

Revised Regional Storm Water Management Plan



City of Gilroy, City of Morgan Hill and The County of Santa Clara

September 1, 2009

Storm Water Management Plan

Table of Contents

TABLE OF CONTENTS	2
COORDINATOR CONTACT INFORMATION	4
INTRODUCTION	5
<u>PURPOSE</u>	5
<u>BACKGROUND</u>	5
<u>SWMP OBJECTIVES</u>	7
<u>SWMP ORGANIZATION</u>	8
<u>PROGRAM EVALUATION, DOCUMENTATION AND ANNUAL REPORTING</u>	8
PROGRAM DESCRIPTION AND MANAGEMENT	10
<u>INTRODUCTION</u>	10
<u>SWMP GOALS</u>	10
<u>ORGANIZATIONAL STRUCTURE</u>	10
<u>DEMOGRAPHICS</u>	11
<u>GEOGRAPHIC DESCRIPTION OF SOUTH SANTA CLARA COUNTY</u>	12
<u>POLLUTANTS OF CONCERN</u>	13
<u>303(D) LIST OF IMPAIRED WATER BODIES/TMDLS</u>	14
<u>NPDES STORM WATER PHASE II PERMIT AREA BOUNDARY</u>	15
<u>PROGRAM FINANCE</u>	15
<u>BEST MANAGEMENT PRACTICES</u>	16
TABLE A – PROGRAM DESCRIPTION AND MANAGEMENT	19
STORM WATER MANAGEMENT PROGRAM RESPONSIBILITY TABLE	20
SECTION I: PUBLIC EDUCATION AND OUTREACH	21
<u>INTRODUCTION</u>	21
<u>OBJECTIVES</u>	22
<u>BEST MANAGEMENT PRACTICES</u>	22
TABLE 1 – PUBLIC EDUCATION AND OUTREACH	29
SECTION II: PUBLIC INVOLVEMENT AND PARTICIPATION	32
<u>INTRODUCTION</u>	32
<u>OBJECTIVES</u>	32
<u>BEST MANAGEMENT PRACTICES</u>	32
TABLE 2 – PUBLIC INVOLVEMENT AND PARTICIPATION	38
SECTION III: ILLICIT DISCHARGE DETECTION AND ELIMINATION	41
<u>INTRODUCTION</u>	41
<u>OBJECTIVES</u>	42
<u>BEST MANAGEMENT PRACTICES</u>	42
TABLE 3 – ILLICIT DISCHARGE DETECTION AND ELIMINATION	54
SECTION IV: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL	60
<u>INTRODUCTION</u>	60
<u>OBJECTIVES</u>	60
<u>BEST MANAGEMENT PRACTICES</u>	61

TABLE 4 – CONSTRUCTION SITE STORM WATER RUNOFF CONTROL	67
SECTION V: POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND REDEVELOPMENT	72
<u>INTRODUCTION</u>	72
<u>OBJECTIVES</u>	73
<u>BEST MANAGEMENT PRACTICES</u>	73
TABLE 5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND RE-DEVELOPMENT	85
SECTION VI: POLLUTION PREVENTION/GOOD HOUSEKEEPING	94
<u>INTRODUCTION</u>	94
<u>OBJECTIVES</u>	94
<u>BEST MANAGEMENT PRACTICES</u>	95
TABLE 6 – POLLUTION PREVENTION/GOOD HOUSEKEEPING	100
TOTAL MAXIMUM DAILY LOAD (TMDL).....	103
<u>INTRODUCTION</u>	103
<u>PAJARO RIVER AND LLAGAS CREEK NITRATE TMDL</u>	103
<u>PAJARO RIVER AND LLAGAS CREEK SEDIMENT TMDL</u>	104
TABLE 7 – TMDLS	105
<u>APPENDIX</u>	107
A.1 ACRONYMS	108
B.1: PHASE II PERMIT JURISDICTION AREA: PAJARO RIVER WATERSHED	110
B.2: MUNICIPALITY PERMIT AREA BOUNDARY	111
C. 2 RESPONSIBILITY CHART	116
C.3 ANNUAL LOAD ALLOCATIONS.....	117

Storm Water Management Plan

Coordinator Contact Information

City of Gilroy Program Coordinator

Charlie Krueger

Senior Civil Engineer- Development
7351 Rosanna Street
Gilroy, CA 95020-6197

(408) 846-0451
ckrueger@ci.gilroy.ca.us

City of Morgan Hill Program Coordinator

Anthony Eulo

Program Administrator
17575 Peak Avenue
Morgan Hill, CA 95037-4128

(408) 778-6480
anthony.eulo@morganhill.ca.gov

County of Santa Clara Program Coordinator

Clara Spaulding

Clean Water Coordinator
Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, CA 95110-1705

(408) 299-5737
clara.spaulding@pln.sccgov.org

Storm Water Management Plan

Introduction

Purpose

This Storm Water Management Plan (SWMP) incorporates the efforts of the City of Morgan Hill (Morgan Hill), the City of Gilroy (Gilroy) and the unincorporated portion of Santa Clara County (County), within the watershed of the Pajaro River and Monterey Bay, to meet the Phase II Storm Water Permit requirements for small municipal separate storm sewer systems (MS4s). For the purpose of this SWMP, Morgan Hill, Gilroy and the County will be referred to as the Municipalities. The Upper Pajaro River Watershed is located within the jurisdiction of the Central Coast Regional Water Quality Control Board (CCRWQCB).

Water quality issues are often a result of the entire watershed's water quality rather than any one location. As water flows through a watershed it continuously accumulates chemicals, bacteria, sediment and many other pollutants. Small incremental amounts of pollutants may not be a problem, but when these amounts begin to accumulate the end result may present water quality problems. Many of the pollutants of concern seen in the Monterey Bay are a result of water flowing through the watershed accumulating pollutants as it goes. Understanding this and the limitations of legal authority, it is the intent of Morgan Hill, Gilroy and the County to cooperatively implement a Storm Water Management Program to both improve and prevent further deterioration of the water quality in the Upper Pajaro River Watershed.

The efforts described in this SWMP are based on: the United States Environmental Protection Agency (EPA) Storm Water II Final Rule, the State Water Resources Control Board General Permit for Discharge of Storm Water from MS4 (a list of acronyms are located in Appendix A.1), The City of Morgan Hill SWMP (2004), The City of Gilroy Draft SWMP (2004), Santa Clara County Draft SWMP (2004) and the County Urban Runoff Management Plan (1997).

Background

Regulatory

In 1972, Congress enacted the Clean Water Act (CWA). Under the CWA, discharge of pollutants to waters of the United States from any point source is unlawful unless the discharge is covered under a National Pollutant Discharge Elimination System (NPDES) permit. The nation's waters did improve, however, many of the nation's waters were still polluted. In 1987, Congress amended the CWA to include non-point source discharges, primarily storm water, under the NPDES permit program.

Under the 1987 amendments to the CWA, the EPA issued NPDES Storm Water Phase I Permit requirements on November 16, 1990. This required large and medium (100,000 people or more) MS4s to obtain a NPDES Storm Water Phase I Permit. In addition, the Phase I rule required permit coverage for construction activity disturbing five acres of land or greater.

Small Communities, which serve between 10,000 and 100,000 people, were not regulated until 1999. The EPA issued NPDES Storm Water Phase II Permit regulations on December 8, 1999 requiring small MS4s to obtain a NPDES Storm Water Phase II Permit.

The Phase II General Permit requires the SWMP and the respective Storm Water Program to implement the following six minimum control measures (MCMs):

1. Public Education and Outreach on Storm Water Impacts;
2. Public Involvement and Participation;
3. Illicit Discharge Detection and Elimination;
4. Construction Site Storm Water Runoff Control;
5. Post Construction Storm Water Management in New Development/ Redevelopment;
6. Pollution Prevention/Good Housekeeping for Municipal Operations.

In 2003, CCRWQCB requested SWMPs from Morgan Hill, Gilroy, and the County. Each Municipality submitted their own respective SWMP to the CCRWQCB in 2003 and received comments back. Each Municipality submitted a revised SWMP to the CCRWQCB in 2004. Morgan Hill was the only municipality of the three to obtain a NPDES Storm Water Phase II Permit in 2004. The County and Gilroy did not hear from the CCRWQCB again regarding their SWMPs until 2008. In 2008, each Municipality received an identical letter. This letter informed Municipalities that the CCRWQCB was requiring enrollment/re-enrollment in a NPDES Storm Water Phase II Permit. As part of this enrollment process, a SWMP must be developed and implemented within the schedule that was identified for each specific Municipality.

In response to the February 15, 2008 letter, Gilroy, Morgan Hill and the County decided to coordinate their efforts to develop a regional SWMP¹. Each of the three Municipalities has varying degrees of experience regarding the NPDES Storm Water Permit and implementing a Storm Water Program. In addition, each of the Municipalities has different needs and certain aspects of the SWMP may not be identical, but will have the same goal in mind. Furthermore, some program aspects may not apply to each of the

¹ The Santa Clara Valley Water District (District) has been participating in the development of the SWMP with the County and cities. The District is a significant contributor to the Santa Clara Valley Urban Runoff Pollution Prevention Program and has encouraged that program to provide space for Morgan Hill and Gilroy staff to attend the various training classes offered. In addition, the District has encouraged SCVURPPP to provide outreach materials to Morgan Hill and Gilroy, as needed. The District also provides financial support through the Clean Safe Creeks program to Morgan Hill and Gilroy for volunteer programs such as "Maintain a Drain" and "Gutter Flutter". The financial support may also be used towards other public outreach materials or activities.

Municipalities and will not be implemented. Below is each Municipality's regulatory history with regard to the NPDES Storm Water Permit.

Morgan Hill

Morgan Hill obtained a SWMP in 2004. Since adoption, Morgan Hill has developed and implemented a program that is still in effect today. This SWMP takes into account many of the program elements, efforts and goals that Morgan Hill proposed in 2004.

Morgan Hill will have additional BMPs that are not indicated in this SWMP because they have been implementing a storm water management plan since 2004. Gilroy and the County will not be responsible for the additional BMPs that Morgan Hill will be expected to implement, for this permit cycle.

Morgan Hill received a letter in November 19, 2007 for the CCRWQCB indicating expectations for the City's implementation and improvement of its SWMP. The City of Morgan Hill will continue to implement the BMPs according to the expectations communicated in that letter.

The County of Santa Clara

The County of Santa Clara is within the jurisdiction of two Regional Water Quality Control Boards (RWQCB). The Northern portion of the County flows to San Francisco Bay and is under the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB). The southern portion of the County flows to Monterey Bay under the CCRWQCB.

The County of Santa Clara has been covered by a NPDES Phase I Storm Water Discharge Permit, under the SFBRWQCB's jurisdiction since 1990, with permit re-issuance occurring in 1995, 2001 and is currently in the process of another re-issuance. The County did not obtain a NPDES Storm Water Phase II Permit in 2004 for the portion of the County that is under the jurisdiction of the CCRWQCB.

Many of the NPDES Storm Water Phase II Permit requirements are also required in the NPDES Phase I Permit. Due to the NPDES Phase I Permit, some of the program elements described in this SWMP have already been implemented or will need to be expanded to include South Santa Clara County.

Gilroy

Gilroy did not obtain a NPDES Storm Water Phase II Permit in 2004. However, Gilroy has informally adopted some of the programs that were identified in the SWMP Gilroy submitted in 2004. . Since Gilroy does not have an existing program that can be revised or expanded, it will take Gilroy more time to be at the same implementation level as Morgan Hill and the County. For these reasons, Gilroy may not have portions of the SWMP developed and implemented at the same time as Morgan Hill and the County.

SWMP Objectives

The purpose of the storm water program is to establish a comprehensive effort to help prevent the discharge of pollutants to surface water bodies by limiting the role storm water runoff plays as the vehicle for pollution. Storm water pollution is a predominant function of human existence within watersheds, it is important to address this problem in a way that recognizes the many potential sources that are derived from the wide variety of human activities.

The accepted approach to addressing the problem of storm water pollution has been to establish and follow Best Management Practices (BMPs), in order to prevent pollution at the source. BMPs are policies, actions, and/or physical measures taken to reduce the introduction of pollutants to the storm sewer system. Incorporating appropriate BMPs into existing departmental activities is the only economical way for local government agencies to approach the goals set forth by the EPA. These goals include protection of surface water quality, reducing the amount of storm water pollution to the maximum extent practicable (MEP), and CWA compliance.

SWMP Organization

The SWMP document includes: an introduction, program description and management, Total Maximum Daily Loads (TMDLs) and the six MCMs indicated above.

To effectively implement the six MCMs, Morgan Hill, Gilroy, and the County will employ a variety of BMPs that are most suited for each MCM. This SWMP will incorporate BMPs that are proven to be the most effective at meeting the overall objective of limiting the impacts of storm water on receiving waterways.

Each MCM will be discussed individually, focusing on their BMPs and measurable goals. The end of each MCM section will contain a table of BMPs with individual columns for implementation details, measurable goals and implementation schedule. The implementation schedule takes into account the necessity for implementation, financial availability and human/other resources to implement the BMPs. These same reasons may delay when implementation takes place.

Program Evaluation, Documentation and Annual Reporting

California Stormwater Quality Association (CASQA)

CASQA has developed guidance to assist storm water program managers with the effectiveness assessment of storm water management programs, as required under the NPDES permit. In an *Introduction to Stormwater Program Effectiveness Assessment*, CASQA characterizes the possible types of outcomes from the activities and programs implemented as part of a Storm Water Management Program into six levels. These six levels, ranging from activity-based to water quality-based outcomes and, help storm water program managers determine the effectiveness of the storm water management program. The six outcome levels consist of the following:

Level 1 - Compliance with Activity-Based Permit Requirements

- Level 2 - Changes in Attitude, Knowledge and Awareness
- Level 3 - Behavioral Changes and BMP Implementation
- Level 4 - Load Reductions
- Level 5 - Changes in Urban Runoff and Discharge Quality
- Level 6 - Changes in Receiving Water Quality

Not all six levels are possible outcomes for each program element. For example, training programs' effectiveness will be evaluated based on outcome levels 1, 2 or 3. Outcome levels 4 and above are not subject to effectiveness evaluation. The intent of the levels is to guide storm water management programs through a succession of steps to achieve the ultimate goal of environmental improvement. Levels 1 through 3 are considered implementation outcomes, Levels 5 and 6 are water quality outcomes and level 4 is a combination of the two.

The County and Morgan Hill are currently members of CASQA. The County has been using CASQA's Program Effectiveness Assessment document for their North County permit and has found it to be quite helpful at assessing the effectiveness of their program. The County has been implementing a storm water management program in North County for nearly 20 years. The County's program is still in the implementation outcome levels and has just started to assess some program elements using Level 4. With this knowledge, it would be unwise for the County to expect a rapid progression through the six outcome levels in a single cycle. Based upon the County's past experience with a NPDES permit, it may take years to see any improvement in attitudes, knowledge and awareness (Level 2) and should not expect to see any major improvements in the next five years.

Documentation and Annual Reporting

Each year the Municipalities will submit an Annual Report to the CCRWQCB that discusses the progress of the SWMP, including measurable goals and an assessment of the effective of the program. This discussion will be supported with appropriate documentation as needed, such as inspection results. Each Municipality will provide an Annual Report that will cover the BMPs each Municipality is individually responsible for implementing. The assessment of joint efforts will be developed as a group and included in the Annual Report in it's own respective section. The Annual Report will be submitted as one document containing a section for each Municipality and a section of joint activities.

Storm Water Management Plan

Program Description and Management

Introduction

The SWMP is a collaborative effort of the City of Morgan Hill (Morgan Hill), the City of Gilroy (Gilroy) and the County of Santa Clara (County) however; each Municipality is individually responsible for their own program. In the event that one Municipality violates the permit, it will not result in the other two Municipalities being in violation of the permit as well. Each Municipality will help to support a regional program in addition to implementing their own local storm water management program. Each storm water management program will be implemented separately; however there will be minimal differences between each storm water program.

