fighting activities, and
- vi. Uncontaminated groundwater infiltration.

If any of the above categories of discharges, or sources of such discharges, are identified as sources of pollutants to receiving waters, then such categories or sources shall be addressed as conditionally exempted discharges in accordance with Provision C.4.b.

b. Conditionally Exempted Discharges

The following non-stormwater discharges are not prohibited if they have been regulated by the Regional Board pursuant to previous NPDES permits/WDRs/WDR waivers, or for new non-stormwater discharges, appropriate control measures to prevent or eliminate adverse impacts of such sources are developed and implemented either by the Permittee or the owner or operator of the facility from which the non-stormwater discharge emanates pursuant to Table C.4.b below.

The Permittees may propose additions or modifications to Table C.4.b below with appropriate justification. The Regional Board shall act on such submissions in accordance with Provision C.9 and the NPDES permit regulations and any approved revisions shall be deemed incorporated into Table C.4.b and this permit.

Table C.4.b
Conditionally Exempt Non-Stormwater Discharges

Conditionally Exempted Discharge	Potential Areas/ Contaminants Of Concern To Be Addressed²⁴	BMPs/Control Measures	Recording/Reporting
(i) Pumped Groundwater, Flows from Foundation Drains, Water from Crawl Space Pumps, Flows from Footing Drains	<ul style="list-style-type: none"> • Visible sediment and/or turbidity > 50 NTUs • Temperature + 5 degrees F of ambient condition of receiving water • pH <6.5 or >8.5 • Chlorine residual >1.5 mg/L • Presence of heavy metals, oil and grease, VOCs/SVOCs, pesticides in concentrations > PRGs 	<p>1. Municipality to require dischargers to:</p> <p>A. Uncontaminated groundwater:</p> <ul style="list-style-type: none"> • Minimize discharge of untreated groundwater > 100 gpm to storm drains or other municipal storm water conveyances where practicable alternatives for disposal exist (e.g., POTW, irrigation, evaporation pond) • Notify the Water Board and local agencies before discharging uncontaminated groundwater >100 gpm to storm drains/conveyances and comply with any conditions imposed <p>B. Groundwater suspected of being contaminated:</p>	<p>Confirm in next occurring annual report that ordinances or other legal authorities implementing BMP/Control Measure requirements have been put into place within 18 months following permit adoption</p> <p>In addition, municipality to provide summary in annual report of complaints received and inspections</p>

²⁴ These are guidelines to be used in conjunction with visible observations and other information available to reach best professional judgment engineering determinations concerning the level of implementation of best management practices (BMPs) and other control measures as set forth herein.

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Conditionally Exempted Discharge	Potential Areas/ Contaminants Of Concern To Be Addressed ²⁴	BMPs/Control Measures	Recording/Reporting
		<ul style="list-style-type: none"> • Properly manage groundwater discharge based on type of land use/facility in question • Comply with applicable Waste Discharge Requirements to protect water quality consistent with the existing effluent limitations in the NPDES General Permit for “Discharge or Reuse of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by VOCs” <p>2. In addition to the above, Municipality to promptly respond to any complaint calls received regarding the above discharges, perform visual inspection of area of such discharges, assess potential for contamination/erosion, and if contamination/erosion or potential for contamination/erosion exists, impose additional control requirements and/or refer to Water Board and/or City or District Attorney, as</p>	

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Conditionally Exempted Discharge	Potential Areas/ Contaminants Of Concern To Be Addressed ²⁴	BMPs/Control Measures	Recording/Reporting
		appropriate.	
(ii) Irrigation Water, Landscape Irrigation, Lawn or Garden Watering	<ul style="list-style-type: none"> • Sediment, Nutrients, and Pesticide Releases From Lawns and Landscape Areas 	<p>Municipality to promote measures that minimize runoff and pollutant loading from excess irrigation via</p> <ul style="list-style-type: none"> • Promoting conservation programs that minimize discharges from lawn watering and landscape irrigation practices • Promoting outreach messages regarding the use of less toxic options for pest control and landscape management • Promoting the use of drought tolerant, native vegetation to minimize landscape irrigation demands • Promoting outreach messages which encourage appropriate applications of water needed for irrigation and other watering practices. 	Provide summary in annual report in conjunction with PI/P reporting
(iii) Air conditioning condensate	<p>Turbidity > 50 NTUs</p> <p>Temperature + 5 degrees F of ambient condition</p>	<p>1. For small air conditioning units: – municipality to</p>	Provide summary in annual report in conjunction with PI/P reporting

