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

RESOLUTION NO. R3-2008-0012
February 7-8, 2008

City of Salinas Storm Water Management Plan
Monterey County

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

1. On December 8, 1999, the U.S. Environmental Protection Agency ("EPA") promulgated regulations under authority of the Clean Water Act ("CWA") Section 402(p). These regulations required National Pollutant Discharge Elimination System (NPDES) storm water permits for operators of municipal separate storm sewer systems ("MS4s") that discharge to waters of the U.S.

2. The CWA allows the EPA to delegate its NPDES permitting authority to states with an approved NPDES program. The State of California is a delegated State. The Porter-Cologne Water Quality Control Act (California Water Code Division 7) authorizes the State Water Resources Control Board (State Board), through the Regional Water Quality Control Boards, to regulate and control the discharge of pollutants into waters of the State and tributaries thereto. The City of Salinas is under the jurisdiction of the Central Coast Regional Water Quality Control Board (Central Coast Water Board).

3. On February 11, 2005, the Central Coast Water Board adopted Order No. 2004-0135 (NPDES Permit No. CA0049981) Waste Discharge Requirements for City of Salinas Municipal Storm Water Discharges ("Permit").

4. The Permit prohibits: a) Discharges from MS4s in a manner causing, or threatening to cause, a condition of pollution, contamination, or nuisance (as defined in §13050 of the California Water Code) in waters of the State of California; and b) Discharges from MS4s that cause or contribute to the violation of water quality objectives or water quality standards (Permit, Discharge Prohibitions A.1 and 2, pg. 6)

5. The Permit prohibits: a) Discharges from MS4s that cause or contribute to the violation of water quality standards (designated beneficial uses and water quality objectives developed to protect beneficial uses) of Receiving Waters; and b) Discharges from the MS4 of storm water, or non-storm water for which a Permittee is responsible, which result in, or contribute to a condition of nuisance in Receiving Waters (Permit, Receiving Water Limitations, C.1 and C.2, pg.6-7).

6. The Permit requires the City to comply with Discharge Prohibitions A.1 and A.2 and Receiving Water Limitations C.1 and C.2 through timely implementation of control measures and other actions to reduce pollutants in the discharges in accordance with the SWMP.

7. The Permit requires the City of Salinas ("City" or "Permittee") to revise its 1999 storm water management program ("SWMP"), and create a SWMP, approvable by the Executive Officer or the Central Coast Water Board, which is better-designed to reduce pollutant discharge to the maximum extent practicable ("MEP") and to protect water quality. The SWMP must contain Best Management Practices ("BMPs") that address eight components: Construction Site Management; Development Standards; Commercial/Industrial Facilities; Municipal Maintenance; Illicit Discharge Detection and Elimination; Public Education and Participation; Program Effectiveness; and Legal Authority. The SWMP must incorporate measurable goals and implementation time

schedules, and must be available for public review and comment. The SWMP is subject to a public hearing if one is requested prior to approval.

8. The SWMP requires the City to develop and implement programs and ordinances, and standards by 2010 to achieve MEP. The specific provisions of some of these programs will be developed after SWMP approval, and will be subject to public review and Central Coast Water Board approval.

9. The Central Coast Water Board found, verified through Permit adoption, that "increased volume, increased velocity, and discharge duration of storm water runoff from developed areas has the potential to greatly accelerate downstream erosion and impair stream habitat in natural drainages...When water quality impacts are considered during the planning stages of a project, new development and many redevelopment projects can more efficiently incorporate measures to protect water quality." (Permit, Finding No. 18)

10. One of the SWMP elements that the City will develop during the permit term is the Stormwater Development Standards which will regulate new and re-development post-construction. The City's Development Standards must include comprehensive requirements that maximize infiltration of clean groundwater, minimize the volume and velocity of runoff, minimize pollutant loading, and protect riparian and wetland habitat. This is necessary to protect water quality, beneficial uses, and the biological and physical integrity of watersheds, and can be accomplished with hydromodification controls and Low Impact Development (LID) design principles. To meet the MEP standard, the City must implement LID techniques.