SWMP Goals

The primary goal of this SWMP is to provide a framework for Phase II NPDES Storm Water Discharge Permit compliance within the permit boundaries by either individual or collaborative program implementation.

Compliance is achieved by each Municipality's respective jurisdictional actions to: prohibit discharges of pollutants and/or eliminate or reduce pollutants to the MEP, protect local creeks from pollutants that may be transmitted by the local storm water system, and by annual reporting. Other goals include integrating storm water pollution prevention BMPs into routine departmental operations; receiving and acting appropriately on public input; and working cooperatively with the other Municipalities, Regional Water Quality Control Boards and State Water Resource Control Board staff members.

Organizational Structure

Morgan Hill, Gilroy and the County have joined together to prepare and implement this SWMP. Joining together to comply with new storm water requirements provides the opportunity for cost-savings and consistent program requirements for local residents and businesses. The Municipalities' program coordinators will work together to coordinate permit requirements, annual reporting, and overall program consistency. Each Municipality has different experience and knowledge with implementing a storm water program, having this informal cooperation to share various program responsibilities will allow for those with more experience in any certain area to take the lead and teach those that are not as experienced. This informal cooperation will also allow more flexibility with resource sharing to complete joint BMPs, such as outreach material.

Each Municipality will have a designated coordinator responsible for the overall program implementation of the SWMP in their respective Municipality, once the NPDES Permit is adopted. Each coordinator will provide the necessary support to implement the SWMP within their jurisdiction. This would include communicating with staff, other Municipalities' Coordinators, and preparing and submitting the Annual Report to the Central Coast Regional Water Quality Control Board (CCRWQCB).

Each Municipality will be responsible for implementing their own separate program, including the BMPs described in this SWMP. Some of the BMPs described in this SWMP are meant to be a collaborative effort that will supplement portions of each Municipality's program to fulfill all the requirements of the NPDES Phase II Storm Water Discharge Permit. Each of the Municipalities' coordinators will meet and decide which BMPs will be the most appropriate and successful across all jurisdictions. In addition, each Municipality will coordinate with each other to develop/implement the permit requirements, produce reports and maintain overall program consistency.

Demographics

The US Census Bureau, Census 2000, was used to obtain demographics for San Martin (County of Santa Clara), Morgan Hill and Gilroy. The table below shows the ethnicity of the Communities in South Santa Clara County. The total population may add up to more than 100% because individuals may report more than one race.

Municipality	San Martin (Santa Clara County)		Morgan Hill		Gilroy	
	Number	%	Number	%	Number	%
One race	4029	95.2	31833	94.9	39246	94.7
White	2769	65.5	24296	72.4	24426	58.9
Black or African American	35	0.8	573	1.7	745	1.8
American Indian and Alaska Native	69	1.6	362	1.1	661	1.6
Asian	259	6.1	2020	6	1810	4.4
Asian Indian	10	0.2	351	1	129	0.3
Chinese	104	2.5	464	1.4	260	.6
Filipino	49	1.2	383	1.1	671	1.6
Japanese	53	1.3	357	1.1	328	.8
Korean	15	0.4	110	0.3	86	.2
Vietnamese	23	0.5	239	0.7	219	.5
Other Asian	5	0.1	116	0.3	117	.3
Native Hawaiian and Other Pacific Islander	10	0.2	77	0.2	105	.3
Native Hawaiian	5	0.1	28	0.1	39	.1
Guamanian or Chamorro	4	0.1	19	0.1	37	.1
Samoan	1	-	10	N/A	13	-

Municipality	San Martin (Santa Clara County)		Morgan Hill		Gilroy	
Other Pacific Islander	-	-	20	0.1	16	-
Some other race	887	21	4505	13.4	11499	27.7
Two or more races	201	4.7	1723	5.1	3318	5.3
Race alone or in combination with one or more other races:						
	Number	%	Number	%	Number	%
White	2949	69.7	25739	76.7	26364	63.6
Black or African American	54	1.3	739	2.2	942	2.3
American Indian and Alaska Native	101	2.4	713	2.1	1010	2.4
Asian	309	7.3	2639	7.9	2371	5.7
Native Hawaiian and Other Pacific Islander	17	0.4	248	0.7	231	0.6
Some other race	1005	23.8	5386	16.1	12929	31.2

Geographic Description of South Santa Clara County

South Santa Clara County, including the unincorporated areas, extends from the Santa Cruz Mountains on the southwest, across the Santa Clara Valley floor, to the Diablo Range on the northeast. Llagas Creek, Uvas Creek, Pacheco Creek, Little Uvas Creek, Little Arthur Creek, Pescadero Creek, Tar Creek and the Pajaro River ultimately drain into Monterey Bay. These rivers, among others, collectively make up the Pajaro River Watershed.

The Pajaro River Watershed is over 1,300 square miles in size. Its tributaries are located within four counties: Santa Clara, Santa Cruz, Monterey and San Benito. South Santa Clara County includes the northern reach of this watershed. The permit area described above consists of forest, chaparral, grassland, rangeland, subdivisions, two incorporated cities and one “urbanizing” small community.

Morgan Hill

The City of Morgan Hill has a population of approximately 39,000 (2008 census). Morgan Hill is located south of San Jose and north of San Martin, along both sides of U.S. 101.

County of Santa Clara

In regards to this permit, the County of Santa Clara was identified as the small “urbanizing” community of San Martin. San Martin is located between Morgan Hill and Gilroy, along both sides of U.S. 101. The population of San Martin is approximately 4,400 (2007 census).

Gilroy

The City of Gilroy has a population of approximately 51,000 (2008 census). Gilroy is the southernmost city in Santa Clara County and is located south of San Martin and north of Salinas along both sides of U.S 101.

Pollutants of Concern

Pollutants of concern (POCs) are pollutants found in the water that are either exceeding a water quality objective, threatening to exceed a water quality objective, threatening to cause nuisance, or are a significant source of pollution. Awareness of the POCs in the Pajaro River Watershed helps to establish appropriate Best Management Practices (BMPs) to protect both water quality and the designated use of an identified water body. The POCs are addressed in the SWMP to help prevent water bodies from being further degraded by the pollutant. A table located in Appendix C.1 indicates which BMPs will be used to address each of the identified POCs, listed below.

All the Municipalities share the following POCs in their storm water discharge:

- Sediment,
- Nutrients,
- Heavy metals,
- Floatables,
- Pesticides,
- Herbicides,
- Non-sediment solids,
- Pathogens,
- Oxygen-demanding substances,
- Petroleum hydrocarbons,
- Polycyclic aromatic hydrocarbons, and
- Trash.

In addition, the following activities and land uses have been identified as potential generators of the POCs:

- Power washing,
- Landscape maintenance,
- Pet waste,
- Homeless encampments,
- Vehicle washing,
- Used oil disposal,
- Restaurant wash-off,
- Litter,
- Construction activities,
- Garbage receptacles,
- Septic systems,
- Yard waste,
- Development,
- Brake pads,
- Parking lots,
- Loading docks,
- Illegal dumping,
- Industrial waste,
- Sewer leaks, and
- Vehicle maintenance.

Each of the Municipalities has the same pollutants of concern as described above, and individual concerns that reflect local conditions, land-use activities and so forth. The individual concerns are examined below for each Municipality.

City of Morgan Hill

Morgan Hill faces additional pollutants of concern relating to the Olin Perchlorate Plume (groundwater contamination), the Castle Vegtech site (pesticide soil contamination) and future development.

County of Santa Clara (San Martin)

The “urbanizing” community of San Martin also has a pollutant of concern relating to the Olin Perchlorate Plume (groundwater contamination) and will face unique pollutants of concern with regards to backyard livestock, incorporation and future development.

City of Gilroy

Gilroy’s additional pollutants of concern include the Olin Perchlorate Plume (groundwater contamination) and future development. Future development includes the Hecker Pass specific plan, Glen Loma Ranch specific plan and Eastside commercial/industrial general plan.

303(d) List of Impaired Water Bodies/TMDLS

The EPA 303(d) list of impaired water bodies identifies water bodies that are not meeting water quality standards established by the EPA. This list is revised every two years to include new water bodies, new pollutants, remove any listings and/or any combination thereof. Once a water body is listed on the 303(d) list a Total Maximum Daily Load (TMDL) must be established within 13 years.

303(d) List of Impaired Water Bodies

The Pajaro River and Llagas Creek have been identified on the 303(d) list of impaired water bodies. Llagas Creek has been identified as an impaired water body for chloride, low dissolved oxygen, pH, sodium and total dissolved solids. The Pajaro River has been identified as an impaired water body due to boron.

Total Maximum Daily Loads (TMDLs)

The CCRWQCB has adopted three TMDLs for the upper Pajaro River Watershed within Gilroy, Morgan Hill and the County’s jurisdiction. Llagas Creek and the Pajaro River have a TMDL for sediment. The sources of impairment have been identified as: agricultural runoff, disturbed areas, livestock, stream bank erosion, loss of riparian vegetation and hydromodification. Llagas Creek and the Pajaro River also have a TMDL for nitrate. The sources of impairment for nitrates have been identified as: septic systems, landscape maintenance, pet waste, backyard livestock waste, open space plant decay, animal waste and atmospheric deposition.

On March 20, 2009, the Central Coast Regional Water Quality Control Board (CCRWQCB) adopted a third TMDL for fecal coliform for the Pajaro River, Llagas and Uvas Creek. The sources of impairment have been identified as pet waste, controllable wildlife waste, trash receptacles, human waste discharge, backyard livestock, sewer leaks and spills.

NPDES Storm Water Phase II Permit Area Boundary

The permit area boundary for the County, Gilroy and Morgan Hill will be within the urbanized area determined by the latest Decennial Census, as further identified and described in Appendix B.2, attached hereto, and incorporated herein, by reference. For the purpose of this Storm Water Management Plan (SWMP) the boundary will be based on the 2000 Decennial Census. A new map will be developed to update the boundaries of the permit within a year following the availability of the 2010 Decennial Census and will be submitted as part the Annual Report in the year following the release of the Census.

The Decennial Census boundary for both Gilroy and Morgan is within each city's respective city boundary, which will function as the permit boundary. For the County, this permit will solely cover the unincorporated areas of south Santa Clara County within the Pajaro River/Monterey Bay Watershed. The County's Permit area boundary will be the urbanized area as defined by the latest Decennial Census (see Appendix B.1 for an overview map of the watersheds within Santa Clara County). The city boundary maps are described in Appendix B.2, attached hereto, and incorporated herein, by reference. Appendix B.1 and Appendix B.2 were developed by the GIS Division of the Santa Clara County Department of Planning and Development.

Program Finance

Implementing a successful storm water management program will require new or additional funding. In order to establish a successful program, the Phase II Permit will require funds for the capital, operation and maintenance, and enforcement expenditures; however, our opportunities for obtaining additional funds are limited. A municipality's ability to generate additional funds has been limited by Proposition 218. Proposition 218 requires a two-thirds majority vote to adopt any additional special taxes or fees. This makes adopting a "storm water" fee difficult to pass, especially during this economic downturn. Realizing that additional funds are not readily available, the Municipalities will investigate, during the first year of the program and continuously thereafter, new sources of funding to help financially support the program.

In the meantime, each community will implement the program to the maximum extent practical with the funds that are currently available. Some of the program requirements will not scheduled to be satisfied until later in the permit cycle to allow time to establish additional funding. Certain BMPs that are considered the most beneficial will be given higher priority and will be accomplished first; where as, BMPs with a lower priority will be accomplished later in the permit cycle.

Best Management Practices

I. Program Funding

Task: The SWMP will require additional funding for each Municipality. Additional funding may come from many sources. The Municipalities will search for funding from general fund appropriations, fees and taxes, as well as other outside sources such as grants. This BMP will be accomplished both individually and jointly.

Each Municipality will look into the possibility of gaining additional funds via fund appropriations, fees and taxes. Each Municipality will include as part of their individual section of the Annual Report all efforts made and provide details on any success to obtain additional funding. In addition, all joint efforts will be detailed in the Annual Report.

Measurable Goals and Effectiveness:

1. Continuously investigate additional funding opportunities from general fund appropriations, fees and taxes, as well as other outside sources.
2. Annually report on any funding options researched and if there are any potential opportunities.

II. Program Coordinators Work Group

Task: The primary goal of this meeting is for the Program Coordinators to discuss the progression of the SWMP including, but not limited to: public education efforts, public outreach and participation events, BMP implementation status, joint activities and emerging issues. Each Municipality will post on the website the agenda including the date, time and location of the meetings. All interested parties may attend the meetings but Gilroy, Morgan Hill and the County have the ultimate authority to make decisions about the storm water management program.

Each Program Coordinator will invite other municipal staff members, when necessary, to discuss specific program elements. A summary of the meetings will be developed and included in the Annual Report. The Program Coordinator Work Group will generally meet every other month in Morgan Hill. The meeting location can change if and when necessary.

Measurable Goals and Effectiveness:

1. Hold Program Coordinators Work Group meeting every other month.
2. Investigate BMPs to accomplish each year and develop a plan, if needed, to accomplish goals.
3. In the Annual Report include a summary of the past meetings, how often the group meets, and if there will be any changes made to the meeting times, location and/or frequency.

III. Effectiveness Assessment Program Strategy

Task: Effectiveness Assessment is a process used to evaluate whether a storm water program is meeting the performance standards, and if the performance standards are being achieved efficiently and cost-effectively. The Phase II NPDES General Permit contains requirements for annual review of the SWMP's effectiveness, BMPs effectiveness, and improvement opportunities to achieve the MEP.

While it is known that Effectiveness Assessment is a fundamental and necessary component for developing and implementing a successful storm water program, methods for conducting such assessments are less known. For over 10 years, Phase I Storm Water Communities have been faced with increasing pressures to demonstrate effectiveness of programs without specific guidance in conducting these assessments. Therefore, these programs have historically relied on regular evaluation of program elements and control measures to ensure progress is being made towards achieving broader program goals.

In May 2007 CASQA developed the *Municipal Stormwater Program Effectiveness Assessment Guidance* document to assist storm water program managers in designing and conducting program Effectiveness Assessment using a range of assessment methods. As described in the CASQA document, BMPs, program elements or the overall storm water program can be categorized within one or more of six levels of outcomes. Outcomes are defined as the result of implementing storm water BMP, program element or overall program implementation.

The Municipalities will use the CASQA document "*Level One Outcomes*" during the first two years of program implementation. This will allow municipal staff to become familiar with the basics of the storm water management program, and allow municipal staff to become fluent in the various BMPs and measurable goals of the storm water management program. During this period, BMPs will be annually evaluated for the following:

- Compliance with the General Permit (including inspection program, construction site control, elimination of illicit discharges, and new/redevelopment requirements).
- Verifying that BMPs are being implemented.

In Years 3 and 4, the Municipalities will continue to achieve *Level One Outcomes* while developing an Effectiveness Assessment strategy based on the principles outlined in the CASQA document. The draft strategy will be submitted as an update to the SWMP in the Year 3 Annual Report and as a final strategy in the Year 4 Annual Report. The strategy will describe actions that will be taken to assess the effectiveness of the SWMP in meeting regulatory requirements, improving water quality and beneficial use conditions. The strategy will specifically address the following:

- Identify a process to be used to conduct Effectiveness Assessments and improve BMP implementation for each MCM. Identify quantifiable BMP and program effectiveness measurements for each MCM. This will include determining whether a BMP is achieving its particular outcome level.