Conditionally Exempted Discharge	Potential Areas/ Contaminants Of Concern To Be Addressed ²⁴	BMPs/Control Measures	Recording/Reporting
	<p>Algae inhibitors, corrosion control chemicals, descaling agents associated with causing toxicity > LC50 as further described in the Basin Plan</p>	<p>encourage users (e.g., via distribution of outreach materials to businesses and homeowners) to direct condensate to landscaped areas (such as vegetated swales) or other pervious surfaces that do not lead to storm drain inlets</p> <p>2. For large air conditioning units to be installed at commercial or industrial facilities:</p> <ul style="list-style-type: none"> – municipality to require users to discharge condensate to landscaped areas (such as vegetated swales), direct discharge to POTW (with appropriate POTW approval), and/or, if otherwise infeasible, to control discharge rate and location to minimize sediment transport, toxicity and thermal effects and/or scouring/ sediment transport <p>3. For large air conditioning units used for commercial or industrial cooling towers:</p>	<p>Confirm in next occurring annual report that ordinances or other legal authorities implementing BMP/control measure has been put into place within 18 months following permit adoption</p> <p>In addition, municipality to provide summary in annual report of commercial or industrial cooling towers or facilities for which requirements have been imposed (unless they are already regulated via an NPDES permit or have directed discharge to a POTW)</p>

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Conditionally Exempted Discharge	Potential Areas/ Contaminants Of Concern To Be Addressed ²⁴	BMPs/Control Measures	Recording/Reporting
		<p>– municipality to require users to discharge condensate to landscaped areas (such as vegetated swales), direct discharge to POTW (with appropriate POTW approval), and/or, if otherwise infeasible, to control discharge rate and location to minimize sediment transport, toxicity and thermal effects and/or scouring/ sediment transport</p>	
<p>(iv) Planned and unplanned discharges from potable water sources, water line and hydrant flushing</p>	<ul style="list-style-type: none"> • Temperature + 5 degrees F of ambient condition • Chlorine residual >1.5 mg/L 	<ol style="list-style-type: none"> 1. For small planned discharges (< 50,000 gallons): <ul style="list-style-type: none"> • Avoid or minimize direct discharges and associated impacts via measures such as: <ul style="list-style-type: none"> ○ Check and clear flow path. Sweep up leaves and litter in flow path. ○ Clean out storm drain 	<p>Provide summary of</p>

Conditionally Exempted Discharge	Potential Areas/ Contaminants Of Concern To Be Addressed ²⁴	BMPs/Control Measures	Recording/Reporting
		<p style="text-align: center;">inlets/catch basins where discharges may enter.</p> <ul style="list-style-type: none"> ○ Direct flow to minimize erosion <p>2. For significant planned discharges (> 50,000 gallons):</p> <ul style="list-style-type: none"> ● Avoid or minimize direct discharges and associated impacts via implementing control measures such as the following: <ul style="list-style-type: none"> ○ Check and clear immediate flow path ○ Sweep up leaves and litter in immediate flow path ○ Clean out storm drain inlets/catch basins where discharges may enter ○ Demonstrate that discharges from water lines and potable water sources are dechlorinated; ○ Control flow rate to minimize sediment transport to the storm 	<p>significant planned discharges from municipal sources and control measures implemented in annual report</p>

Conditionally Exempted Discharge	Potential Areas/ Contaminants Of Concern To Be Addressed ²⁴	BMPs/Control Measures	Recording/Reporting
		<p>drain, as necessary</p> <p>3. For unplanned discharges, control or reduce the discharge flow, as quickly possible and proceed with repairs. Attempt to implement BMPs for erosion and chlorine controls as described above.</p>	<ul style="list-style-type: none"> Report unplanned discharge incidents in excess of 50,000 gallons from municipal sources to Water Board as quickly as practicable without impeding response to control/reduce flow
<p>(v) Flows from non-commercial car washing activities</p>	<ul style="list-style-type: none"> Soaps and surfactants Automotive fluid residues 	<ul style="list-style-type: none"> Municipality to promote public education and outreach campaign to educate residents about harms and better methods of reducing pollutants from car washing discharges. Examples of outreach messages include, but are not limited to 1) having cars washed at commercial facilities that are plumbed to the sanitary sewer; 2) not 	<p>Provide summary in annual report in conjunction with PI/P reporting</p>