11. The City created a Draft SWMP in July 2006. In response to Water Board staff review and comments, the City revised the July 2006 SWMP, and prepared two subsequent revised SWMPs based on staff comments. The outcome was a final Draft June 2007 SWMP.

12. Following public notice in accordance with State and federal laws and regulations, the Central Coast Water Board, in a public hearing on February 8, 2007, heard and considered all comments on the SWMP.

13. The Central Coast Water Board finds the SWMP to be consistent with the anti-degradation policies of 40 CFR Section 131.12, SWRCB Resolution 68-16, and the Central Coast Water Board's Basin Plan.

14. This action to approve the City's SWMP is exempt from the California Environmental Quality Act pursuant to Water Code Section 13389.

15. The Central Coast Water Board finds that the SWMP is designed to reduce the discharge of pollutants to the MEP standard established in the General Permit for these reasons: 1) The SWMP meets the City's Permit requirements including Attachment 4 Stormwater Management Program Revision Requirements; 2) the SWMP employs BMPs to address the pollutants of concern, except for BMPs that are not technically feasible in the locality, or whose cost would exceed the benefit to be derived, or where other selected BMPs achieve the same water quality protection or serve the same purpose, or where the cost of the BMPs would be prohibitive; and 4) the SWMP provides a logical progression of BMP implementation to meet a full program realization in a timely manner.

THEREFORE, BE IT RESOLVED THAT:

1. The Central Coast Water Board hereby approves the City of Salinas Storm Water Management Plan (SWMP), subject to Paragraph 2, below. The SWMP will become effective on the date this Resolution is adopted.

2. The City of Salinas is required to amend the SWMP no later than April 8, 2008, to include all the changes shown in "Final Table of June 2007 SWMP

Required Revisions", Attachment A to this Resolution. Failure to make these revisions may subject the City of Salinas to enforcement action.

3. The City of Salinas must provide a copy of the revised pages of the SWMP to the Water Board no later than April 8, 2008, pursuant to Water Code Section 13383.

4. Any person affected by this action may petition the State Board to review the action in accordance with section 13320 of the California Water Code and Title 23, California Code of Regulations, Section 2050 et seq. The State Board must receive the petition within 30 days of the date of adoption of this Resolution. Copies of the law and regulations applicable to filing petitions will be provided upon request.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 8, 2008.

Roger W. Briggs, Executive Officer

ATTACHMENT A
of
Board Resolution No. R3-2008-0012
February 7-8, 2008 Board Meeting Item 17

Final Table of June 2007 SWMP Required Revisions

Acronyms:

BMP - Best Management Practice
MG - Measurable Goal
SWMP - Storm Water Management Plan
SWPPP - Storm Water Pollution Prevention Plan

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
2.a	BMP 6.10	Storm Drain stenciling	SWMP measurable goal is not specific.	Include a measurable goal that states the minimum number of events or students, or groups of students (i.e. 6th graders, or 50% of Junior High students) that will occur or participate in the stenciling event.
2.b	BMP "6.11 and 6.17"	Public survey results	SWMP must explain how survey information will be used to improve the storm water program.	Include requirements for the City to utilize public survey information to modify, improve, or verify the applicability of the current BMPs.
2.c	BMP 6.15a and b, pg. 6-20	Public outreach	SWMP indicates the education materials were developed in Year 2 (i.e. 2007). SWMP must include the documents it cites, or cross reference the location where a reviewer can see	Include references to, or the actual material described in BMP 6.15a and b.