- Assess BMP implementation in terms of regulatory compliance, changing awareness, changing behavior, pollutant load reductions, and/or runoff and receiving water quality, as appropriate for each BMP. Identify links between BMP implementation and improvement in water quality and beneficial use conditions, where feasible. Optimize BMP effectiveness when the Effectiveness Assessment identifies BMPs or programs that are ineffective or need improvement. Evaluate BMPs and MCMs in successive Annual Reports beginning within Year 4.

Measurable Goals and Effectiveness:

1. During the first four years of the program use CASQA document “Level One Outcomes” to assess program effectiveness.
2. In years 3 and 4 develop an effectiveness assessment strategy.
3. Submit a draft strategy in the Year 3 Annual Report.
4. Submit a final strategy in the Year 4 Annual Report.

TABLE A – PROGRAM DESCRIPTION AND MANAGEMENT

BMPs, Measurable Goals, and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
A.I Program Funding	Look for additional funding from general fund appropriation, fees, taxes and grants.	1. Continuously investigate additional funding opportunities.	X	X	X	X	X	X	X	X	X
		2. Annual Report on any funding options researched and if there are any potential opportunities.	X	X	X	X	X	X	X	X	X
A.II Program Coordinator Work Group	Establish meetings for the program coordinators to discuss the progress of the program.	1. Meet every other month.	X				X	X	X	X	X
		2. Each year, develop a plan to accomplish the necessary BMPs for that year.	X				X	X	X	X	X
		3. Summarize the meetings and if there will be any changes made and include report in annual report.	X				X	X	X	X	X
A.III Effectiveness Assessment Program Strategy	Use the six “Outcome Levels” identified by CASQA to develop an effectiveness assessment strategy.	1. During the first four year of the program use CASQA document “Level One Outcomes” (documenting activities) to assess program effectiveness.		X	X	X	X	X	X	X	
		2. In years 3 and 4 develop an Effectiveness Assessment strategy.	X						X	X	
		3. Submit a draft strategy in the Year 3 Annual Report.	X						X		
		4. Submit a final strategy in the Year 4 Annual Report.	X							X	

Storm Water Management Plan

Storm Water Management Program Responsibility Table

Many departments and divisions will be involved in the storm water management program for each Municipality. Located below is a list of each of the departments that will be contributing to the storm water management program. Located under each department is the person who is responsible for that department and/or division. Appendix C.2 contains a Department Responsibility table, which indicates which department and/or division has responsibilities associated with each MCM.

Gilroy

Community Development Department

Engineering

- City Engineer- Rick Smelser
 - Senior Civil Engineer-Development-Charlie Krueger

Building, Life and Environmental Safety

- Development Center Manager- Kristi Abrams
- Fire Marshal- Jacqueline Bretschneider

Morgan Hill

Public Works

- Deputy Director of Public Works- Mori Struve
 - Program Administrator-Anthony Eulo
 - Assistant Engineer- Charlie Ha

County

Planning and Development

- Director - Jody Hall Esser
 - Development Services Manager- Thomas P. Whisler
 - Clean Water Coordinator- Clara Spaulding

Department of Environmental Health (DEH)

- Director-Ben Gale

Department of Agriculture and Environmental Management (AEM)

- Director- Greg Van Washenhove

Department of Parks and Recreation (Parks)

- Director- Lisa Killough

Department of Roads and Airports (R&A)

- Director- Michael Murdter

Department of Facilities and Fleets (F&F)

- Director- Larry Jinkins

Storm Water Management Plan

Section I: Public Education and Outreach

Introduction

The public contributes to storm water pollution due to the incremental activities that are part of every day life. Educating the public on the causes of storm water pollution and the steps that can be taken to reduce pollutants in storm water runoff will provide a more successful program. The intent is to institute a public education and outreach (PE&O) program that generates greater support for the program. As the public gains a greater understanding of the reasons why it is necessary and important to comply with the program, they will become more aware of their personal responsibilities and those of the community. All educational and outreach material will be target toward providing information to the public with regards to the POCs identified in the Program Description and Management Section Morgan Hill, Gilroy and the County intend to coordinate our PE&O program with each other to the MEP.

The County of Santa Clara and the Santa Clara Valley Water District (SCVWD) are active members in the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) for the North County NPDES Storm Water Phase I Permit under the San Francisco Bay Regional Water Quality Control Board's jurisdiction. The District is involved in work related to regional water quality, water supply and flood control issues. Currently, the SCVWD provides financial support for pollution prevention activities in Morgan Hill and Gilroy.

SCVURPPP provides the County with many of the same programs that are required from the CCRWQCB. It is the intent of the County to use the information available from SCVURPPP to help develop the PE&O program. Through SCVURPPP's PE&O activities, South Santa Clara County has been receiving mass media information about storm water quality. To meet PE&O requirements SCVURPPP hired TRG & Associates, a consulting firm specializing in environmental public outreach.

The Santa Clara Basin Watershed Management Initiative (SCBWM) also contributed to the PE&O program. SCBWM is a collaborative, stakeholder driven effort among representatives from regional and local public agencies, civic, environmental, resource conservation and agricultural groups; professional and trade organizations: business and industrial sectors; and the general public.

In coordination with the SCBWM and TRG & Associates, SCVURPPP launched the Watershed Water Campaign. The Watershed Watch Campaign includes radio, print, and transit advertising. "Got Bugs" transit and print ads, in English and Spanish, appear on Valley Transportation Authority buses that service all residents in Santa Clara County through Viacom Outdoor and in local newspapers such as the San Jose Mercury News. "Got Paint" print and radio ads appear in local newspapers and on local

radio stations such as KLOK/KBRG (Spanish radio), KBAY, and KRTY. The television stations, VTA transit lines, newspapers and radio stations, where SCVURPPP places their storm water messages, also services the communities in south Santa Clara County. Since TV, radio and newspapers are already saturated with storm water messages in South Santa Clara County, there will not be an additional program for educating the public via mass media developed by Gilroy, Morgan Hill, or the County, unless these services are no longer provided by SCVURPPP. Gilroy, Morgan Hill, and the County will still utilize TV, radio, and newspapers to inform the public on storm water issues for special occasions.

Under the MCM for PE&O, each Municipality is required to:

- 1) Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff. For non-traditional permittees, the employee/user population may serve as “the public” to target for outreach and involvement.

Objectives

The PE&O Program’s purpose is to make the public more aware of storm water pollution and how to prevent it. The following are the goals, which the County, Morgan Hill and Gilroy intend to achieve with the PE&O Program.

- 1) Educate residents on the local water bodies and how to protect those water bodies;
- 2) Change behaviors that negatively impact watersheds;
- 3) Promote public involvement;
- 4) Promote local municipalities and stakeholder coordination; and
- 5) Reach bilingual audiences.

In order to achieve the overall goal to educate the public about storm water and how to minimize pollutants in storm water runoff, the tasks listed below the section on Best Management Practices (BMPs) will be implemented within the next five years, upon approval of this SWMP.

Best Management Practices

I. Brochures

Task: Brochures provide information to the public about storm water pollution prevention. Brochures and other informational materials will be distributed at public events, during inspections, to development permit applicants, and are available in County, Gilroy, and Morgan Hill public buildings.

Gilroy has the following Brochures:

For Vehicle Service Facilities

- *Best Management Practices for Transportation-Related Washing Activities*

For Restaurants

- Best Management Practices (BMPs) Lessons from Master BMP

For Residents

- Keeping Gilroy's Waterways Clean and Healthy
- Keep it Clean

Morgan Hill has the following Brochures:

For Automotive Maintenance

- Best Management Practices (BMPs) for Auto Body Shops, Auto Repair Shops, Car Dealerships, Car Washes, Gas Stations and Fleet Maintenance operations

For Food Service Industry

- Best Management Practices (BMPs) for Bakeries, Delicatessens, Food Producers & Distributors, Grocery Stores and Restaurants

The County has the following Brochures:

For Residents

- "The Bay Begins at Your Front Door"
- "Home Maintenance Tips for a Cleaner Bay"
- "Pests Bugging You?"
- "Keeping it all in Tune"
- "Draining Pools and Spas"
- "Keep Pool/Spa Water Out of Storm Drains, Streets and Creeks"

For Vehicle Services Facilities

- "Keeping a Clean Shop"
- "Changing Oil and Other Fluids"
- "Tips for Managers of Vehicle Services Facilities"
- "Washing Cars and other Vehicles"
- "Engine and Part Cleaning and Radiator Flushing"
- "Body Work"

The County has the following Booklets:

For Construction

- "Blueprint For a Clean Bay"

For Vehicle Services Facilities

- "Your Shop Can Make a Difference!"
- "Best Management Practices for Automotive Related Industries"

Through the County's and SCVWD's coordination with SCVURPPP, the Municipalities will be able to modify the brochures and flyers that SCVURPPP developed and will have access to any additional brochures that SCVURPPP may develop. The brochures and flyers developed by SCVURPPP will need to be altered to inform the public that water flows to the Monterey Bay instead of the San Francisco Bay.

Measurable Goals and Effectiveness:

1. In year one, modify all existing brochures to reflect the South County Program, such as revising brochures to say water flows to Monterey Bay instead of San Francisco Bay.
2. Pass out brochures at 100% of public events each municipality attends.
3. When new Brochures are developed include a copy of the brochure in the Annual report once the brochure has been finalized.

II. Website

Task: Each Municipality will develop/modify their website to include information on the Storm Water Management Program, hotline number, how to get on the "interested parties" list and links to other related program web pages.

The website will be available to the public, developers, and other interested parties for information on, and how to comply with, the NPDES permit. The website will simultaneously meet all three of these audiences needs. The website will allow: the public to download educational material: allow developers to download useful documents such as post-construction BMP guidance, the Regional SWMP, and the Storm Water Ordinance; and allow other interested parties with meeting dates; other public outreach events; and public participation activities information. The links to other related websites also provides all three audiences links to sites that have more detailed information (such as a link to other related departments). The Storm Water Page might only mention a specific department, but any of the three audiences may choose to select the link to learn more about a certain department.

Measurable Goals and Effectiveness:

1. In year one, update and/or create a website to hold all related information about the Storm Water Management Program.
2. Update the website quarterly to include new events that are happening for the next three months, or as needed.

III. Public Events

Task: Public events provide a great opportunity to get public feedback on program elements. Each Municipality will participate in various public events that reflect their best interests. Events may include fairs, home and garden shows, festivals, expositions,

farmers' markets and other public events. At these events, information brochures and flyers will be handed out.

Staff from Morgan Hill and Gilroy will attend at least two public events per year in their respective cities, and the County will attend at least two public events per year, frequented by residents of San Martin, for the purpose of disseminating storm water information and receiving public input. Since San Martin residents attend many of the events located in Gilroy and Morgan Hill, the County may attend the same events that staff from Gilroy or Morgan Hill are already attending, and will work with Gilroy and/or Morgan Hill to disseminate storm water information and receive public input. It is in the Municipalities' best interest for the County to attend some of the large public events in Gilroy and Morgan Hill because these events attract larger crowds and would be effective at reaching more people.

Measurable Goals and Effectiveness:

1. Each Municipality will attend two public events each year.
2. In the annual report, each Municipality will report on the two public events that were attended and how many people were there.

IV. Outreach Program

Task: Programs such as the oil recycling, household hazardous waste, and community clean up days provide outreach to the residents in Gilroy, Morgan Hill and the unincorporated areas of the County. These programs provide a service to the public as well as education. The oil recycling program and household hazardous waste programs are currently being advertised and brochures are provided when individuals drop off materials at recycling centers. Booths, brochures and verbal communication provided by Municipality staff at community events will educate the public. At community events/activities there will be various brochures available for volunteers to take home and will be located where volunteers sign in. Measurable goals for the outreach program are discussed further in *Section II: Public Involvement and Participation* and *Section III: Illicit Discharge Detection and Elimination*.

Measurable Goals and Effectiveness:

1. Please see the following BMPs for more information:
 - *Section II: Public Involvement and Participation*
 - BMP 2.V Public Involvement
 - *Section III: Illicit Discharge Detection and Elimination*.
 - BMP 3.IX Used Oil Disposal
 - BMP 3.X Household Hazardous Waste Collection

V. Non-English Speaking Outreach

Task: Morgan Hill, Gilroy, and the County have diverse communities, and English may not be the primary language spoken for some of our residents. It is in our best interest to provide educational material to our non-English speaking residents. Currently, SCVURPPP has educational ads running on Spanish radio stations, print ads in Spanish appearing on Valley Transportation Authority buses and ads in the local paper.

The County already has some brochures that are available in Spanish and Vietnamese, such as “The Bay Begins at Your Front Door.” When developing new brochures, the Municipalities will determine if it would be beneficial to produce the new brochure in both English and Spanish.

Measurable Goals and Effectiveness:

1. When developing new brochures, decide if it should be printed in both English and Spanish. Any new brochures, translated into another language, will be included in the Annual Report.

VI. Disadvantaged Communities

Task: Some Communities may not be reached by initial outreach efforts. The Municipalities will work together to identify communities not previously target by the storm water education program. Once the Municipalities know which communities are not receiving outreach, they will develop an outreach program to target those communities. In year three, the Municipalities will report on which communities are not receiving the storm water education program and include an outreach strategy for those communities. In year four the Municipalities will conduct outreach. In year five, the Municipalities will follow up on educational efforts to assess effectiveness.

Measurable Goals and Effectiveness:

1. Identify communities not previously targeted by the storm water education program
2. Report on the communities not targeted and develop an outreach program for disadvantaged communities.
3. Conduct outreach program for disadvantaged communities.
4. Follow up on the educational efforts provided to assess effectiveness.

VII. Community-Based Social Marketing

Task: The Municipalities understand that behavior changes rarely occur as a result of simply providing education. In most cases it takes initiatives at the community level, focusing on removing the barriers to an activity while simultaneously enhancing the activity’s benefit to see any change.

During year one and two, the Municipalities will work together to assess public education methods in order to improve the PE&O program effectiveness.

Measurable Goals and Effectiveness:

1. Assess community-based social marketing strategies and incorporate them into the educational BMPs where appropriate.

VIII. Education in Schools

Task: Classroom education conveys information about storm water pollution prevention. By providing classroom education, the message about storm water pollution and how to prevent pollution reaches not only the students in the classroom, but also their parents and/or legal guardians.

A school education program will be developed for each Municipality. Education can be performed in individual classes or through school assemblies. Each Municipality and their respective school official will decide which approach will work best within their jurisdiction. The approach taken will depend on whether the School District wants to reach a certain grade level every year or if an entire school will be reached. The chosen approach will articulate the measurable goal. When each Municipality and their respective School District have decided on the school education program, the SWMP will be updated to include the measurable goal. Depending on how the education program is set-up, the measurable goals will either be a number or percentage of schools or grade levels reached. Each Municipality may have a separate approach for educating K-12 students, but the goal is the same, to reach 100% of the schools by year 5.

During the first year, Municipalities will look into the available options for school education program, including any established programs. For example, hiring an existing school education program to come to each school or training teachers on water issues that can be incorporated into the school curriculum.

The municipalities will develop a evaluation form for the students to fill out after the education program. The evaluation forms will asking various questions about the information covered. The results of the evaluation will determine how effective the school education program is.

At present, the SCVWD has an existing multi-lingual school outreach program that focuses on Stream Stewardship, Non-point Sources, Watersheds, Water Quality, Conservation, Water Cycle, States of Water and History of Water. This program currently reaches students and teachers in the Morgan Hill and Gilroy communities.

Measurable Goals and Effectiveness:

1. Meet with the school official to discuss the school education program.
2. Evaluate ways to provide school education, and document which option will be used in year 1.
3. Update SWMP to include measurable goals for the school education program. By year 5, 100% of schools will be reached.
4. Develop an evaluation form.