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Conditionally Exempted Discharge	Potential Areas/ Contaminants Of Concern To Be Addressed ²⁴	BMPs/Control Measures	Recording/Reporting
		using soap; 3) minimizing water use; and 4) washing cars over landscaped areas.	
(vi) Swimming pool, hot tub, spa, and fountain water discharges, including discharges from filter backwash operations	<ul style="list-style-type: none"> • Chlorine residual >1.5 mg/L • Algae inhibitors, corrosion control chemicals, descaling agents associated with causing toxicity > LC50, as further described in the Basin Plan 	<p>Municipality to promote measures that</p> <ul style="list-style-type: none"> • Encourage swimming pools, hot tubs, spas and fountains to connect discharges to the sanitary sewer (where feasible and POTW will accept). • Avoid discharges from swimming pools, hot tubs, spas and fountains to storm drain collection systems where there are other feasible disposal alternatives (e.g., disposal to sanitary sewer or landscaped areas). • In areas where discharge to the sanitary sewer is not accessible or feasible, encourage dechlorination of discharges from swimming pools, hot tubs, spas and fountains and minimization of erosive flows/ sediment transport. • Avoid usage of copper-based algaecide products 	Provide summary in Annual Report in conjunction with PIP reporting

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Conditionally Exempted Discharge	Potential Areas/ Contaminants Of Concern To Be Addressed ²⁴	BMPs/Control Measures	Recording/Reporting
		<p>which have the potential to degrade water quality and beneficial uses.</p> <ul style="list-style-type: none"> • For discharges to landscape, avoid fully saturated soils and minimize related runoff • Avoid discharge of water that contains excessive residual chlorine to storm drain collection systems or water bodies • Encourage pool owners to collect and dispose of filter backwash at an appropriate disposal facility • Encourage pool owners to use automated cleaning systems that treat and recycle filter backwash 	

c. Permit Authorization for Exempted Discharges

- i. Discharges of non-stormwater from sources owned or operated by the Permittees are authorized and permitted by this Order, if they are delineated in Provision C.4.a or b and otherwise in accordance with the conditions of this Provision.
- ii. The Regional Board may require dischargers of non-stormwater other than the Permittees to apply for and obtain coverage under an NPDES permit and comply with the control measures developed by the Permittees pursuant to this Provision. Non-stormwater discharges that are in compliance with such control measures may be accepted by the Permittees and are not subject to Prohibition A.
- iii. The Permittees may propose, as part of their Annual Reports or Workplans/Updates under Provision C.5.b of this Order, additional categories of non-stormwater discharges to be included in the exemption to Prohibition A. Such proposals are subject to approval by the Regional Board in accordance with the NPDES permit regulations.

5. Annual Reports and Workplans

a. Annual Reports

The Permittees shall submit an Annual Report to the Regional Board each year according to the following schedule, documenting the status of the Permittees’ activities (including those resulting from participation in a Program and other collaborative efforts) during the previous fiscal year. Annual Reports shall be submitted by Permittees as follows:

Permittees in Alameda County	[date]
Permittees in Fairfield/Suisun	[date]
Permittees in Contra Costa	[date]
Permittees in San Mateo	[date]
Permittees in Santa Clara	[date]
Vallejo	[date]

The Annual Report shall include a compilation of deliverables and milestones completed during the previous twelve-month period. In the Annual Reports, the Permittees shall propose pertinent updates, improvements, or revisions to Performance Standards (“Updates”), which the Regional Board shall act on in accordance with Provision C.12. As part of the Annual Report process, each Permittee shall evaluate the effectiveness of the activities completed during the reporting period.

Direct and indirect measures of effectiveness may include, but are not limited to, conformance with established Performance Standards, quantitative monitoring to assess the

effectiveness of control measures, measurements or estimates of pollutant load reductions, detailed accounting of Program accomplishments, funds expended, or staff hours utilized. Methods to improve effectiveness in the implementation of tasks and activities, including development of new, or modification of existing, Performance Standards, shall be identified through the Program's review and improvement process, where appropriate. The Annual Report information shall be adequate to describe each Permittee's compliance status with respect to the provisions of this Order.

b. Annual Workplans and Updates

i. Workplans. To obtain feedback from the Regional Board staff, the Permittees may submit Workplans that describe their proposed implementation for addressing the Provisions of this Order during the next fiscal year. The Workplans may consider the status of implementation of current year activities and actions of the Permittees, problems encountered, and proposed solutions, and address any comments received from the Executive Officer on the previous year's Annual Report. The Workplans may include clearly defined tasks, responsibilities, and schedules for implementation of Program and Permittee actions for the next fiscal year.

ii. Updates. In the event that the Regional Board has not conducted a hearing on an Update proposed by a Permittee within 120 days of its submission in its preceding Annual Report, the Permittee may petition the Regional Board to act on the proposed Update so as to allow planning to occur in advance of the onset of the next fiscal year when further implementation of Performance Standards is scheduled to proceed.