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
			the documents.	
2.d	BMP 3.31	Pesticide BMP	SWMP must more specifically explain how the BMP will be implemented.	Modify BMP to describe the final destination of the pesticide tanks residue.
2.e	Applies to all sections of the SWMP	Permit year references	SWMP reference to implementation years needs to be linked with actual calendar years.	Define the numerical permit years (ie. Year 1, Year 2...) in the Summary of Best Management Practices tables, in terms of calendar years, with Permit Year 1 being 2005.
2.f	BMP 3.4	Public education and outreach	The current BMP must include methods for City staff's knowledge of storm water problems, to be translated into storm water program improvements.	Add wording that meets the following intention: "The reported information will be used to tailor Public Education and Outreach BMPs in future years. The lessons learned and City-responses or planned City-responses to lessons learned will be included in the Annual Report."
2.g	BMP 3.13	Illicit discharge	SWMP must cross reference the location where a reviewer can see the cited document. Current BMP wording is unrealistic; wording needs modification to accurately reflect an achievable action.	Add "The City staff will respond to 100% of the reported spills, using the Spill Convention and Response Plan (SCRP)". The SCRP plan must be included in the SWMP, or referenced in a manner the public can access.
2.h	Applicable General Plan and Zoning Code citations	Cross references	SWMP must include the documents it cites, or cross reference the location where a reviewer can see the documents.	Include the specific General Plan and Zoning Code citations that support Smart Growth principles.
2.i	Development (Element 4) Standards and/or Construction Site	Riparian zone protection	SWMP must include a BMP for riparian zone protection which aligns with the Basin Plan's 30-foot setback from watercourses, and also with the City's current General	See "Required Revision for Resolution 2.i" at the end of this table, below.

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
	Management (Element 5).		Plan policy COS-17.	
2.j	Development Standards and/or Construction Site Management	Riparian zone protection	SWMP must explicitly show which BMPs support the SWMPs objective of, "protect waterways and stabilize drainage ways".	Link SWMP BMPs with the SWMP stated objective of "protect waterways and stabilize drainage ways" (SWMP pg. 5-4).
2.k	SWMP page 5-7	Development Standards	SWMP must state the protocol and City department which will determine or interpret construction site and development issues.	Include the protocol and party responsible for determining or interpreting disputed high- and low-priority construction sites, and tenant improvement designations
2.l	BMP on page 4-30. No BMP number given	Zoning Code	SWMP must provide a more defined date for Zoning Code revisions.	Provide a date-certain for Zoning Code revision. If the due date is later than 2008, include justification for the date.
2.m	SWMP citation of Permit Section Ve	Permit language	SWMP citation must properly quote the Permit citation.	Match Section V.e. citation to the Permit language, "Implement appropriate requirements for pesticide, herbicide, and fertilizer applications."
2.n	Introduction	Specific work items	SWMP is missing a description to the reader that the tables contain the specifics, while the text provides detailed background and context for BMP. Additionally, the tables are the equivalent of the Work Plan which is required by the Permit (per City Attorney's statement to	Add wording to the effect that, "specific work items and goals are included in the tables in each section. BMPs will implement provisions described in the text. The text is provided for background, intent, and/or additional information as needed on chosen BMPs and programs."

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
			this effect at 2007 Water Board public meeting).	
2.o	Applies to all sections of the SWMP	Due dates for BMPs	1. Many of the BMPs do not have time frames indicating which year they will be completed. Some BMPs have due dates that reference "Year 'X' ", but this needs to be defined in relation to actual years. 2. The SWMP is intended to cover the 5-year permit term. The SWMP tables are intended to be the City's Work Plan for the upcoming year (per City Attorney's statement to this effect at 2007 Water Board public meeting).	1. Include an easy-to-locate description of when BMPs will be fully implemented. This may be accomplished by adding a Timeline column to each BMP table in the Elements, with a corresponding due date given with each BMP, or by providing a blanket statement such as, "All BMPs contained in this document will be fully implemented by February 2010 (end of 2nd permit term), unless otherwise explicitly stated. "Year one" of the due dates is considered to be February 2005 – February 2006", or other method. 2. Add a statement or BMP stating that City will submit updated tables each year with the Annual Report; the tables will serve as the City's Work Plan; any changes to the current tables will be prominently marked on the newly-submitted table.
2.p	BMP 3.1,	Stenciling, signage of Drainage inlets	The measurable goals have no measurable quantity.	See "BMP specificity example" at the end of this table.
2.q	BMP 3.5	Drainage inlet hot spots, Repair schedule in Annual Work Plan (which year?)	The SWMP does not have a schedule in BMP 3.4 but refers to a "Repair" schedule.	In either BMP 3.4 or 3.5, add: all documents referenced in the SWMP will be posted to the City website, and the full web address provided in the SWMP at the place of document reference, or in a table of references for the entire SWMP. If electronic posting is not possible or not practicable, then make documents available for public review and state the method and location for public viewing in the SWMP.