5. Administer evaluation form after education program has been conducted.

IX. Public Survey

Task: Conduct baseline survey to determine the general attitude and knowledge of residents in the South Santa Clara County with regards to storm water issues. Morgan Hill, Gilroy and the County will self-administer a survey during the first year and the fifth year. The purpose of the survey is to determine the existing awareness of these issues. After five, a follow-up survey will establish whether there is any increased awareness or changes in attitudes towards storm water issues.

The results from the first survey will help determine which topics of water quality and pollution prevention the public is less familiar with, and will determine how the educational materials and outreach activities developed should be presented. The survey conducted in year 5 will allow the Municipalities to determine if all the efforts made to educate the public were effective. The results in year five will also aid the Municipalities on which education and outreach activities and/or public participation events should or should not be continued.

Measurable Goals and Effectiveness:

1. In year one, conduct public survey to determine residents' knowledge of storm water issues and the willingness to change behaviors to benefit the watershed.
2. In year one, report results for survey in the Annual Report.
3. Conduct same survey in year 5 to determine if there is any increase in awareness and/or willingness to change behaviors as compared to year one.
4. In the Year 5 Annual Report, the Municipalities will provide results from the survey. The report will include which efforts made an impact and which will not be continue in the next permit cycle.

Program Effectiveness

Effectiveness Assessment is a process that storm water program managers use to evaluate whether their programs are resulting in desired outcomes and if these outcomes are being achieved efficiently and cost-effectively. During the first two years of the storm water program the municipalities will achieve "Outcome Level One" as defined in CASQA document. Municipalities will continue to achieve "Level One Outcomes" while evaluating effectiveness outcomes for this MCM beginning in Year 3. The Program Description and Management Section further describes Effectiveness Assessment for the storm water management program.

TABLE 1 – PUBLIC EDUCATION AND OUTREACH

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
1.I Brochures	Provide information about storm water pollution prevention. Make all brochures available to the public and for public distribution.	<ol style="list-style-type: none"> 1. Revise existing brochures, as necessary. 2. Pass out brochures at 100% of public events each municipality attends. 3. Develop new brochures, as necessary, and include a copy of the brochure in the Annual report once it has been finalized. 	X	X	X	X	X	X	X	X	X
1.II Website	Develop/modify website to include information about the Storm water program.	<ol style="list-style-type: none"> 1. Update/create a website on the storm water management program. 2. Update website quarterly to include new events that happening for the next three months and as needed. 		X	X	X	X				
1.III Public Events	Attend two public events per year to hand out information, answer questions and solicit feedback from residents.	<ol style="list-style-type: none"> 1. Attend two public events each year. 2. Annually report on the events that were attended and how many people were there. 		X	X	X	X	X	X	X	X
1.IV Outreach Program	Outreach programs: Household Hazardous Waste, Oil recycling program and community cleanup events.	PLEASE SEE SECTION II: PUBLIC INVOLVEMENT AND PARTICIPATION and SECTION III: ILLICIT DISCHARGE DETECTION AND ELIMINATION									
1.V Non-English Speaking Outreach	Provide educational material to non-English speaking residents.	1. When developing new brochures, decide if it should	X				X	X	X	X	X

TABLE 1 – PUBLIC EDUCATION AND OUTREACH

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
		be printed in both English and Spanish and include translated brochures in the Annual Report.										
1.VI Disadvantaged Communities	Some Communities may not be reached by initial outreach efforts. A program will be developed to provide outreach to disadvantaged communities.	<ol style="list-style-type: none"> 1. Identify communities not previously targeted by the storm water education program. 2. Report on the communities not targeted and develop an outreach program for disadvantaged communities. 3. Conduct outreach program for disadvantages communities. 4. Follow-up on educational efforts to assess effectiveness. 	X					X				
			X							X		
			X								X	
			X								X	X
1.VII Community-Based Social Marketing	Continually assess new public education methods in order to improve the effectiveness of education and outreach program.	1. Assess community-based, social marketing strategies, and incorporate them into the educational BMPs where appropriate.	X							X	X	X
1. VIII Education in Schools	Develop a school education program.	<ol style="list-style-type: none"> 1. Meet with school official to discuss school education program. 2. Evaluate ways to provide school education, document which option will be used. 3. Document number of 		X	X	X	X	X				
				X	X	X	X	X				
				X	X	X	X		X	X	X	

TABLE 1 – PUBLIC EDUCATION AND OUTREACH

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
		schools that received education program and number of students that attended (100% of schools reached at the end of the five year permit term). 4. Develop an evaluation form. 5. Administer evaluation form after education program has been conducted.	X	X	X	X			X	X	X
1.IX Public Survey	Conduct a survey to determine the awareness of, and/or attitudes towards, storm water issues	1. Conduct public survey to determine residents' knowledge of storm water issues and willingness to change behaviors. 2. Report results of survey. 3. Conduct public survey in year 5 to determine if there are any changes in awareness. 4. Report on results from second survey and provide a comparison with the first survey. Include which efforts that were successful and efforts that will be discontinued.	X				X				
			X				X				X
			X								X

Storm Water Management Plan

Section II: Public Involvement and Participation

Introduction

The public plays an important role in the success of the storm water program by providing valuable input and assistance. For this reason, the public will be encouraged to be involved in the program. The public includes residents, commercial and retail business owners, industry representatives, developers, construction contractors, agency staff, elected officials and governmental agencies. The benefits of public involvement include broader public support for the program and increased resources in the form of citizen volunteers.

Under the MCM for Construction Site Storm Water Runoff Control, each Municipality is required to:

- 1) At a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program.

Objectives

The Public Involvement and Participation Program are designed to involve the community in preventing storm water pollution. The following are the goals, which the County, Morgan Hill and Gilroy intend to achieve with the Public Involvement and Participation Program.

- 1) Raise public awareness about storm water pollution and pollution prevention.
- 2) Encourage citizen participation and support for preventing storm water pollution.
- 3) Encourage public participation in the development, review and improvement of the SWMP.

To achieve the overall goal of increasing awareness and public involvement, as well as reducing storm water pollutants, the tasks listed below the following section on Best Management Practices will be implemented within the next five years, upon approval of this SWMP.

Best Management Practices

I. Interested Parties List

Task: The Municipalities will work together to develop an interested parties list. The interested parties list will be used to inform residents, stakeholders, and any other interested parties about the storm water management program, any events that are

coming up, and activities to participate in. These events will include both program development and program implementation events (such as trash clean-up days).

Each Municipality will include on their website signup information for the interested parties list. By the end of year one each Municipality will develop an interested parties list link on their webpage. At all public events, activities, training and meetings there will be a sign up sheet that will allow people to put their name and email address if they wish to be added to the interested party list.

Each Municipality will email their interested party list quarterly, informing all interested parties on the next three month's events and activities available. Additional emails will be sent as necessary.

Measurable Goals and Effectiveness:

1. Develop interested party list in year one and add to the list, as needed.
2. Email interested party list quarterly on the next three month's events and activities.
3. Create a link on the website for interested parties to be added to the interested parties email list.
4. At all public events, activities and meetings, have a sign up sheet that will allow people to sign up for the interested party list.

II. Public Involvement in SWMP Development

Task: The Municipalities recognize that involving the public in the development of the SWMP will produce a more successful storm water management program. Involving the public in the development of the storm water management program will strengthen the program by making the public aware of the activities and programs available to them, and may result in the public participating in more of the events and activities available through the program.

As part of the development of the SWMP, there will be a 30-day public comment period. Notification of the public comment period will include:

- Email the interested parties,
- Place an ad in the local newspapers for three consecutive weeks, and
- Post the notice and provide a copy of the SWMP for review at the local libraries and in each Municipalities respective department office.

Each Municipality will also present the plan at a public meeting before their respective elected officials, where the public will be able to voice their comments and concerns. In addition, an email will be sent to our interested parties list on when the public meeting is and the location.

Measurable Goals and Effectiveness:

1. Respond to 100% of public comments.

2. Email interested parties with the public meeting date and time.
3. Document the date and time of public meetings.

III. Public Involvement with SWMP Review and Improvement

Task: Each year the Municipalities will work both individually and together to assess the effectiveness of the SWMP. In addition to our own assessment, we will solicit review/evaluation from the public on the program. To help the public evaluate our program each Municipality will post the Regional SWMP, CCRWQCB SWMP review comments and the Annual Reports on their website.

The Municipalities will solicit review from our interested party list. An email will be sent out annually to everyone on the interested parties list asking them to complete an effectiveness evaluation form. This form will include a section for the Municipalities to ask very specific and general questions about how the SWMP is progressing, a comments/concern section, and a suggestions section.

Measurable Goals and Effectiveness:

1. Develop the evaluation form for interested parties to fill out in year one.
2. Send interested parties evaluation forms to complete each year (starting in the second year) in the spring.
3. Summarize evaluations from the public in the Annual Report.

IV. Storm Drain Awareness Program

Task: Marking storm water quality messages adjacent to storm drain inlets, will make the public more aware of the impacts of pollutants entering the storm drain system. In Gilroy and Morgan Hill, either developers or volunteers mark storm drain inlets in highly visible areas. These markings advise the public that dumping is not allowed. For this permit, storm drains will continue to be marked by either Developers or volunteers.

The unincorporated area of the County does not have storm drains and will not develop a storm drain-marking program.

Conditions of approval, for all new/redevelopment projects, will include owner responsibility for having all new storm drains marked and refresh any storm drain that is affected by the project. All existing storm drains will be marked and refreshed, as needed, by volunteers.

On average, storm drains need to be marked every 2 to 3 years. Morgan Hill and Gilroy will inspect the storm drain markings two years after being marked to determine if maintenance is needed.

The number of volunteers each Municipality has may vary from year to year, and is not always reliable given that some years multiple people will volunteer and the next only a few. For this reason, each year we will evaluate if volunteers are the best option for

marking storm drains. This evaluation will be based on how many volunteers sign-up to paint storm drain messages and how many storm drains were marked.

Morgan Hill and Gilroy will mark an average of 20% of storm drains each year for a total of 100% of storm drains marked by year 5. To help ensure that this goal is reach, Gilroy and Morgan Hill will develop a marking schedule and map of storm drains.

Measurable Goals and Effectiveness:

1. Require 100% of all new/redevelopment projects to mark storm drains that are affected by the construction, storm drains that the project drains to, and any new drains that were created with the project.
2. Track the number of storm drain inlets marked and their locations. Mark an average of 20% of storm drains per year for a total of 100% storm drains marked by year 5.
3. Inspect storm drains every two years, after they have been marked, to determine when markings need maintenance.
4. Report on the number of volunteers participating in storm drain marking events.
5. Evaluate if volunteers are the best method for accomplishing storm drain marking and modify method, if necessary.

V. Community Clean-up Events

Task: Community clean-up events are meant to make the public aware of how their actions can affect water quality. The purpose of clean-up events is to show the community that their actions play a role in either polluting or protecting water quality. The community clean-up events are also meant to make the public aware that they can help to protect the watershed too.

Each Municipality will sponsor and publicize at least one clean-up event per year and report on the number of volunteers, and the weight or volume of trash collected at each event attended. Municipalities may choose to co-sponsor an event. In addition, each Municipality will post, on their website, information about the National River Cleanup Day and the California Coastal Cleanup Day, even if the Municipality chooses not to participate in those events.

In year 3, the Municipalities will develop a review program to measure the effectiveness of the community clean-up events. In years 4 and 5, the Municipalities will measure the effectiveness of the community clean-up events and modify as needed.

Measurable Goals and Effectiveness:

1. Annually, help coordinate and sponsor either a National or local clean-up day.
2. Annually, post information on the storm water webpage or create a link for information about National River Cleanup day and California Coastal Cleanup Day.
3. Annually, report on the number of volunteers and either the weight or volume of trash collected.

4. Begin measuring effectiveness of community clean-up events and modify if needed.

VI. Water Conservation Program

Task: Water conservation is important because over-watering is the primary cause of runoff from landscape, lawns, and garden areas. Preventing runoff from landscaping, lawns, and garden areas will prevent chemicals, nutrients, and sediment from entering the storm drain system and polluting the water bodies.

Conserving water is an important aspect of environmental protection. Morgan Hill developed a water conservation program in place of the community gardening/composting program. The Water Conservation Program focuses on making the public aware of their water use habits and how to alter them. Morgan Hill provides interested residents with the following items at no charge: “Water Wise Garden Information Packet”, “Water Conservation Kits,” and water-saving showerheads and faucet aerators.

The SCVWD also has a Water Conservation Program that is available to South County residents. The program includes free water audits that help homeowners implement practices to reduce water use at their residence. The SCVWD also provides a lawn reduction incentive program to help encourage residents to eliminate their lawn and plant native vegetation. The SCVWD maintains a section of its website dedicated to water conservation that includes sections on water conservation tips, rebates for home, landscaping and recycled water practices.

In year 3, the Municipalities will develop a review program to measure the effectiveness of the water conservation program. In years 4 and 5, the Municipalities will measure the effectiveness of the water conservation program and modify as needed.

Measurable Goals and Effectiveness:

1. Document the number of “Water Wise Garden Information Packet”, “Water Conservation Kits,” and water-saving showerheads and faucet aerators that were given out to the public.
2. Begin measuring the effectiveness of water conservation program and modify if necessary.

VII. Public Hotline

To promote public input, a hotline for reporting water quality issues will be available. For more information please see Public Hotline in Section III: Illicit Discharge Detection and Elimination.

Measurable Goals and Effectiveness:

1. See Section III: Illicit Discharge Detection and Elimination for more information.

Program Effectiveness

Effectiveness Assessment is a process that storm water program managers use to evaluate whether their programs are resulting in desired outcomes and if these outcomes are being achieved efficiently and cost-effectively. During the first two years of the storm water program the municipalities will achieve “Outcome Level One” as defined in CASQA document. Municipalities will continue to achieve “Level One Outcomes” while evaluating effectiveness outcomes for this MCM beginning in Year 3. The Program Description and Management Section further describes Effectiveness Assessment for the storm water management program.