6. Monitoring Program

The Permittees shall comply with the Monitoring Requirements, including types, intervals, and frequencies, provided for in Table C.6.b.1 below. Reports on the progress and results of the Monitoring Requirements shall be submitted yearly with the Annual Reports.²⁵

Water Quality Monitoring

a. Monitoring Program Objectives

The objectives of the Monitoring Program are to:

- Characterize water quality in urban streams
- Assess impacts of urban runoff
- Identify pollutant sources to urban runoff
- Assess progress in reducing pollutants of concern in urban runoff
- Evaluate the effectiveness of urban runoff programs and associated BMPs

Ultimately, the results of the monitoring program must inform strategies for achieving reductions in pollutant loadings in urban runoff to help protect and enhance the beneficial uses of the receiving waters in the Dischargers' jurisdictions and the San Francisco Bay.

²⁵ For purposes of this Provision, monitoring year = fiscal year, July 1 - June 30.

b. Monitoring Responsibilities

b.1 Status and Trends Monitoring in Local Receiving Waters. Status and Trends monitoring is intended to answer the following management questions:

- Are conditions in local receiving waters supportive of or likely to be supportive of beneficial uses?
- Are conditions in local receiving waters getting better or worse?

b.1.a. Subject to section c below, each Discharger²⁶ shall conduct Status and Trends Monitoring of the types, frequencies, and intervals as described in Table C.6.b.1. Table C.6.b.1 also states the minimum number of locations/sites and/or stream miles at which each indicator must be sampled in a given year. Dischargers shall conduct sampling pursuant to Table C.6.b.1 in a manner which will address the water bodies that form the main receiving water²⁷ for each of their major watersheds²⁸ over the course of a ten-year rotation.

b.2 Long Term Monitoring. The Dischargers shall conduct monitoring with respect to long term trends in local receiving waters other than San Francisco Bay through the types, frequencies, intervals and locations of long term monitoring achieved through their participation, via the special surcharge attached to their annual NPDES permit fees, in the Surface Water Ambient Monitoring Program (SWAMP).

b.3 Assessment. At the conclusion of the fourth year of the term of this permit, in lieu of conducting monitoring required by paragraph b.1 above, during the fifth year of this permit's term, the Dischargers shall assess status and trends in local receiving waters by evaluating the data available pursuant to paragraph b.1 and any data/information made available based on their contributions to the SWAMP pursuant to paragraph b.2 above and submit a report on the results of the assessment to the Executive Officer by no later than 180 days prior to the expiration of this Order.

b.4 Bay-Wide Monitoring. Bay-wide monitoring is intended to answer the following management questions:

- Are conditions in San Francisco Bay supportive of or likely to be supportive of beneficial uses?
- Are conditions in San Francisco Bay getting better or worse?

²⁶ It is acceptable and standard practice for Stormwater Programs to conduct Status and Trends Monitoring on behalf of all the Dischargers within their Programs, supported by contributions from Dischargers.

²⁷ To keep highly urbanized creeks as the major focus of Status and Trends monitoring, the following criteria define the main receiving water of a major watershed: 1) at least 50% of surrounding land uses are urban (e.g., commercial, industrial and/or residential, 2) surrounding agricultural land uses are very limited, and 3) surrounding impervious area is greater than 65%.

²⁸ The major watersheds associated with each of the Dischargers have been defined by their submissions under prior permits. See 40 C.F.R. 122.26(d)(1) and (2).

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Dischargers may address their responsibilities for Bay-wide monitoring through participation in monitoring conducted in the types, frequencies, intervals and locations as set forth in the San Francisco Estuary Regional Monitoring Program for Trace Substances (RMP), which is incorporated herein by reference. Any Discharger that elects not to participate in the RMP shall request, within 3 months of such election, Water Board approval of an alternative program for conducting monitoring with regard to water quality in San Francisco Bay. The proposal submitted to the Water Board for approval shall set forth the types, frequencies, intervals, and locations of monitoring of Bay waters.

Table C.6.b.1 Status and Trends Monitoring Elements

Monitoring Categories/Indicators (Type)	Method ²⁹	Level of Implementation		Minimum # Sample Sites/Year ³³	Trigger for Potential Follow-up ³⁰
		Minimum Sampling Frequency ³¹	Minimum Sampling Interval ³²		
Local Watersheds					
1. Aquatic Life Use Indicators					
a. Biological Assessment – Fish ³⁴	EPA RBP ³⁵	1/yr (Fall Sampling)	Grab sample	5/3/0	N/A (no IBI, for conditions only)
b. Biological Assessment – BMIs (Includes Qualitative Physical Habitat Measurements and General Water Quality Parameters)	CSBP ³⁶ [group Triads together]	1/yr (Spring Sampling)	Grab sample	25/15/5	Triad: IBI score that indicates substantially degraded community

²⁹ Refers to field protocol, instrumentation and/or laboratory protocol.