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
2.r	BMP 3.2, 3.3	Municipal Maintenance: Inventory and Map Plan		All documents referenced in the SWMP will be posted to the City website, and the full web address provided in the SWMP at the place of document reference, or in a table of references for the entire SWMP. If electronic posting is not possible or not practicable, then documents must be available for public review and the method and location for public viewing must be described in the SWMP.
2.s	BMP 3.12	Typographic error	The wording in the Implementation Plan should read, "...scheduled as part ***of*** regular maintenance/repair...".	Correct typographic error.
2.t	BMP 3.12b	Inspect City-owned properties for SWMP and NPDES compliance	Document in "report", but unclear on what report is referenced.	Specify that reporting will be included in the Stormwater Annual Report.
2.u	BMP 3.14	Municipal maintenance and repair schedules, SWPPPs and field observations	This BMP 1. references SWPPPs which are not readily available, and 2. uses criteria that are based on safety, not water quality.	1. Include all cross-referenced documents in the SWMP, or all documents will be posted to the City website and the full web address provided in the SWMP at each document reference location in the SWMP. If electronic posting is not possible or not practicable, then make documents available for public review and state the method and location for public viewing in the SWMP. 2. Revise Implementation Plan section of the Table to include <u>water quality</u> as a criterion for repairs and improvements. 3. For observation schedules, include quarterly observations at a minimum.
2.v	BMP 3.17	mulch	BMP does not have a	Provide a measurable goal for mulch use.

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
			measurable goal of % parks, acreage, or other quantitative goal that the City will mulch.	
2.w	Pg. 3-19	Pesticide/herbicide Pesticide Hazard and Exposure Reduction (PHAER) Zone concept	1. Poor description of PHAER concept that is referred to like a program. 2. Page 3-19, last sentence limits City's commitment to PHAER. Vague description of what the City will commit to do.	1. Provide reference where reader can learn more about PHAER program. 2. Clarify what portion of PHAER they City is going to do and why only a portion of the program, and then can remove sentence, page. 3-19, "Resource limitations will limit the City's ability to implement all of the concepts contained within PHAER". 3. If desired, replace the PHAER wording with a BMP that meets the intent of minimizing pesticide use, but which is more specific than the current language.
2.x	BMP 3.19	Herbicide	BMP does not provide a Measurable Goal.	Provide a quantitative measurable goal, for example: 75% herbicide use reduction by 2009 from 2005 use-levels.
2.y	BMP 3.29	Landscape chemicals	BMP does not include a goal of reduced pesticide usage. Pesticide reduction is needed based on CCAMP findings of high pesticide in receiving waters.	Include quantitative measurable goal related to this BMP.
2.z	BMP 3.33	Typographic error	Best Management Practice should read, "...where run-***off*** may degrade water quality." Implementation Plan should read, "...immediately water-in to prevent downstream pollution or ***plant*** burn."	Correct typographic error.