TABLE 2 – PUBLIC INVOLVEMENT AND PARTICIPATION

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
2.I Interested Parties List	Develop an interested parties list to inform those on the list of information about the program, events and activities.	<ol style="list-style-type: none"> 1. Develop interested party list and add to the list as needed. 2. Email interested party list quarterly on the next three months events and activities. 3. Create a link on the website for interested parties to be added onto the interested parties email list. 4. At all public events, activities, and meetings have a sign up sheet that will allow people to be added to the interested parties list. 		X	X	X	X	X	X	X	X
2.II Public Involvement in SWMP Development	Involve the public in the development of the SWMP.	<ol style="list-style-type: none"> 1. Respond to 100% of public comments. 2. Email interested parties with the public meeting date and time. 3. Document the date and time of public meetings. 	X	X	X	X	X	X	X	X	X
2.III Public Involvement with SWMP Review and Improvement	Solicit review/evaluation from the public on the storm water management program.	<ol style="list-style-type: none"> 1. Develop the evaluation form for interested parties to fill out. 2. Send interested parties evaluation forms to complete. 3. Summarize evaluations from the public in the Annual 	X				X				
			X					X	X	X	X
			X					X	X	X	X

TABLE 2 – PUBLIC INVOLVEMENT AND PARTICIPATION

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
		Report.										
2.IV Storm Drain Awareness Program	Develop a storm drain-marking program.	<ol style="list-style-type: none"> 1. Require 100% of all new/redevelopment projects to mark storm drains that are affected by the construction, storm drains that the project drains to, and any new drains that were created with the project. 2. Track the number of storm drain inlets marked and locations. Mark an average of 20% of total storm drains per year to achieve a goal of 100% by the end of year 5. 3. Inspect storm drains every two-years to determine when maintenance is needed. 4. Report on the number of volunteers participating in storm drain marking events. 5. Evaluate if volunteers are the best method for storm drain marking and modify method, if necessary. 		X	X	X	X	X	X	X	X	X
				X	X	X	X	X	X	X	X	X
				X	X	X			X	X	X	X
				X	X	X			X	X	X	X
2.V Community Clean-up Events	Participate and publicize at least one cleanup day (National or local cleanup events).	<ol style="list-style-type: none"> 1. Annually help coordinate and sponsor either a national or local clean-up day. 2. Annually post information on the storm water webpage and 		X	X	X	X	X	X	X	X	X
				X	X	X	X	X	X	X	X	X

TABLE 2 – PUBLIC INVOLVEMENT AND PARTICIPATION

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
		create a link for information about National River Cleanup Day and California Coastal Cleanup Day. 3. Annually report on the number of Volunteers and either the weight or volume of trash collected. 4. Begin measuring the effectiveness of community clean-up events and modify if needed.		X	X	X	X	X	X	X	X
2.VI Water Conservation Program	Provide a water conservation program to focus on making the public aware of their water use habits and how to alter them.	1. Document the number of “Water Wise Garden Information Packet”, “Water Conservation Kits” and “Water-saving shower heads and faucet aerators” that were given out to the public. 2. Begin measuring effectiveness of water conservation program and modify if necessary.				X	X	X	X	X	X
2.VII Public Hotline	Continue to offer Public Hotline for the public to report complaints on storm water quality issues.	SEE SECTION III: ILLICIT DISCHARGE AND DETECTION									

Storm Water Management Plan

Section III: Illicit Discharge Detection and Elimination

Introduction

Illicit discharge is a discharge to a MS4 that is not composed entirely of storm water. There are two types of illicit discharge connections: direct and indirect. Direct connections are discharges that are either mistakenly or deliberately connected to the storm drain, such as, sanitary sewers or industrial waste laterals. Indirect connections are discharges originating from infiltration into the storm drain system from sources such as cracked sewer lines, or spills that migrate into a storm drain inlet. Examples of indirect connection include accidental spills, sewer overflows, or wash water discharged into storm drain inlets. Exceptions to illicit discharge are discharges from NPDES permitted industrial sources and discharges from fire-fighting activities. Illicit discharges are considered “illicit” because a MS4 is not designed or intended to accept, process, or discharge such non-storm water flows. Illicit discharges go untreated and contribute to elevated levels of pollutants found in water bodies such as heavy metals, toxics, oil and grease, solvents, nutrients, viruses, and bacteria. Pollutant levels from these illicit discharges have been shown in EPA studies to be high enough to significantly degrade receiving water quality and threaten aquatic, wildlife, and human health.

Under the Minimum Control Measure for Illicit Discharge Detection and Elimination each Municipality is required to:

- 1) Develop, implement, and enforce a program to detect and eliminate illicit discharges (as defined at 40 CFR §122.26(b)(2)) into the regulated Small MS4;
- 2) Develop, if not already complete, a storm sewer system map, showing the locations of all outfalls and the names and locations of all waters of the U.S. that receive discharges from those outfalls;
- 3) To the extent allowable under State or Local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the MS4 and implement appropriate enforcement procedures and actions;
- 4) Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the system that are not authorized by a separate NPDES permit;
- 5) Inform public employees, businesses and the general public of the hazards that are generally associated with illegal discharges and improper disposal of wastes; and
- 6) Address the following categories of non-storm water discharge flows (i.e., authorized non-storm water discharges) only where they are identified as significant contributors of pollutants to the Small MS4:
 - a. Water line flushing
 - b. Landscape irrigation
 - c. Diverted stream flows
 - d. Rising ground waters

- e. Uncontaminated ground water infiltration
- f. Uncontaminated pumped ground water
- g. Discharges from potable water sources
- h. Foundation drains
- i. Air conditioning condensation
- j. Irrigation water
- k. Springs
- l. Water from crawl space pumps
- m. Footing drains
- n. Lawn watering
- o. Individual residential car washing
- p. Flows from riparian habitat and wetlands
- q. De-chlorinated swimming pool discharges

Discharges or flows from firefighting activities are excluded from the effective prohibition against non-storm water and need only be addressed when they are identified as significant sources of pollutants to waters of the United States.

Objectives

The Illicit Discharge Detection and Elimination Program will incorporate a combination of mapping and monitoring, regulatory controls, establish procedures for reporting, establish a public hotline and training for staff to reduce, to the maximum extent practical, illicit discharge from direct and indirect connections. The following are the goals in which the County, Morgan Hill and Gilroy intend to achieve the Illicit Discharge Detection and Elimination Program

- 1) Prohibit illegal dumping and illicit discharges into the MS4.
- 2) Identify and eliminate sources of illicit discharges that are not authorized by a separate NPDES permit.
- 3) Detect and eliminate illegal waste disposal practices.

To achieve the overall goal of reducing illicit discharges, the tasks listed below the section on Best Management Practices (BMPs) will be implemented within the next five years, upon approval of this SWMP.

Best Management Practices

I. Storm Water Infrastructure Map

Task: A storm water infrastructure map/GIS layer will help coordinate management activities to remove illicit connections. The map will locate outfalls and locations of all waters of the U.S that receive discharge from those outfalls, and which channels and waterways are under the jurisdiction of the SCVWD, Gilroy, Morgan Hill or the County, and will be revised accordingly. By mapping the storm water infrastructure, it will aid in

tracking sources of illicit discharges, identifying problem areas and identify areas in need of more frequent monitoring.

The storm water system in unincorporated South Santa Clara County is primarily a rural system of swales, drainage courses, and streams; therefore, the storm water infrastructure map for the County will not contain an integrated storm water system of conveyance structures.

Measurable Goals and Effectiveness:

1. Provide storm water infrastructure map/GIS layer.
2. Update infrastructure map/GIS layer annually to include new facilities and to prioritize sites for inspection, if needed.

II. Storm Water Ordinance

Task: The storm water ordinance (Ordinance) provides the necessary legal authority to enforce and prohibit various program elements to protect water quality. The Ordinance will include definitions of illicit discharges, authorized discharges, and when authorized discharges are not exempted, enforcement authority, enforcement procedures, actions and penalties. Under the enforcement procedures, actions, and penalties will be a strategy for escalating enforcement actions. The ordinance will address the following:

- Non-authorized non-storm water discharges to roads, creeks and municipal storm drain systems. The following will be prohibited: sewage, industrial wastes, hazardous waste, anti-freeze, petroleum or petroleum products, coal tar, chemicals, detergents, solvents, paints, contaminated or chlorinated swimming pool water, pesticides, herbicides, fertilizers, soil sediments, wash water, cans, bottles, refuse, animal wastes, cement powder, concrete waste, broken concrete, construction site waste or debris, motor or other vehicles or parts thereof, or any material that may be deleterious to aquatic life.
- Runoff from backyard livestock/hobby farms and pollution from septic systems,
- Authorized non-storm water discharges, prohibit authorized non-storm water discharges that are determined to be a significant source of pollution from septic systems,
- Pet waste,
- Erosion and sediment control and other construction related issues,
- Commercial/industrial discharges,
- Construction site inspections and enforcement, and
- Post construction storm water control measures (including LID, HMP and Operation and Maintenance requirements).

One of the main purposes of the regional permit is to have consistent regulations across county and city boundaries in South Santa Clara County. Currently, Morgan Hill is in the process of adopting an Ordinance and is actively working with the CCRWQCB to ensure that the Ordinance will satisfy all permit requirements. Please see Appendix D.1 for a copy of the draft Ordinance. Gilroy currently does not have an Ordinance and the

County's Ordinances needs to be revised to meet General Permit requirements and CCRWQCB expectations for South Santa Clara County. The County's existing Ordinance will be implemented through education programs, complaint response and existing enforcement procedures.

To achieve the goal of consistent regulations across city and county boundaries, Gilroy and the County will use Morgan Hill's Ordinance as a model to develop their own Ordinance. During the second and third year, both Gilroy and the County will work with the CCRWQCB to finalize the draft Ordinance. Gilroy and the County will each submit a copy of the draft Ordinance as part of the Annual Report in year 2. By the end of year three, the County and Gilroy will each hold a public meeting to adopt the Ordinance. Once the Ordinance is adopted, implementation and enforcement will begin as appropriate for each Municipality. The finalized Ordinance will be included in the Annual Report that the Ordinance was adopted in.

During year 3 and 4 each Municipality will develop an escalating enforcement strategy that will include verbal warning, written warnings, citations and referrals to other agencies. The enforcement strategy will define when a specific enforcement action should be used.

During years four and five, the Municipalities will evaluate the effectiveness of the new ordinance based on enforcement activities and abatement results. The Municipalities will revise the ordinance, if necessary, based on Effectiveness Assessment.

Measurable Goals and Effectiveness:

1. Evaluate effectiveness of the current Ordinance based on enforcement activities and abatement results.
2. Document number of complaints and enforcement activities in Annual Report.
3. Develop draft Ordinance in year one and two. Submit draft as part of Annual Report in year 2.
4. Hold public meeting to adopt Ordinance by the end of year 3.
5. Submit finalized Ordinance as part of the Annual Report once the Ordinance is adopted.
6. Develop escalating enforcement strategy in year 3 and 4.
7. Begin implementing the Ordinance, as appropriate, once adopted.
8. Evaluate effectiveness of the new Ordinance based on enforcement activities and abatement results and revise, if necessary,

III. Pet Waste Ordinance

Task: Adopt a pet waste ordinance as an element of the Ordinance. The pet waste ordinance will be established to prohibit the deposition of pet waste on public property, and require proper collection and disposal of pet waste to prevent discharge of fecal material to the storm drain system. Details on the Ordinance development schedule, enforcement procedures and implementation are located in *BMP 3.II Storm Water Ordinance*.

Each Municipality will develop enforcement procedures and will work together to develop educational materials that will be included in the PE&O Program. Education material will articulate the importance of proper pet waste disposal, impacts on water quality from pet waste and instructions on proper disposal of pet waste. Educational material will be available at each department's office, and will be made available to the public at all appropriate outreach and/or public participation events.

Measurable Goals and Effectiveness:

1. Develop and include draft Pet Waste Ordinance as an element in the Draft Ordinance to be submitted in the Annual Report for year 2.
2. Develop educational material by end of year 3.

IV. Backyard Livestock/Hobby Farms

Task: Pollutants such as sediment, nutrients, and pathogens can come from backyard livestock and/or hobby farms. For this reason, the Municipalities will work together to develop a strategy to reduce pollutants from small livestock operations. This strategy will include an education program to inform small livestock facility operators on how to prevent sediment, nutrients, and pathogens from discharging from their facilities into the storm drain system.

There are various established programs available for the Municipalities to work with to develop an education program (i.e. the County of Santa Clara's Livestock Advisory Program or the Livestock and Land Program). During the first two years the Municipalities will contact the Livestock Advisory Program and/or the Livestock and Land Program.

In the third and four year, the Municipalities will work together to develop an education program and a review program to measure the effectiveness. The education program and review program will submit, as an update to the SWMP. In year 5, the Municipalities will implement the program and begin evaluating effectiveness.

Measurable Goals and Effectiveness:

1. During the first two years, contact the County of Santa Clara's Livestock Advisory Program or the Livestock and Land Program.
2. In years 3 and 4, develop education and review program. Submit a copy of the programs in the Annual Report.
3. In year 5, implement program and begin evaluating for effectiveness.

V. Detect and Eliminate Illicit (unauthorized) Non-Storm Water Discharges

Task: The Illicit Discharge Detection and Elimination (IDD&E) Program is aimed at identifying and eliminating sources of unauthorized non-storm water discharges. Each

Municipality currently has some form of an IDD&E program where complaints are investigated. Each Municipality also prioritizes complaints, and inspects those with the highest priority first. Priority is typically based on the potential threat the complaint has on the environment.

During the first year, each Municipality will review their IDD&E program to ensure that the program has the elements listed below. Each Municipality will modify their existing program to include any element that is not already part of the IDD&E program by the end of year two. The IDD&E program shall include:

1. Assignment of personnel and resources for enforcing prohibitions on illicit discharges.
2. A training program for inspectors.
3. Materials that will be used to educate and inform individuals who are responsible for illegal discharges.
4. Plans to inspect the storm drainage system, when applicable, for evidence of non-storm water flows to trace illicit discharges to the source.
5. Plans to identify and prioritize types and locations of discharge for inspection.
6. A plan for responding to illicit discharge incident.
7. A system for responding to referrals from other agencies or departments.
8. A protocol for contacting, educating and assisting individuals or business responsible for illicit discharges and taking enforcement actions, where appropriate.
9. A tracking system to document and report field inspections and incidents.
10. Criteria for an annual evaluation of effectiveness of this element.
11. A schedule for implementing field investigations.

In year 3, the Municipalities will develop a review program to measure the effectiveness of the IDD&E program. In years 4 and 5, the Municipalities will measure the effectiveness of the IDD&E program and modify as needed.

Measurable Goals and Effectiveness:

1. Inspect 100% of all actionable complaints, starting in year one.
2. Annually report on all actionable complaints and incident reports, field investigations, enforcement, and follow-up actions taken.
3. Evaluate the effectiveness of the current IDD&E program based on the enforcement activities and abatement results.
4. During year 1, evaluate the existing IDD&E program and submit, as part of the Annual Report, program elements listed above that will be added to the IDD&E program.
5. Modify the IDD&E program in year two and include a summary in the Annual report of all new program elements.
6. Train all staff involved in the IDD&E program on the new program elements.
7. Begin implementing the new program in year three.
8. Evaluate the new IDD&E program and modify, if necessary.

VI. Authorized Non-Storm Water Discharges

Task: Non-storm water discharges can discharge into the storm drain system and receiving water bodies throughout the year. The types of pollutants that can be introduced as a result of non-storm water discharges include, but are not limited to, sediment, soaps, oils, chlorine, pesticides, fertilizers, and turbidity.

The seventeen listed categories at the beginning of this section will need to be addressed if a Municipality discovers the discharge to be a significant contributor to the storm drain system. If any of these discharges are discovered to be a significant source of pollution, actions will be taken to abate the source under existing enforcement authority and/or future Ordinance enforcement policies.

The County uses the SCVURPPP *Conditionally Exempted Discharges Classification and Control Measure* document for their North County NPDES Storm Water Permit. There are a few differences between South County from North County (i.e. Morgan Hill and Gilroy do not use chloramines to treat potable water and their chlorine residuals are fairly low) that will prevent the Municipalities from adopting the SCVURPPP classifications and control measures. Instead, Gilroy, Morgan Hill and the County will use SCVURPPP classifications and control measures as a guide when developing classifications and control measures for the South County.

During the first year, the Municipalities will review the SCVURPPP *Conditionally Exempted Discharges Classification and Control Measure* document to determine which classifications apply for South County. The Municipalities will make modifications to the document as necessary. Each year, the Municipalities will work together on five or six of the authorized discharges to create guidelines for discharges that need treatment prior to discharging. A copy of the draft classifications will be submitted as part of the Annual Report.

In year 3, the Municipalities will develop a review program to measure the effectiveness of the authorized non-storm water discharge program. In years 4 and 5, the Municipalities will measure the effectiveness of the authorized non-storm water discharge program and modify as needed.

Measurable Goals and Effectiveness:

1. Develop five or six classifications and control measures annually characterizing non-storm water discharge non-exemptions. All seventeen will be developed by the end of year 3.
2. Begin implementing limitations once Ordinance is adopted.
3. Annually document any significant discharge contributors that are also sources of pollutants, and document the pollutant, source, and abatement actions taken, and include in the Annual Report.
4. Begin measuring the effectiveness of the authorized non-storm water discharge and modify as needed.

VII. *Public Hotline*

Task: Each Municipality already has a storm water hotline available to the public to report illicit discharges, potential permit violations on construction sites, and other water quality issues. The brochures, website and public service announcements on public access cable channels (provided by SCVURPPP) will be utilized to inform the public on illicit discharges, their harmfulness, and contact information.