³⁰ See e.g., Table C.6.b.2. With respect to triggers based on the Triad approach (Chapman, PM (1990). The Sediment Quality Triad approach to determining pollution-induced degradation. Science of the Total Environment. Vol. 97-98, pp. 815-825), a single line of evidence is not sufficient and a weight of evidence approach based on the three lines of evidence to be considered shall be employed.

³¹ Refers to the number of sampling events at a specific site in a given year.

³² Refers to the duration of sampling event (e.g., grab sample or every 15 mins. for 1 hr/24hrs/1 week).

³³ Provisional number of sampling sites is tiered based on the relative population in each Stormwater Program. Labeling system: Santa Clara Valley & Alameda Countywide / Contra Costa & San Mateo Countywide / Vallejo & Fairfield-Suisun Programs

³⁴ Only conducted in creeks that are not known to contain threatened or endangered species.

³⁵ EPA Rapid Bioassessment Method for Fish, Macroinvertebrates and Periphyton (Barbour et al. 1999).

³⁶ California Stream Bioassessment Procedure (California Department of Fish and Game, 2003).

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Monitoring Categories/Indicators (Type)	Method ²⁹	Level of Implementation		Minimum # Sample Sites/Year ³³	Trigger for Potential Follow-up ³⁰
		Minimum Sampling Frequency ³¹	Minimum Sampling Interval ³²		
c. General Water Quality ³⁷	Multi-Parameter Probe	1/yr (During the Most Relevant Time of Year)	15 minute intervals for 1-2 weeks	3/2/1	Water consistently or repeatedly exceeds one or more water quality standard or established threshold ³⁸
d. Temperature	Hobo Temperature Logger or equivalent	1/yr (During the Most Relevant Time of Year)	15 minute intervals for either: a) 1-year or b) 1-2 weeks	3/2/1	Water consistently or repeatedly exceeds applicable temperature threshold ³⁹
e. Diazinon- Water	Applicable SWAMP or Comparable Method	2/yr (1/Dry Season & 1 Storm Event)	Grab or composite sample	3/2/0 (subject to regional plan)	Consistent and repeated evidence that concentrations of diazinon in water are in excess of target identified in Basin Plan
f. Chemistry – Bedded Sediment ⁴⁰	Applicable SWAMP or Comparable Method Inc. grain size	2/yr (Beginning and End of Dry Season)	Grab Sample	6/4/0	Consistent and repeated evidence of adverse freshwater effects are related to concentrations of POCs in sediment
g. Toxicity – Water Column	Applicable SWAMP or Comparable Method	2/yr (1/Dry Season & 1 Storm Event)	Grab or composite sample	3/2/0 (subject to regional plan)	Greater/= to 20% decrease in survival compared to control in at least one sampling event

³⁷ Includes Dissolved Oxygen, Temperature, Conductivity, and pH.

³⁸ e.g., if dissolved oxygen repeatedly falls below threshold in warm months, or spikes with no obvious natural explanation are observed

³⁹ i.e., if temperatures repeatedly or consistently exceeds applicable threshold at various seasons or times or day, or spikes with no obvious natural explanation are observed

⁴⁰ Could include : Cu, Ni, Hg, PCBs, DDT, Chlordane, Dieldrin and other contaminants of interest (e.g., environmentally significant pyrethriod pesticides)

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Monitoring Categories/Indicators (Type)	Method ²⁹	Level of Implementation		Minimum # Sample Sites/Year ³³	Trigger for Potential Follow-up ³⁰
		Minimum Sampling Frequency ³¹	Minimum Sampling Interval ³²		
h. Toxicity – Bedded Sediment	Applicable SWAMP or Comparable Method	1-2/yr (Beginning and End of Dry Season)	Grab sample	3/2/0	Triad: Greater/= to 20% decrease in survival compared to control in at least one sampling event.
i. Chlorine (Free and Total)	Field Test Strips or Equivalent	In conjunction w/ other sampling events	Grab sample	25/15/4 (to be performed with BMIs)	After immediate re-sampling, concentrations remain > 0.1 mg/L
2. Recreational and Multiple Use Indicators					
a. Pathogen Indicators ⁴¹	Applicable SWAMP or Comparable Method	1 yr (During summer)	Follow EPA protocol	5/5 (but Fairfield: 5 sites twice in permit period)	Exceedence of EPA/Basin Plan criteria resulting in level or human exposure of concern
b. Trash	Most recent protocol per Trash component of ICID Program	Implement before & after management actions have been implemented per Trash component of ICID program	N/A	12/8/2	Take action on sites with high concentrations of trash via Trash Component of ICID Program
c. Stream Survey	USA ⁴² or equivalent	1 watershed/yr	N/A	Stream miles/yr: 9/6/1	N/A

⁴¹ Includes Fecal Coliform and *E. Coli*.