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
2.aa	BMP 3.35	"Watershed management" training. Film, *After the Storm.* Field maintenance manuals.	All cross-referenced documents must be included in the SWMP, or posted to the City website and the full web address provided in the SWMP at each document reference location in the SWMP	Include all cross-referenced documents in the SWMP, or all documents will be posted to the City website and the full web address provided in the SWMP at each document reference location in the SWMP. If electronic posting is not possible or not practicable, then make documents available for public review and state the method and location for public viewing in the SWMP.
2.bb	BMP 3.41	Landscape and building maintenance BMPs	Measurable Goal reads, "...emphasis on reducing environmental/personal injury..." and should read environmental *and* personal injury to fit with purpose of SWMP. The City should not use personal injury training as credit for stormwater protection training, which is not in keeping with the intent of the program and permit.	Change BMP to: "...emphasis on reducing environmental injury..."
2.cc	BMP 3.49	Storm drain stenciling	BMP does not have a measurable goal after June 2007.	Add measurable goals with an equivalent level of specificity as the example BMP in "BMP specificity example" at the end of this table.
2.dd	Page 4-17	City's Storm Water Master Plan	All cross-referenced documents must be included in the SWMP, or posted to the City website and the full web address provided in the SWMP at each document reference location in the SWMP	Include all cross-referenced documents must be included in the SWMP, or all documents will be posted to the City website and the full web address provided in the SWMP at each document reference location in the SWMP. If electronic posting is not possible or not practicable, then make documents available for public review and state the method and location for public viewing in the SWMP.
2.ee	Sections C, f,	Updating	SWMP discusses	1. Re-word sections to explain that the consultant has

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
	g, H, and J beginning on page 4-10	City's Zoning Code, Grading Standards, Storm Water Ordinance, Storm Water Master Plan, and City's Standard Specification Document,	Kennedy/Jenks review of existing documents as if it is a future event. The consultant released its comments in Technical Memorandum No. 1 (Tech Memo) on Dec. 31, 2006. This information should have been incorporated into this SWMP version, or into Ordinances, Codes, and Standards referenced in the Tech Memo.	already reviewed and commented on the relevant documents. 2. Include Tech Memo as appendix or place on-line and include web address.
2.ff	Pg. 4-12, first paragraph	Development Design Standards		First sentence should read, "A Development Design Standards Plan for LID implementation in new ***and re-***development..."
2.gg	Pg. 4-24 "will be considered BMPs" wording in item #1, last sentence, and item #2, first sentence and other places		This wording is unclear. Wording must say if these items are required. If these items are BMPs, they should have associated measurable goals	If using wording equal or similar to "will be considered BMPs", add to the SWMP a directive that such BMPs must be followed unless the applicant has clearly demonstrated and documented that such BMP is ineffective or overly burdensome. Add wording that, the City will retain documentation and provide compliance levels for such BMPs in the City's Stormwater Annual reports.
2.hh	Pg. 5-2 and 5-4	Element 5 "three principle Goals" , and	On pg. 5-2, Section 5.2, paragraph 2 the first goal is to develop performance standards and put them into	Insert BMPs that measure effectiveness by including a BMP to track and report patterns or trends in site compliance, or varying degrees of compliance, and to analyze the effectiveness of BMPs in Element 5.

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
		Construction Objectives	daily practice. Third goal paraphrased says the goal is to ensure program effectiveness. This is unclear how will the City determine whether the actions it is taking are effective in improving stormwater runoff. The Annual Report discussion on effectiveness should answer this, and the SWMP should provide a way to determine effectiveness. For example, the City should explain how they will track whether the brochures, training, and enforcement are resulting in the City meeting the Construction Objectives.	
2.ii	BMP 6.10	Include quasi-governmental agencies	BMP does not have a goal for creating joint programs with schools	Add measurable goal which includes a quantifiable goal, not just reporting the "number of events and/or number of students involved", with an equivalent level of specificity as the example BMP in "BMP specificity example" at the end of this table.
2.jj	BMP 6.13	Storm drain stenciling and signs	1. The measurable goal does not discuss stenciling. 2. The measurable goal does not give specific number or percentage of	Add measurable goal with an equivalent level of specificity as the example BMP in in "BMP specificity example" at the end of this table .