Each complaint will be routed to the appropriate staff, and prioritized for inspection. The complaint will be prioritized based on the potential threat the complaint has on the environment. Complaints with the highest priority will be investigated first. All actionable complaints will be prioritized and investigated. When a complaint will be investigated depends on the priority. All actionable complaints will be investigated between 1 and 10 business days. Higher priority complaints will be investigated first.

Measurable Goals and Effectiveness:

1. Municipal Staff will continue to accept calls and log the type of storm water pollution (i.e. illicit discharge or failed construction site BMPs) the caller is concerned about, and route the complaint to the appropriate staff.
2. Annually, report on the number and type of complaints received, as well as the enforcement and/or follow-up actions taken.
3. Respond to 100% of actionable complaints within ten business days. Complaints with highest environmental threat will be inspected first.
4. Each year the Municipalities will evaluate the effectiveness of the hotline and compliant-processing protocols and revise them if necessary.

VIII. *Commercial/Industrial Facilities Inspections*

Task: All commercial and industrial facilities which discharge to the MS\$ with the potential for discharging anything other than clean storm water will be inspected for illicit discharges, connections, and potential sources of illegal dumping. During the inspection owners and staff will be educated about storm water pollution prevention, when necessary. In order to ensure compliance with the Storm Water Ordinance, commercial and industrial facilities potentially discharging to waterways will be inspected routinely. Each Municipality will ensure they already possess or will establish the authority necessary to inspect commercial/industrial facilities, and, when necessary, enforce requirements to correct any problems associated with discharges to waterways.

During the inspection, informational brochures addressing storm water pollutant discharge concerns and prevention will be provided. These brochures will be given to facilities to help educate facilities that are in violation of the permit. The brochures also serve as a quick reference for facilities when problems arise.

During the first year, each Municipality will submit their strategy for prioritizing the commercial/industrial inspections, the frequency of inspections, inspection procedures

and checklists and how each inspection is tracked. Every year, the Municipalities will evaluate the effectiveness of the inspection program and revise it if necessary.

In year 3, the Municipalities will develop a review program to measure the effectiveness of the IDD&E program. In years 4 and 5, the Municipalities will measure the effectiveness of the IDD&E program and modify as needed.

Measurable Goals and Effectiveness and Effectiveness:

1. Each Municipality will continue to inspect 100% of commercial/industrial facilities on the existing program established frequency.
2. Hand out appropriate brochures/flyers during inspections each year.
3. Document the results of each inspection as part of the annual report.
4. Submit strategy for prioritizing commercial/industrial inspections in the first Annual report.
5. Begin measuring the effectiveness of the new commercial/industrial inspection program and modify if needed.

IX. Used Oil Disposal

Task: Used oil is a hazardous waste in the State of California. Illegally dumped oil contaminates the environment and endangers human health. Various techniques will be used to inform residents about the proper ways to dispose of motor oils and oil filters. The total amount of used oil recycled each year is reported on the calendar year and will be included as part of the Annual Report.

Curbside Recycling Program

Gilroy, Morgan Hill, and the County currently provide a curbside recycling program that will collect used motor oil and used filters. To recycle these items, the public must request one-gallon plastic containers with a screw on lid and special oil filter bags. These containers and bags can be placed beside the regular recycling containers and will be picked up bi-weekly for Morgan Hill and weekly for the unincorporated County and Gilroy residents. County residents may recycle a single one-gallon container of used motor oil and one fully drained filter per pickup day or collection service, Morgan Hill residents may recycle up to two one-gallon containers of used motor oil and two fully drained filters. Gilroy allows for three containers and filters, per collection service.

Certified Collection Centers

For residents that do not have curbside service, there are Certified Collection Centers that will accept used oil and filters. The certified Collection Center include the following:

South County

Gilroy

- | | | |
|---------------|----------------------------|----------------|
| 1. Auto Zone | 6900 Chestnut Street | (408) 842-6689 |
| 2. Jiffy Lube | 701 1 st Street | (408) 848-0813 |

Morgan Hill

- | | | |
|-----------------------|---------------------------|----------------|
| 1. Kragen Auto Parts | 16060 Monterey St Ste 100 | (408) 776-7705 |
| 2. Speedee Oil Change | 890 Tennant Station | (408) 779-1192 |

San Martin

- | | |
|---|---------------|
| 1. Household Hazardous Waste Management Program | 408) 299-7300 |
|---|---------------|

The Countywide Household Hazardous Waste Management program visits each of the South County Certified Collection Centers twice a year to collect information on how much used oil was collected and to ensure that these facilities are operating according. In addition, to the Certified Collection Centers, there are other local drop-off locations for used oil recycling through the Countywide Household Hazardous Waste Management Program. There is one permanent location in San Martin and other temporary location throughout the County.

In year 3, the Municipalities will develop a review program to measure the effectiveness of the used oil program. In years 4 and 5, the Municipalities will measure the effectiveness of the used oil program.

Measurable Goals and Effectiveness:

1. Number of gallons of oil collected by the curbside recycling program, certified collection centers and the Countywide Household Hazardous Waste Management program will be recorded and documented in every Annual Report.
2. Pick up used oil on the frequency specified above.
3. Visit each used South County Certified Collection Center twice a year.
4. Begin measuring the effectiveness of the used oil program and modify as needed.

X. Household Hazardous Waste Collection

Task: Improper storage, use, and disposal of household hazardous chemicals are associated with accidental poisonings, worker health and safety, equipment damage, and environmental contamination of surface and groundwater. Heavy metals such as lead, zinc, copper, nickel, mercury, and cadmium may enter the storm water system via everyday residential activities, and/or lack of knowledge that some chemicals are harmful to water quality.

Ongoing public education continues to increase public awareness and participation (more information in section on PE&O). Residents are encouraged to use safer and less toxic alternatives and purchase smaller quantities of hazardous products through various outreach activities (including at point of sale).

State and local regulations prohibit the disposal of HHW at solid waste landfills. Currently, each Municipality participates in the Countywide Household Hazardous Waste Program. This program provides the opportunity for residents and small businesses to have small quantities of hazardous waste dispose of properly . The

program serves 568 small businesses drop-offs including local governments, Goodwill Industries, and the Salvation Army.

The program allows residents and businesses to bring hazardous waste to one of the different drop off locations in the County.. There is one permanent facility in San Martin that is open the first Saturday of the month. There are also temporary locations available to drop-off hazardous waste but these locations are typically located in the North County.

In year 3, the Municipalities will develop a review program to measure the effectiveness of the HHW program. In years 4 and 5, the Municipalities will measure the effectiveness of the HHW program.

Measurable Goals and Effectiveness:

1. Continue to offer program, and track residents and small businesses that participate in the HHW drop-off program.
2. Document pounds of hazardous waste collected.
3. Begin measuring the effectiveness of HHW waste program and modify as needed.

XI. Onsite Sewer or Septic Systems

Task: Sanitary sewer districts do not serve certain parts of the South County; instead these areas use onsite wastewater systems for sewage disposal. Santa Clara County Department of Environmental Health (DEH) regulates the design, permitting and repair of these systems. This program operates by County ordinance and under the authority delegated to the County by the CCRWQCB. As part of the onsite wastewater program, DEH responds to and investigates complaints regarding improper operation or functioning of onsite wastewater systems.

A failing onsite wastewater system may pose the risk of contaminating groundwater or surface waters. It is important to maintain onsite wastewater systems in good order to ensure their longevity and proper operation. DEH is currently preparing an Onsite Wastewater Management Program that is scheduled for completion and submission to CCRWQCB by September 2009. An outreach and education program for owners of onsite wastewater systems is included in Element 7 of this plan. The Department will develop public outreach and educational materials and conduct free seminars at a location convenient to the users and owners of onsite systems. Preventive maintenance and best practices for system operation will be key topics in the seminars.

In year 3, the Municipalities will develop a review program to measure the effectiveness of the onsite sewer or septic system program. In years 4 and 5, the Municipalities will measure the effectiveness of the onsite sewer or septic system program and modify if needed.

Measurable Goals and Effectiveness:

1. In years one through three, develop the Onsite Wastewater Management Program, including Element 7, and the public outreach and education plan & materials.
2. Conduct at least one public workshop per year to offer information and advice to users of onsite wastewater systems.
3. Each year, a summary of the material covered at the workshops and how many people attended the workshop will be submitted as part of the Annual Report.
4. Begin measuring the effectiveness of the onsite sewer or septic system program and modify if needed.

XII. Education/Training

Task: Educating the public and staff about illicit discharges will aid in the elimination of these discharges.

Public education is addressed in Section I: Public Education and Outreach. Brochures; messages on the radio, newspapers, TV, storm drains and public transit; and public outreach events will provide information to the public on exempt and prohibited discharges, and when to call to report a concern.

Provide annual training to 100% of Municipal staff (staff who is involved in IDD&E program). The staff from each Municipality will be trained on the Illicit Discharge Detection Program and the Program's procedures, including a minimum of once-a-year training on what to look for during site inspections and inspection recordkeeping. Additional training will be available when new requirements of the Program are adopted.

In year 3, the Municipalities will develop a review program to measure the effectiveness of the education/training program. In years 4 and 5, the Municipalities will measure the effectiveness of the education/training program and modify if needed.

Measurable Goals and Effectiveness:

1. See Section 1: Public Education and Outreach for more information on public training.
2. Provide training to 100% of Municipal staff (staff who is involved in IDD&E program).
3. Document participation of annual Illicit Discharge Detection and Elimination training for Municipal staff.
4. Begin measuring the effectiveness of training and modify if needed.

Program Effectiveness

Effectiveness Assessment is a process that storm water program managers use to evaluate whether their programs are resulting in desired outcomes and if these outcomes are being achieved efficiently and cost-effectively. During the first two years of the storm water program the municipalities will achieve "Outcome Level One" as

defined in CASQA document. Municipalities will continue to achieve “Level One Outcomes” while evaluating effectiveness outcomes for this MCM beginning in Year 3. The Program Description and Management Section further describes Effectiveness Assessment for the storm water management program.

TABLE 3 – ILLICIT DISCHARGE DETECTION AND ELIMINATION

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
3.I Storm Water Infrastructure Map	Develop a storm water infrastructure map/GIS layer detailing outfalls, names and locations of receiving water.	<ol style="list-style-type: none"> 1. Provide storm water infrastructure map/GIS layer. 2. Update infrastructure map/GIS layer annually to include new facilities and to prioritize sites for inspection. 		X	X	X	X					
3.II Storm Water Ordinance	Develop/revise and document Storm Water Ordinance changes to prohibit the discharge of pollutants into the storm drain system and to establish enforcement procedures, such as notification and remediation requirements.	<ol style="list-style-type: none"> 1. Evaluate effectiveness of the current Ordinance based on enforcement activities and abatement results. 2. Document number of complaints and enforcement activities in Annual Report. 3. Develop draft storm water Ordinance in year one and two. 4. Hold public meeting to adopt Ordinance by the end of year 3. 5. Submit finalized Ordinance as part of the Annual Report for the year the Ordinance is adopted. 6. Develop escalating enforcement strategy in year 3 and 4. 7. Begin implementing Ordinance once adopted. 		X			X	X				
				X	X	X	X	X				
				X	X	X			X			
				X	X	X			X	X		
				X	X	X			X	X		
				X	X				X	X		

TABLE 3 – ILLICIT DISCHARGE DETECTION AND ELIMINATION

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
		8. Evaluate effectiveness of the new ordinance based on enforcement activities and abatement results and revise, if necessary.		X	X	X						X
3.III Pet Waste Ordinance	Develop a pet waste ordinance to prohibit the deposition of pet waste on public property and require proper collection and disposal of pet waste	1. Develop and include draft Pet Waste ordinance as part of the draft Ordinance 2. Develop educational material.		X	X	X	X	X				
3.IV Backyard Livestock/Hobby Farm	Coordinate with an existing education program to develop backyard livestock/hobby farm program.	1. During the first two years, contact the County of Santa Clara’s Livestock Advisory Program or the Livestock and Land Program. 2. In years 3 and 4, develop education and review program. Submit a copy of the programs in the Annual Report. 3. In year 5, implement program and begin evaluating for effectiveness.	X				X	X				
3.V Detect and Eliminate Illicit (unauthorized) Non-storm water Discharges	Develop/revise IDD&E program to include inspector training, complaint/incident response, field investigations of citizen complaints or incidents, enforcement and follow-up	1. Inspect 100% of actionable complaints. 2. Annually report on all actionable complaints and incident reports, field investigations, enforcement and		X	X	X	X	X				
				X	X	X	X	X				

TABLE 3 – ILLICIT DISCHARGE DETECTION AND ELIMINATION

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
	actions taken.	follow-up actions taken. 3. Evaluate effectiveness of existing program based on the enforcement activities and abatement results. 4. Evaluate existing IDD&E program and submit, as part of the Annual Report, program elements that will be added to the IDD&E program. 5. Modify the IDD&E program and include a summary, in the Annual Report of all new program elements. 6. Train all staff involved in the IDD&E program on the new program elements. 7. Begin implementing the new program. 8. Evaluate new IDD&E program and modify, if necessary.		X	X	X	X	X				
				X	X	X	X					
				X	X	X		X	X			
				X	X	X			X	X	X	
				X	X	X			X	X	X	
3.VI Authorized Non-Storm Water Discharges	Develop classification and control measures for authorized non-storm water discharges to indicate when authorized non-storm water discharges are a significant contributor of POCs and what treatment is required	1. Develop 5 or 6 classifications and control measures annually. 2. Begin implementing limitations once ordinance is adopted 3. In Annual Report, document any significant discharge	X				X	X	X			
				X	X	X				X	X	
				X	X	X				X	X	

TABLE 3 – ILLICIT DISCHARGE DETECTION AND ELIMINATION

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
	before discharging.	<p>contributors that are also sources of pollutants and document the pollutant, source and actions taken.</p> <p>4. Evaluate new IDD&E program and modify, if necessary.</p>		X	X	X					X	X
3.VII Public Hotline	Continue to offer a hotline for the public to report illicit discharges and other water quality issues.	<p>1. Continue to accept calls and log what type of storm water pollution the caller is concerned about, and route the complaint to the appropriate staff.</p> <p>2. Annually report on the number and type of complaints received, as well as, any enforcement and/or follow-up actions taken.</p> <p>3. Respond to 100% of actionable complaints within ten business days.</p> <p>4. Each year the Municipalities will evaluate the effectiveness of the hotline and compliant-processing protocols and revise them, of necessary.</p>		X	X	X	X	X	X	X	X	X
				X	X	X	X	X	X	X	X	X
3.VIII Commercial/Industrial Facilities Inspections	Inspect commercial and industrial facilities that potentially discharge to waterways.	1. Continue to inspect 100% of commercial/industrial on the frequency that has already		X	X	X	X	X	X	X	X	X

TABLE 3 – ILLICIT DISCHARGE DETECTION AND ELIMINATION

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
		been established. 2. Hand out brochures to facilities as appropriate. 3. Document the results of each inspection as part of the annual report. 4. Submit strategy for prioritizing commercial/industrial inspections. 5. Begin measuring effectiveness of the new commercial/industrial facilities inspection program and modify if needed.		X	X	X	X	X	X	X	X
3.IX Used Oil Disposal	Continue curbside recycling program and provide locations for residents to bring used motor oil and oil filters.	1. Report number of gallons collected by the curbside recycling program, Certified collection centers and Countywide Household Hazardous Waste Management program in the Annual Report.	X				X	X	X	X	X
3.X Household Hazardous Waste Collection	Participate in Countywide Household Hazardous Waste Program.	1. Continue to offer program and track residents and small businesses that participate in the program. 2. Document pounds of hazardous waste collected.	X				X	X	X	X	X
3XI Onsite Sewer	Develop an Onsite Wastewater	1. Develop and implement the		X			X	X	X		

TABLE 3 – ILLICIT DISCHARGE DETECTION AND ELIMINATION

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
(septic) System	Management Program. This program will include PE&O for owners of onsite wastewater systems.	onsite Wastewater Management program. Including public outreach and education plan and material. 2. Conduct at least one public workshop a year. 3. Provide a summary of workshop topics and number of attendees. 4. Begin measuring the effectiveness of the onsite sewer or septic system program and modify if needed.		X						X	X
3.IX Education/Training	Provide annual training on procedures and recordkeeping.	1. See Section 1: Public education and outreach for more information on public training. 2. Provide training to 100% of Municipal staff (staff who is involved in IDD&E program). 3. Document participation of annual Illicit Discharge Detection and Elimination training for Municipal staff. 4. Begin measuring the effectiveness of training and modify if needed.		X	X	X	X	X	X	X	X

Storm Water Management Plan

Section IV: Construction Site Storm Water Runoff Control

Introduction

Construction activities disturb the native soils of a site and cause the soil to be vulnerable to erosion. Improperly managed construction sites can provide many sources of storm water pollution, including sediment, sewage, construction waste, solid waste, fertilizer, pesticides, oil, grease, fuel, concrete washout, glues, paint, solvents, and trash. Sediment runoff is the primary pollutant at construction sites. During a short period of time, construction activities can contribute more sediment to streams than can be deposited naturally during several decades. The sediment and other pollutants found in construction site runoff can cause physical, chemical, and biological harm to our nation's waters.