⁴² Center for Watershed Protection, Manual 10: *Unified Stream Assessment: A User's Manual*, February 2005

Table C.6.b.2 Possible Follow-up to Status & Trends Monitoring

Monitoring Category	Examples of potential follow up actions
General Water Quality, Temperature	Evaluate the data and (a) conduct appropriate follow-up action, or (b) design and implement of a more refined spatial or temporal follow-up monitoring project, or (c) conduct a more integrative limiting factors analysis. ⁴³ Re-evaluate all follow-up actions.
Triad Results (Pollutants of Concern – in bedded sediment, benthic community alteration, toxicity in bedded sediment)	Develop and conduct focused studies based on Triad results to determine the extent and magnitude of the potential impact. Determine sources of POCs and take management action regarding high priority sites. ⁴⁴ Evaluate effectiveness through follow up assessment.
Toxicity in Water Column	<ul style="list-style-type: none"> • Toxicity tests at higher dilutions to better quantify toxicity. • Use TIE to identify contaminants of concern. • Determine spatial & temporal extent of the toxicity.
Chlorine (Free and Total)	Resample, notify applicable potable-water agency and/or other possible sources such as nearby chlorine-using businesses, and attempt to determine the source of chlorine discharge. Refer discharger to illicit discharge program.
Pathogen Indicators	Identify source using sanitary survey methodologies or microbial source tracking and recommend management action; Resample using increased spatial intensity and at greater frequency during high-use periods; Evaluate existence of exposure pathways, level of likely exposure (if any)
Trash Assessment – Baseline & Trends	Determine sources of trash and take management action regarding high priority sites. ⁴⁵ Evaluate effectiveness through follow up assessment.
BMP Effectiveness Studies	Assess effectiveness of specified best management practices through appropriate studies, literature reviews, etc.

⁴³ A limiting factors analysis is a process of data analysis conducted to determine the factors that may be affecting aquatic species in a water body.

⁴⁴ See Provision C.3.

⁴⁵ Discharger personnel familiar with trash sites through the Discharger’s jurisdiction, such as municipal maintenance personnel, shall prioritize trash sites for management action. See Trash component of ICID Performance Standard.

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c. Implementation of Monitoring Responsibilities

c.1 Each Discharger is responsible for ensuring that the monitoring required by this Provision is completed. To meet a monitoring requirement, a Discharger may support (financially or otherwise) another entity that will conduct the monitoring in accordance with the requirements specified herein. Other entities may include the Regional Status and Trends Monitoring group described in sub-provision c.2, the Bay Area Stormwater Management Agencies Association, and/or a Municipal Stormwater Program or a combination of Stormwater Programs as appropriate for the type of monitoring conducted. Dischargers may fulfill requirements of this Provision using data collected by citizen monitors or other non-discharger governmental and non-governmental entities provided the data are demonstrated to meet the data quality objectives described in sub-Provision f.

c.2 Option for Regional Collaboration in Status and Trends Monitoring

c.2.a.1 In order to foster an approach to Status & Trends monitoring that is statistically stronger, more cost efficient, and/or that has cross benefits with the Regional Monitoring Program and/or the Surface Water Ambient Monitoring Program, the Dischargers may form a collective group to conduct Status and Trends Monitoring on a regional basis. This group would develop and implement a Regional Status and Trends Monitoring Plan that produces at least the level of information as that generated by sub-Provision b herein. This group could include representatives from Bay Area Stormwater Programs, environmental and other NGOs, and non-Discharger governmental agencies, such as resource agencies and Board staff.

c.2.a.2 The Regional Status and Trends Monitoring Plan must be submitted to the Executive Officer, for Board approval, within 12 months of the date of this permit and must be implemented beginning in the second year of the permit term. If such Regional Status and Trends Monitoring Plan is not submitted within 12 months of the date of this permit, then all Dischargers must conduct the Status & Trends Monitoring contained in sub-Provision b commencing in the second year of the permit term. Discharger Status and Trends Monitoring may be replaced by Regional Status and Trends Monitoring in a subsequent year following approval of a Regional Status and Trends Monitoring Plan by the Water Board.