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
			drains stenciled.	
2.kk	BMP 6.11	Homeowner automobile washing	The permit also requires the City to outreach to residential auto repair, washing, but it is not clear where that is contained in SWMP? Our basis for concern are the identified Pollutants of Concern, and Permit requirements	Add to Salinas BMP 6.14, "Subjects will include auto repair, auto washing, fertilizer, pesticide and herbicide management, and pet waste disposal."
2.ll	BMP 6.14	Media outreach	It is unclear how the City will choose the most effective advertising media. (The basis for this requirement is City staff's verbal statement that the City will determine where to effectively advertise.with Arbitron)	Add wording similar to: "Arbitron program will be used to determine market share of each radio station and TV. Arbitron looks at time slots as well as public use."
2.mm	BMP 6.15b	Teacher training	The measurable goal for 6.15b was removed.	Add measurable goal. with equivalent detail as the following example: "In the first year, 10% of teaching staff, representing 25% of all schools in the district will attend. Second year goal is to reach 10% of teaching staff from a new set of 25% of all schools."
2.nn	BMP 6.17 on page 6-24	Public awareness survey	1. When comparing yr. 2 survey against year 5 survey, better to try and hold variables constant to get better comparison. 2. Measurable goal does not address how the City will use the survey	In BMP "6.11 and 6.17," include requirements for the City to utilize public survey information to modify, improve, or verify the applicability of the current BMPs. Remove BMP 6.17 from the BMP 6.11 on page 6-17

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
			information. 3. There is a BMP 6.17 on page 6-17 that differs from the BMP 6.17 on page 6-24.	
2.oo		BMP numbering in element 4, 5, and 7	BMPs are hard to reference for discussions/review.	Number all BMPs matching the format used in Elements 3, 6, and 8.
2.pp	BMP "IV.d", page 7-10	"Require BMPs for all industrial and high-risk commercial facilities."	Stormwater Management Plan, Stormwater Ordinance and Grading Standards (Appendix C of SWMP) are referenced, but it is unclear which portions of the documents support the BMP.	Cross reference the section in the Ordinance(s) that supports this BMP.
2.qq	Page 7-4, Section B		Typo in reference in Section B, 3rd paragraph	Change Section B, 3rd paragraph to, "...during an inspection described in Section ***7.4.a***..."
2.rr	Page 7-4, Section C	City's Industrial Inspection Guidance Manual, 2000	All cross-referenced documents must be included in the SWMP, or posted to the City website and the full web address provided in the SWMP at each document reference location in the SWMP	Include all cross-referenced documents in the SWMP, or All documents posted to the City website and the full web address provided in the SWMP at each document reference location in the SWMP. If electronic posting is not possible or not practicable, then make documents available for public review and state the method and location for public viewing in the SWMP.
2.ss	BMP 7.8 Implementation Plan	BMP enforcement	Need to link the narrative to the BMP.	Add: "Follow progressive enforcement procedure described in Element 7 narrative and contained within Element 10..."
2.tt	BMP 7.9 Implementation Plan	Non-compliance	First sentence of 4th paragraph is confusing.	Change to "Determination of "non-compliance" will be based upon a party's not meeting the City's Code of the written requirements, and/or the party's failure to remedy the non-compliant condition."

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
2.uu	BMP 8.2 Implementation Plan	Salinas Spill Response Plan	Web address for Spill Response Plan is not complete	Place full web address to Spill Response Plan in the BMP.
2.v v	BMP 8.6 Measurable Goal	Illicit discharge – used oil and toxic materials	Quantitative goals are not included.	Add specifics on when SWSWA partnership will be developed, number of people that outreach will project to reach, and who target audiences are.
2.ww	BMP 8.7 Measurable Goal	Illicit discharge – used oil and toxic materials	Need effectiveness feedback analysis.	Add BMP to analyze trends in illicit discharge activities and analyze whether enforcement mechanisms are effective.
2.xx	Applies to all sections	Permit requires City to measure program effectiveness.		1. Add BMP that: a) the City will create and maintain a list of identified sources of water quality data collected in the City from data currently submitted to the RWQCB as required by other parties' WDR and NPDES permits, Central Coast Ambient Monitoring Data, organized citizen monitoring efforts, and other water sampling if available; and b) The identified data sources will be analyzed as needed to improve characterization of water quality problems when they arise. 2. Add to each Element, or include overarching BMP(s) that tracks trends and patterns in actions or outcomes related to the Element(s). Add a BMP to report this information in the annual Report.
2.yy	Appendix C	Ordinance Amending Chapter 29 of the Salinas City Code Regarding Stormwater	This ordinance is presented as final, however it does not have final signatures.	Replace with the adopted version containing final signatures of mayor and city clerk. Update wording on Page 10-2, section 10.3, 2nd paragraph to indicate final ordinances are included in SWMP.