Under the MCM for Construction Site Storm Water Runoff Control, each Municipality is required to develop:

- 1) An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions, or other effective mechanisms to ensure compliance, to the extent allowable under State, or local law;
- 2) Requirements for construction site operators to implement appropriate erosion and sediment control BMPs;
- 3) Requirement for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
- 4) Procedures for site plan review which incorporate consideration of potential water quality impacts;
- 5) Procedures for receipt and consideration of information submitted by the public; and
- 6) Procedures for site inspection and enforcement of control measures.

Objectives

The Construction Site Program offers a comprehensive approach to reducing, to the MEP, pollutant introduction into the storm drain system and/or water bodies. The following are the goals that the County, Morgan Hill, and Gilroy intend to achieve with the Construction Site program:

- 1) Require implementation of Program standards for all construction activities with land disturbance of greater than or equal to one acre and/or construction activities disturbing less than one acre if that construction activity is part of a larger plan of development or sale that would disturb one acre or more.
- 2) Protect water quality by requiring controls to reduce/eliminate discharge of pollutants and non-storm water discharge from construction sites.

- 3) Require BMP implementation at construction sites to reduce the discharge of pollutants and non- storm water discharge.
- 4) Minimize land disturbance at construction sites.

To achieve the overall goal of reducing pollutants from construction sites, the Tasks listed below the section on Best Management Practices (BMPs) will be implemented within the next five years, upon approval of this SWMP.

Best Management Practices

I. Erosion and Sediment Control Ordinances

Task: Each Municipality already has an erosion and sediment control ordinance which will be reviewed and modified, if necessary, to meet storm water runoff concerns and this sections MCM requirements. Please See BMP 3.II Storm Water Ordinance for more information on the Ordinance adoption schedule, enforcement procedures, and implementation.

The existing erosion and sediment control ordinance will be modified to address erosion and sediment control, erosion and sediment control plans, construction waste, concrete washout, vehicle maintenance and fueling, spills and sanitary waste, if necessary. Existing erosion and sediment control ordinance will be implemented through education programs, complaint response and existing enforcement procedures.

Each Municipality will either prohibit construction during the rainy season for projects that do not submit erosion and sediment control plans, or require all construction projects to submit erosion and sediment control plans regardless of their construction schedule.

In year five, the Municipalities will evaluate the effectiveness of the new Erosion and Sediment Control Ordinance and revise it, if necessary.

Under each Municipality listed below, is the existing Ordinance in effect.

Gilroy

- Currently does not have any ordinance. However, Gilroy requires an erosion and sediment control plant as part of their condition of approval.

Morgan Hill

- Title 8 Health and Safety
 - i. Chapter 8.90 Urban Storm Water Quality Management and Discharge Control Ordinance².

² The City of Morgan Hill is currently in the process of adopting a Urban Storm Water Quality Management and Discharge Control Ordinance.

County

- Division B 11 Environmental Health
 - i. Chapter XIII Hazardous Materials Storage;
 - ii. Chapter XIV Toxic Gas Storage; and
 - iii. Chapter XV Unified Program
- Division B 11 1/2 Non Point Source Pollution
 - i. Chapter IV Storm Water Pollution Prevention Requirements for Construction Activities
- Division C 12 Subdivision and Land Development
 - i. Chapter III Grading

Measurable Goals and Effectiveness:

1. Report on existing erosion and sediment control ordinances. With each activity, list any modifications that could be made to make the program more successful.
2. Evaluate the effectiveness of the current erosion and sediment control ordinance based on enforcement activities and abatement results.
3. Modify/create any new ordinances to meet MCM requirements.
4. Begin measuring the effectiveness of the new ordinance and revise it, if necessary.

II. Construction Site BMP Requirements and Standards

Task: Construction site BMPs prevent pollutants from being discharged to the storm drain system and help protect water quality. Gilroy, Morgan Hill and the County will either adopt or establish a BMP manual for construction sites that will include: selection, implementation, and performance standards for construction site BMPs. The requirements and standards will be included as part of the Ordinance. Please see BMP 3.II Storm Water Ordinance for more information on the Ordinance development schedule, enforcement procedures and implementation.

Measurable Goals and Effectiveness:

1. Establish or adopt a BMP manual for construction sites BMPs in year one.
2. Include in the Ordinance a requirement that projects subject to storm water BMPs must comply with the criteria and standards for BMP selection, implementation, and performance standards established in the BMP manual.

III. Site Plan Review and Plan Check

Task: The site plan review and plan check process is used to ensure compliance with construction activity requirements consistent with the Construction General Permit requirements and the CCRWQCB's expectation. The purpose of the site plan is to incorporate consideration of water quality impacts from construction activities into construction plans. Implement the appropriate erosion and sediment control BMPs will help protect water quality. All Municipalities currently require erosion and sediment control plans to be submitted and approved prior to construction.

During the site plan review, each Municipality will note if the project disturbs over one acre. If the project disturbs over an acre, the applicants will be informed of their responsibility to gain coverage under the State Water Resource Control Board's (SWRCB) General Permit for Storm Water Discharge Associated with Construction Activities. Part of the conditions of approval for projects over one acre, will be a requirement to submit a Notice of Intent (NOI) application the SWRCB. Proof that the NOI was submitted will be required prior to issuing a building permit for any construction project over one acre. The NOI includes a filing form, filing fee, location map and Storm Water Pollution Prevention Plan (SWPPP). In the first year, the Municipality will review the Ordinance to ensure that there is adequate authority to require and review erosion and sediment control plans. The requirements in an erosion and sediment control plan must include BMPs for perimeter sediment control, control of drainage during construction, protection of inlets, stabilizing construction entrances, and any special conditions required during the wet season (October 15 to April 15). As part of the Annual Report, each Municipality will submit a summary on the current site plan review and plan check process and any areas that need to be modified.

During the second year, each Municipality will draft new erosion and sediment control plan requirements, if needed. These revisions will be included as part of the draft Ordinance that will be submitted in year 2. Please see BMP 3.II Storm Water Ordinance for more information on the Ordinance development schedule, enforcement procedures and implementation.

Each year, the Municipalities will evaluate the erosion and sediment control requirements to ensure that proper erosion and sediment control is being planned, implemented at the site, installed correctly, and maintained to prevent pollutants from entering the storm drain system.

Measurable Goals and Effectiveness:

1. In year one, submit a summary on the current site plan review and plan check process, and those processes to be modified in year two.
2. Evaluate existing erosion and sediment control ordinances in year one to ensure the proper authority is established to enforce erosion and sediment control requirements.
3. Develop draft language for inclusion in the Ordinance in year two.
4. Require appropriate erosion and sediment control BMPs for all construction sites. Require 100% of all new/redevelopment projects over an acre of land disturbance to show proof of filing an NOI with the SWRCB prior to being issued a building permit or commencing construction.
5. Evaluate the new site plan review/check process and revise if necessary.

IV. Construction Site Inspections and Enforcement

Task: A construction site inspection program will be developed and/or modified for each Municipality to ensure storm water quality control measures are being implemented at the construction site. The authority to conduct construction inspection and enforcement General Permit requirements will be established as part of the Ordinance. Please see

BMP 3.II Storm Water Ordinance for more information on the Ordinance development schedule, enforcement procedures and implementation.

The existing construction site inspection and enforcement policies and procedures will be implemented through inspections, complaint response and existing enforcement procedures.

Construction Site Inspections

All construction sites will require regular inspections until the project is completed and signed-off. Site inspections will be utilized to ensure that construction site BMPs are installed according to the Erosion and Sediment Control Plan submitted as part of the site plan. Inspectors will also inspect the BMPs to ensure that they were installed correctly, are being maintained, and are fully functional.

A summary of the results from each inspection will be included as part of the Annual Report beginning in year one. In year 4, all inspections will be recorded and tracked using the construction site tracking system. Please see BMP 5. IX Construction Site Tracking, for more information.

Prior to the wet season, each Municipality will notify all construction project managers that the wet season begins on October 15th and all sites need to have their erosion and sediment control BMPs in place, according to plan, and will be inspected to ensure that measures have been taken to minimize discharges of sediment from disturbed areas. Each Municipality's inspectors will inspect all construction sites under their respective jurisdiction prior to October 15th to ensure that the planned erosion and sediment control measures were installed correctly and according to the approved plan.

Construction Site Inspection Check List

Each Municipality will work together to develop a construction site inspection checklist for the construction site inspectors to fill out and include in the inspection report. The inspection form will include:

- Type of inspection being performed,
- A list of all the BMPs that can be installed,
- Whether or not the BMP are installed according to the approved plan,
- Maintenance requirements, and
- Enforcement actions taken including following up actions.

The construction site checklist will be developed by the end of year 1 and included in the Annual Report.

Enforcement Actions

Enforcement actions will be employed for sites deemed non-compliant. Each Municipality currently has enforcement procedures, and will continue with the existing enforcement procedures until year 4. In years one through three, the Municipalities will

work together to develop an enforcement strategy to ensure consistency throughout the South County. The enforcement strategy will be submitted as part of the BMP 3.II I Storm Water Ordinance Enforcement Strategy in year 3. The enforcement strategy will include a verbal warning, written warning, a “stop work” notice, and referral of violation to other agencies.

To compliment enforcement effort, a hotline will be available for the public to report failed construction site runoff controls and non-storm water discharges from construction sites. For more information on the hotline, see Section III: Illicit Discharge Detection and Elimination.

The number of construction projects cited with a violation will be recorded and submitted as part of the Annual Report. Currently, the NPDES General Construction Permit is in development and recording requirements for inspections are being resolved. Until the General Construction Permit is adopted, each Municipality will continue with their current reporting process. When the NPDES General Construction Permit is approved, each Municipality will change the reporting process to be consistent with the requirements of the Construction General Permit. One year following the adoption of the General Construction Permit, the Municipality will submit a revised reporting process as part of the Annual Report

Measurable Goals and Effectiveness:

1. Develop/modify inspection program to ensure that water quality control measures are being implemented at construction sites, such as, revising ordinances, inspection checklists and/or enforcement strategies (Please see BMP 3.II I Storm Water Ordinance for more a more detailed schedule).
2. Evaluate effectiveness of the current ordinance based on enforcement activities and abatement results.
3. Update inspection procedures as necessary to stay consistent with new standards as they are developed and adopted.
4. Inspect 100% of construction sites.
5. Notify all construction project managers that the site will need to be “winterized” prior to October 15th, for inspection by Municipal staff .
6. Inspect all construction sites prior to the wet season.
7. The results of inspections will be summarized and submitted a with the Annual Report.
8. In year 4, the results of inspections will be recorded and tracked using the Construction Site Tracking System (Please see BMP 5. Construction Site Tracking for more information).
9. Begin measuring the effectiveness of the new inspection and enforcement procedures and revise them, if necessary.

V. Training

Task: Inspectors, permit reviewers, and other staff members will have a minimum of once-a-year training on construction storm water BMPs. The purpose of the training is to educate staff on how to prevent construction activities from degrading water quality.

The information provided to staff applies for both public and private projects. This training will include the following topics:

- General Construction NPDES Permit and SWPPPs,
- Construction site inspection and enforcement,
- Erosion and sediment control BMPs, and
- Construction site inspection practices.

Additional training will be available when new requirements for the program are adopted.

Measurable Goals and Effectiveness:

1. Provide training to 100% of inspectors; permit reviewers and other appropriate staff on storm water implementation details as it relates to construction annually.
2. Report attendance of annual training as part of the Annual Report.
3. Begin measuring the effectiveness of the training and modify if necessary.

Program Effectiveness

Effectiveness Assessment is a process that storm water program managers use to evaluate whether their programs are resulting in desired outcomes and if these outcomes are being achieved efficiently and cost-effectively. During the first two years of the storm water program the municipalities will achieve “Outcome Level One” as defined in CASQA document. Municipalities will continue to achieve “Level One Outcomes” while evaluating effectiveness outcomes for this MCM beginning in Year 3. The Program Description and Management Section further describes Effectiveness Assessment for the storm water management program.

TABLE 4 – CONSTRUCTION SITE STORM WATER RUNOFF CONTROL
 BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
4.I Erosion and Sediment Control Ordinance	Review existing erosion and sediment control ordinances.	1. Report on existing erosion and sediment control ordinances. Identify where improvements can be made.		X	X	X	X					
		2. Evaluate the effectiveness of the current ordinance based on enforcement activities and abatement results.		X	X	X	X	X	X			
		3. Modify/create new ordinances, if necessary.		X	X	X	X	X	X			
		4. Begin measuring the effectiveness of the new ordinance and revise it, if necessary.			X	X				X	X	
4.II Construction Site BMP Requirements and Standards	Establish or Adopt a manual on construction sites BMPs that includes standard for BMP selection, implementation and performance standards for construction site BMPs.	1. Establish or adopt a BMP manual for construction sites BMPs in year one.		X	X	X	X					
		2. Include in the Ordinance a requirement that projects subject to storm water BMPs must comply with the criteria and standards for BMP		X	X	X	X	X				

TABLE 4 – CONSTRUCTION SITE STORM WATER RUNOFF CONTROL
 BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
		selection, implementation, and performance standards established in the BMP manual.										
4.III Site Plan Review and Plan Check	Develop and implement a site plan review and plan check process to ensure erosion and sediment ordinance requirements are met.	<ol style="list-style-type: none"> 1. Submit a summary on the current site plan review and plan check process, and those processes to be modified. 2. Evaluate existing erosion and sediment control ordinances to ensure the proper authority is established to enforce erosion and sediment control requirements. 3. Develop draft language for inclusion in the Ordinance. 4. Require appropriate erosion and sediment control BMPs for all construction sites. Require 100% of all new/redevelopment projects over an acre of 		X	X	X	X					
				X	X	X	X	X				
				X	X	X	X	X				
				X	X	X	X	X	X	X		

TABLE 4 – CONSTRUCTION SITE STORM WATER RUNOFF CONTROL
 BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
		land disturbance to show proof of filing an NOI with the SWRCB prior to being issued a building permit or commencing construction. 5. Evaluate the new site plan review/check process and revise if necessary.		X	X	X			X	X	X
4.III Construction Site Inspections And Enforcement	Develop/revise the construction inspection program to ensure storm water quality control measures are being implemented.	1. Develop/modify inspection program to ensure water quality control measures are being implemented at construction sites.		X	X	X	X	X	X		
		2. Evaluate effectiveness of the existing construction site and inspection enforcement policies based on enforcement activities and abatement results.		X	X	X	X	X	X		
		3. Update inspection procedures, as necessary, to stay consistent with new standards as they are developed and adopted.		X	X	X	X	X	X	X	X
		4. Inspect 100% of		X	X	X		X	X	X	X

TABLE 4 – CONSTRUCTION SITE STORM WATER RUNOFF CONTROL
 BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
		<p>construction sites on a continuing basis.</p> <p>5. Notify all construction project managers that the site will need to be "winterized" prior to October 15th, for inspection by Municipal staff.</p> <p>6. Inspect all construction sites prior to the wet season.</p> <p>7. Summarize the results of all inspections.</p> <p>8. Record and track all inspections using the Construction Site Tracking system. The results of inspections will be summarized for inclusion in the Annual Report.</p> <p>9. Begin measuring the effectiveness of the new inspection and enforcement procedures and revise if necessary.</p>		X	X	X	X	X	X	X	X
				X	X	X	X	X	X	X	X
				X	X	X	X	X	X	X	X
				X	X	X				X	X
				X	X	X				X	X
4.IV Training	Provide inspectors, permit reviewers and other staff members a minimum of once-a-	1. Provide training to 100% of inspectors; permit reviewers and other staff		X	X	X	X	X	X	X	X

TABLE 4 – CONSTRUCTION SITE STORM WATER RUNOFF CONTROL
 BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
	year training on construction storm water BMPs.	on storm water implementation details as it relates to construction annually. 2. Report attendance at training events as part of the Annual Report. 3. Begin measuring the effectiveness of training and modify if necessary.		X	X	X	X	X	X	X	X
				X	X	X				X	X

Storm Water Management Plan

Section V: Post-Construction Storm Water Management in New and Redevelopment

Introduction

Preventing storm water discharge, from significant new and re-development projects, decreases the pollutant load due to runoff and results in improved water quality in the receiving water bodies. In addition, it is more cost effective to prevent polluted runoff than it is to capture the pollution downstream in the public storm water system and/or water body and mitigate associated effects of pollution.