c.2.a.3 In the case that some, but not all, Dischargers participate in Regional Status and Trends Monitoring, then the nonparticipating Dischargers shall conduct monitoring as set forth in sub-provision c.1 herein.

d. Citizen Monitoring & Participation

d.1 Dischargers shall encourage Citizen Monitoring.

d.2 Dischargers shall demonstrate at least annually that they have encouraged citizen and stakeholder observations and reporting of water body conditions.

e. Data Analysis

Dischargers shall evaluate all monitoring data they collect pursuant to this Provision during the reporting period. Such data should include reasonably obtainable water and/or sediment

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quality data of good quality collected since the last evaluation. Such data could include that collected by a Program as a whole; individual Dischargers; Publicly Owned Treatment Works; Flood Control Districts; Regional Water Quality Control Board; citizen and non-governmental organizations, and Regional Monitoring Programs.

In conjunction with sub-Provision b.2, Dischargers shall conduct, and discuss in their Annual Monitoring Reports, data evaluation, potentially including the following, as allowed by the type and completeness of the data collected:

- Evaluate the effectiveness of existing control measures;
- Develop hypotheses to investigate ;
- Identify and prioritize water quality problems;
- Identify potential sources of the water quality problems;
- Recommend future monitoring; and
- Identify management measures to address water quality problems.

f. Monitoring Protocols and Data Quality

All data must be SWAMP comparable, i.e., minimum data quality shall be consistent with the latest version of the SWAMP Quality Assurance Management Plan for applicable parameters, including data quality objectives, field and laboratory blanks, field duplicates, laboratory spikes, and clean techniques, using the most recent Standard Operating Procedures.

g. Reporting

g.1 Dischargers shall submit monitoring reports as shown in Table g.1.

g.2 With the exception of Electronic Data Reports, all monitoring reports shall include the following:

- a. An executive summary;
- b. A description of monitoring station locations by latitude and longitude coordinates or other appropriate descriptor, frequency of sampling, quality assurance/quality control procedures and sampling and analysis protocols;
- c. All QA-QC'd available data/results, with graphical summaries where appropriate;
- d. A discussion of compliance with and deviations from the Data Quality Assurance / Quality Control Plan and Sampling and Analysis Plan;
- e. Comprehensive interpretations and conclusion as contemplated under sub-Provision e;

g.3 Based on sub-provision g.2, the report shall identify potential sources of the problems, and recommend future monitoring and future actions; and

g.4 In cases of regional or Program-wide collaboration, a single report may be submitted on behalf of all collaborating Dischargers.

g.5 Dischargers shall begin submitting Electronic Data Reports in a format compatible with the SWAMP database.⁴⁶ Dischargers shall make electronic reports available to the general public.

⁴⁶ Data are submitted on a standard spreadsheet.

Table g.1 Monitoring Reporting Requirements

Monitoring Report	Submittal Date	Contents and Format
Status and Trends Electronic Data Report	By May 1 each year (for each previous fiscal year)	Electronic data that have been QA.QC'd and in formats consistent with SWAMP formats where such SWAMP formats have been established
Status and Trends Report	By May 1 each yr (for each previous fiscal year)	<ul style="list-style-type: none"> ○ All items required in sub-Provision g.2; and ○ Discussions of how reporting period results relate to previous years' data, if any exist. ○ Submit 2 paper and 1 electronic copy.

7. Hydromodification Management

BMPs	Level of Implementation⁴⁷	Reporting
Municipalities ⁴⁸ shall implement a Hydromodification Management Plan (“HMP”)	<p>Management Standard for HMPs – post-project runoff peak rates and durations shall not exceed pre-project rates and durations over an established range of flows,⁴⁹ where such increases would cause increased erosion or other impacts to beneficial uses of streams.</p> <p>Threshold of 1 acre or more of impervious surface is established for meeting HMP requirements at new and redevelopment projects in land use categories specified</p>	<p>For each project approved and made subject to hydromodification control requirements, include, in addition to the information reported concerning treatment controls, the following in Annual Report:</p> <ul style="list-style-type: none"> ● Site design measures BMPs that accomplish flow reduction. ● Post-construction flow control BMPs onsite ● Flow control measures offsite or instream ● Hydraulic sizing criteria

⁴⁷ The level of implementation specified below is subject to the following as set forth in the performance standard for new and redevelopment: 1) limitations on use of infiltration measures, 2) alternative compliance based on impracticability, 3) alternative certification of adherence to numeric design, and 4) operation and maintenance of treatment measures.