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
		Management and Discharge Control		
2.zz	Appendix C	Standards to control excavations, cuts fills, clearing, grading, erosion and sediment (Grading Ordinance)	Standards are presented as final, however version does not match adopted Final version. For example, see Ref. No. 42.	Replace with the adopted version, with final signatures of mayor and city clerk.
2.aaa	Applies to all sections of the SWMP	Public notice and public input	The Permit requires, and the Water Board (in response to written and verbal public comments) has directed the City to ensure the public has ample opportunity for review and comment on storm water related issues. These issues include, but are not limited to, the SWMP, design standards, ordinances.	Include in SWMP Element 6, a BMP that requires the following: City will make all reasonable attempts to provide a 30-day or more public notice and opportunity for public comment for stormwater- or riparian protection-related documents prepared for City Council adoption. At the minimum, City will provide a 10-day public review period for storm water- or riparian protection-related ordinances, standards, and modifications to the SWMP. The City will provide notice of the availability of such documents by posting on the internet and by direct notice to those persons who have requested notification of such proposed actions. Notice of availability will occur at least 10-days prior to the meeting at which the document is presented for adoption or approval. The City must clearly communicate how public comments were evaluated and used to change documents. The City staff must respond to all substantive public comments in a timely manner in a written format. The measurable goal(s) will include compliance with this BMP, as demonstrated by submittal to Regional Board staff of all

Resolution Item Number	SWMP Section	Subject	Concern	Required Revisions
				public notices on storm water related documents and City Council actions and all City responses to public comments received following posting of such notices.

Resolution Wording continued

Required Revision for Resolution 2.i:

Best Management Practice or Activity

Comply with City of Salinas General Plan COS-17 and the Water Quality Control Plan Central Coast Region (Basin Plan) Section V.G.4.

Implementation Plan
New and re-development projects must comply with the City of Salinas General Plan COS-17 and maintain at a minimum a 30-foot setback whenever possible, consistent with the Basin Plan Section V.G.4. (To be implemented by City planning staff through plan review and approval process, and City construction staff during construction inspections).

"Development" activities include construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining excavation, landfill or land disturbance, and any use or extension of the use of land. For this Best Management Practice, "land disturbance" includes clearing, grading, grubbing, and removal of significant vegetation canopy or herbaceous ground cover.

City staff will notify Water Board staff within 15-days prior to the City's approval of projects that do not meet the COS-17 requirement for a 100-foot setback. Notification will include the project name, location, reason for the exception to the COS-17 setback requirement, and City Planner-approved setback (if any) for the project.

Exceptions to the 30-foot setback minimum may be made through application of the City's approval process and based upon consideration of recommendations from a biotic resources study or a hydrology report, or upon a finding that this setback minimum is inconsistent with federal and state law.

Year
3

Measurable Goal
All new and re-development projects within the City's planning area as indicated on Figure LU-1 of the General Plan Land Use Element will conform to General Plan COS-17, and at a minimum will include a 30-foot setback whenever possible.

All new and re-development projects that cannot meet the 100-foot setback will be reported to the Water Board staff within 15-days prior to plan approval by City staff.

S:\Storm Water\Municipal\Monterey Co\Salinas Phase I Permit\2008 Board items\February 2008\Salinas SWMP Approval and Status Report Final Documents\Attach1A -Board-Adopted Resolution.doc