⁴⁸ Vallejo shall be given 24 months from the approval of this Order to adopt and implement a HMP meeting the criteria set forth in this section, as applicable.

⁴⁹ The range of flow rates for which post-project runoff durations shall not exceed pre-project runoff durations shall be based on what is determined to be protective of local streams in the municipality’s approved HMP. Integrated management practices using the design procedure, criteria, and sizing factors equivalent to those specified in the Contra Costa Clean Water Program’s *Stormwater C.3 Guidebook* (IMPs) may be utilized to meet the requirements.

⁵⁰ The exemptions from treatment measures specified in the new and redevelopment performance standard also are deemed to apply with respect to implementation of these HMP requirements.

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BMPs	Level of Implementation ⁴⁷	Reporting
	for treatment measures in new and redevelopment performance standard ⁵⁰	used <ul style="list-style-type: none"> • Operation & maintenance responsibility mechanism In addition, include in Fourth Annual Report: <ul style="list-style-type: none"> • Discussion of effectiveness of program • Proposed changes to improve program

8. Watershed Management

The Permittees shall implement watershed management measures based on identification of relevant watershed characteristics (land imperviousness, conditions of creeks, land uses, etc.) and identification of control measures and other actions that are appropriately implemented on a watershed basis with the recognition that there may be unique values, problems, goals, and strategies specific to individual watersheds. Watershed management measures also seek to develop and implement the most cost effective approaches to solving identified problems and to coordinate these activities with other related programs.

a. To help inform the implementation of watershed management measures, the Dischargers shall conduct Water Body Assessments (sometimes referred to as watershed assessments) as set forth in paragraph 8.b below. A Water Body Assessment involves the collection and analysis of information from multiple sources and focused on a single water body to draw conclusions concerning the historical, current and potential future condition and functions of that water body to support decision-making and watershed management actions. The scope of a Water Body Assessment is the stream/water body as a whole and includes both urban and upland reaches to the extent necessary to assist with the determination of urban-related water quality issues.

b. Dischargers shall complete the Water Body Assessments shown in Table 8.1 by the conclusion of the fourth year of this Permit’s term. These Water Body Assessments shall be conducted to determine causes of problems in water bodies; what reaches should be protected; and what reaches can be restored.

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Table 8.1 Required Water Body Assessments

Program to Conduct the Water Body Assessment	Water Body to be Assessed	Watershed Area (mi²)
Alameda Countywide Clean Water Program		
Contra Costa Clean Water Program		
Fairfield-Suisun Urban Runoff Management Program		
San Mateo Stormwater Pollution Prevention Program		
Santa Clara Valley Urban Runoff Pollution Prevention Program		

c. Based on the Water Body Assessments conducted pursuant to Paragraph 8.b above, each Permittee shall evaluate its implementation of watershed management activities and outline steps needed for improvement in addressing priorities within each watershed assessed. Such evaluation shall be submitted in conjunction with the Annual Report due following four years following adoption of this Permit.

9. Initiation of Modifications

It is anticipated that the requirements specified in this Permit may need to be modified, revised, or amended from time to time to respond to new information or changed conditions and to incorporate more effective approaches to pollutant control. Requests for changes may be initiated by the Executive Officer or by the Permittees. Any such changes shall be made in accordance with applicable State and federal regulations for permit modifications. Minor changes may be made with the Executive Officer’s approval and will be brought to the Regional Board as information items and the Permittees and interested parties will be notified accordingly. If proposed changes imply a major

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revision, the Executive Officer shall bring such changes before the Regional Board as permit amendments and notify the Permittees and interested parties accordingly.

10. Modifications to this Order

This Order may be modified, or alternatively, revoked or reissued, prior to the expiration date as follows:

- a. To address significant changed conditions identified in the technical reports required by the Regional Water Board that were unknown at the time of the issuance of this Order;
 - b. To incorporate applicable requirements of statewide water quality control plans adopted by the State Water Board or amendments to the Basin Plan approved by the State Water Board; or
 - c. To comply with any applicable requirements, guidelines, or regulations issued or approved under Section 402(p) of the CWA, if the requirement, guideline, or regulation so issued or approved contains different conditions or additional requirements not provided for in this Order. The Order as modified or reissued under this paragraph shall also contain any other requirements of the CWA then applicable.
11. Each of the Permittees shall comply with all parts of the Standard Provisions contained in Appendix A of this Order.
 12. This Order expires on **[DATE]**, five years from the date of adoption of this Order by the Regional Water Board. The Permittees must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of such date as application for reissuance of waste discharge requirements.
 13. Order Nos. **[insert numbers for all BASMAA member permits]** are hereby rescinded.