Storm water runoff from new and re-development projects is associated with two substantial impacts to water bodies. The first is caused by an increase in the type and quality of pollutants in storm water runoff. As runoff flows over areas altered by development, it picks up harmful sediment and chemicals such as oil and grease, pesticides, heavy metals, and nutrients (e.g. nitrogen and phosphorus). These pollutants often become dissolved in runoff and are carried to receiving waters, such as lakes, reservoirs, ponds and streams. Once deposited, these pollutants can enter the food chain through small aquatic life, with consequent effects upon fish and humans.

The second kind of post-construction runoff impact occurs by increasing the quantity of water delivered to the water body during storms. Increased impervious surfaces interrupt the natural cycle of gradual percolation of water through vegetation and soil. Instead, water is collected from surfaces such as asphalt and concrete and routed to drainage systems where large volumes of runoff quickly flow to the nearest receiving water. The effects of this process include stream bank scouring, down cutting and downstream flooding, which often leads to a loss of aquatic life, unsafe conditions and damage to property.

Under the MCM for Post-Construction Storm Water Management in New Development and Redevelopment, each Municipality is required to:

- 1) Develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre and are part of a larger common plan of development or sale, that discharge into the small MS4 by ensuring that controls are in place that would prevent or minimize water quality impacts.
- 2) Develop and implement strategies, which include a combination of structural and/or non-structural BMPs appropriate for the community.
- 3) Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the maximum extent allowable under State or local law. For some small MS4s, the requirements must at least

- include the design standards contained in Attachment 4 of the General Permit or a functionally equivalent program that is acceptable to the appropriate RWQCB.
- 4) Ensure adequate long-term operation and maintenance of BMPs.

Objectives

Post-construction control of storm water pollution is required by the EPA Storm Water II Final Rule for all new development and redevelopment projects that disturb one acre or greater of land area, including projects less than one acre that are part of a larger common plan of development or sale. The Municipalities will specify, for applicable projects, a conditions of approval requiring post construction treatment BMPs be designed for the project. Project plans will be viewed with these goals in mind:

- 1) Prevention or reduction of storm water pollutants that may be discharged from the site.
- 2) Management of runoff volume and flow rate due to an increase in impervious area.
- 3) Propriety of treatment devices for the potential pollutant of concern.

To achieve the overall goal of reducing pollutants in runoff from new development/redevelopment, the Tasks listed below the section on Best Management Practices (BMPs) will be implemented within the next five years, and upon approval of this SWMP.

Best Management Practices

Post--construction water quality is influenced by the control measures implemented during planning and construction of new and redevelopment projects. For this reason, the development process has a significant influence on the water quality of runoff from new/redevelopment projects. Ensure through a post-construction program, the implementation of policies, ordinances and procedures to address urban runoff quality and quantity throughout the development process. The post-construction program will include the BMPs listed below.

I. Post Construction Storm Water Ordinance

Task: The Post-construction Storm Water Ordinances will be included as part of BMP 3. II Storm Water Ordinance. The purpose of the Ordinance is to protect the health and function of the local watersheds by having the ability to require and enforce the following standards:

- Post-construction storm water control measures from new development and redevelopment, including:
 - Attachment 4, where applicable
 - Conditions of approval
- Low Impact Development (LID) requirements,
- Long-term watershed protection criteria,
- Long-term operation and maintenance of structural and non-structural BMPs,

- CCRWQCB approved numeric hydromodification control criteria and applicability criteria,
- Authority to conduct inspections, and
- Enforcement authority, enforcement procedures, actions, and penalties.

An enforcement strategy will be developed to establish the authority to enforce post-construction requirements and procedures consistent with General Permit requirements and CCRWQCB expectations. Please see BMP 3.II Storm Water Ordinance for more information on the Ordinance development schedule, enforcement procedures and implementation.

While this ordinance is being developed the Municipalities will review existing General Plan/Local Land Use policies to determine if these policies provide an implementation framework for compliance with the General Permit.

Measurable Goals and Effectiveness:

1. During years 1 and 2, the Municipalities will work together to develop/revise ordinance language.
2. By the end of the year three each Municipality will have adopted the Ordinance.
3. Develop a review program to measure the effectiveness of the post-construction storm water policies, procedures and ordinance.
4. Begin measuring effectiveness of the policies/ordinance and modify as needed.

II. Development Review Process

Task: The planning and design stages of a project are the most crucial time for developers to consider onsite and design requirements for storm water quality. Including storm water control requirements early on in the development process prevents plans from being developed without control BMPs or having control BMPs that are not properly designed for the site. For this reason, each Municipality will review their existing development review process to ensure that all new/re-development projects receive a CEQA review, development review, and final submittal review. In addition, each Municipality will ensure or establish the proper authority to require post-construction controls for all new and redevelopment projects.

CEQA Review

The CEQA review is required for the purpose of evaluating the environmental impacts of projects and establishing the associated conditions for those projects, as required by the California Environmental Quality Act (CEQA). The CEQA Initial Study checklist is required when applicants submit plans for new/redevelopment projects. Planners use the information from the checklist to determine the impact the project will have on the environment and may require mitigation. During the first two years, the Municipalities will work together to review their existing checklist and work together to develop/revise a checklist that each Municipality will be able to use. When evaluating/revising the

checklist, the Municipality will ensure that storm water quality and quantity are included when evaluating the potential impacts a project may have on the environment.

Development Review

Engineers and planners perform the development review for all projects that come in for a permit. During this process, Municipal staff will develop conditions of approval based on storm water issues including requirements to comply with numeric hydromodification control criteria, Attachment 4 requirements and long-term watershed protection criteria. Conditions of approval inform the applicant what they must incorporate into the plans at final submittal in order for a permit to be issued. Conditions of approval are necessary for all projects. A review program will be developed to measure the effectiveness of the post-construction conditions of approval.

As part of the Conditions of Approval, all projects will be required to fill out a questionnaire indicating the project location, project type, how many acres will be disturbed, existing impervious surface area, and new or replaced impervious surface area. Using the information gained from the questionnaire will allow engineers to develop conditions of approval with regard to storm water control measures.

Final Submittal Review

Final submittal review is the last step projects must undergo before being issued a permit. This step occurs after a project has received conditional approval. All applicants must resubmit their updated plans and include all specified condition of approval. The plans will be reviewed once again by Municipal staff to ensure the plans have met conditions of approval, development and grading ordinances, and any other applicable standards before a permit will be issued.

Measurable Goals and Effectiveness:

1. During years 1 and 2, each Municipality will review their existing development review process to ensure that storm water control requirements are included in the development review process and they have the proper authority to require them.
2. Evaluate the effectiveness of the existing process based on if all new/re-development projects receive a CEQA review, development review, and final submittal review.
3. All new and redevelopment projects will be reviewed using the new development review process in year three.
4. Train appropriate Municipal staff and inspectors on storm water requirements as it relates to the development process.
5. Develop a review program to measure the effectiveness of the conditions of approval.
6. Begin measuring effectiveness of the development review process and modify as needed.

III. Post-Construction Storm Water Control BMPs

Task: Post Construction Storm Water Control BMPs can be either structural or non-structural. The Municipalities will develop, implement and enforce a program to address runoff from new and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale.

The Municipalities will require projects, located within the urbanized area as defined by the decennial census (see Appendix B.2), subject to Attachment 4 to implement the necessary design standards as discussed in Attachment 4 of the General Permit. Projects that fall into one of the categories listed below, are subject to Attachment 4 design standards and will be required to implement post-construction BMPs:

- Single-Family Hillside Residences,
- 100,000 Square Foot Commercial Developments,
- Automotive Repair Shops,
- Retail Fuel Dispensing Outlets,
- Restaurants,
- Home Subdivisions with 10 or more housing units, and
- Parking lots 5,000 sf or more, or with 25 or more parking spaces, and the potential to be exposed to storm water runoff.

Measurable Goals and Effectiveness:

1. In year 1 through 3 the Municipalities will develop, implement and enforce a program to address storm water runoff from new and redevelopment projects.
2. The County and Gilroy will begin requiring design standards for projects that fall under Attachment 4 requirements, once the Ordinance is adopted.
3. Morgan Hill will continue requiring storm water control BMPs for applicable projects. Once Morgan Hill adopts their ordinance, all projects subject to attachment 4 will be required to implement storm water control BMPs and site design measures.

IV. BMP criteria and design standards

Task: During the first two years, the Municipalities will work together to evaluate the *C.3 Stormwater Handbook* developed by SCVURPPP to ensure that the handbook has design criteria that include BMPs that reduce runoff, promotes recharge and prevents storm water pollution from site runoff. In the first year, the Municipalities will compare the *C.3 Stormwater Handbook* design standards with Permit requirements (Attachment 4) and Low Impact Development standard. By the end of year three, the Municipalities will develop new design standards, if necessary, and include any new standard as part of the Annual Report.

Measurable Goals and Effectiveness:

1. During the first year, the Municipalities will work together to determine if the existing criteria and design standards meet permit and LID requirements.
2. As part of the Annual Report, the Municipalities will submit SCVURPPP's criteria and design standards and will indicate which ones will be modified.
3. In year three, as part of the annual report, the Municipalities will submit a report on the revised and/or new criteria and design standards.

V. *Guidance Manual*

Task: The following guidance manuals are available to assist project planners and designers in the development community. The Municipalities will make a copy of each Guidance Manual available on their websites, or will contain a link to each of the following guidance manuals:

- *C.3 Stormwater Handbook*

The *C.3 Stormwater Handbook* will aid Municipal staff, project planners and the development community on how to meet the storm water requirements for new and redevelopment projects. The manual contains the following sections:

- Selecting site designs,
- Source control and storm water treatment BMPs,
- Storm water treatment control sizing criteria,
- Peak flow and volume control measures, and
- Operation and maintenance.

- *CASQA Best Management Practices Handbook for New and Redevelopment Projects*

This handbook is similar to the *C.3 Stormwater Handbook*. It provides guidance on identifying appropriate BMPs to control the volume, rate and potential pollutant load of storm water runoff from new and redevelopment projects.

- *Start at the Source*

The Bay Area Stormwater Management Agencies Association (BASMAAA) prepared *Start at the Source*. The purpose of the book is to be a design guidance manual for storm water protection. The book discusses basic storm water management concepts and techniques to preserve the natural hydrologic cycle. This book is meant to help planners and the development community to consider different site and landscape designs that will prevent or minimize pollutants from running off a site.

- LID

A Low Impact Development Manual will be either developed or the Municipalities will adopt another agency's manual by the end of year three.

Measurable Goals and Effectiveness:

1. Post all guidance manuals online.
2. Develop or adopt a LID manual by the end of year 3.

VI. *Low Impact Development (LID)*

Task: Low impact develop is a new approach to land planning and engineering designs that minimizes water quality impacts from development by emulating the natural hydrologic function of the landscape. In years one through three, the Municipalities will monitor the progress of the Central Coast LID Center and will either adopt the LID criteria developed by the Central Coast LID Center or criteria developed by another municipality in year three.

All new development and redevelopment projects will be required to maximize implementation of LID planning principles and storm water management practices, subject to the hydromodification control criteria and applicability criteria developed under BMP 5. XII Hydromodification Management Plan and approved by the CCRWQCB.

Measurable Goals and Effectiveness:

1. Monitor the progress of the Central Coast LID Center
2. Adopt either Central Coast LID Center's or another Municipality's LID criteria in year three.
3. Require 100% of all projects subject to HMP to maximize LID planning principles and storm water management practices by the end of year 4.

VII. *Riparian/Wetland Setback Ordinance*

Task: The Ordinance will include a section on riparian/wetland setbacks. The Ordinance will be developed to require a minimum setback of 30 ft from riparian/wetland areas. Greater riparian setbacks will be established to reflect conditions that require more distance to protect water quality and riparian/wetland areas. Information revealed during the CEQA process may influence whether a larger setback is required.

Currently, the Municipalities are developing a Habitat Conservation Plan (HCP), which is expected to be in effect in 2011. The HCP has a section devoted to riparian setback requirements. The HCP will have more substantial buffer zone requirements and will establish different setback requirements depending on whether the stream is fish bearing, the slope, and where the development occurs (urban or rural areas). The Municipalities will either use the setbacks indicated in the HCP as part of their ordinance or will reference the HCP for setback requirements. Please See BMP 3.II Storm Water Ordinance for more information on the Ordinance development schedule, enforcement procedures and implementation schedule.

Measurable Goals and Effectiveness:

1. In year one through three, require all projects to have a minimum setback of 30 feet from riparian/wetland areas.
2. In year one through three, develop setback language to include in the Ordinance.
3. Begin implementing revised setbacks for projects once the ordinance is adopted.

VIII. Post-Construction BMP Inspection

Task: The Municipalities will work together to develop procedures for inspecting post-construction structural and non-structural controls to ensure that BMPs are constructed properly and in accordance with the approved construction plan. The Post Construction Storm Water Ordinance will provide the proper authority for inspections and enforcement actions to achieve this desired result. The existing procedures for post-construction BMP inspection will be implemented through complaint response, and existing inspection and enforcement procedures.

In years two and three, the Municipalities will modify the Construction Checklist to include post-construction BMPs. The checklist will be included as part of the construction site checklist. Please see BMP 5.IV Construction Site Inspections and Enforcement for more information on the construction checklist.

In preparation on when projects will be conditioned with post BMP requirements, the inspectors will be trained on how to use the checklist, how to properly install BMPs and if the BMP was installed according to the plans. The checklist will be revised to include new items for inspection, and training will be offered for inspectors on how to inspect those new items. Additional training will be offered every year, and as needed when inspection procedures are revised and/or when new standards are developed and adopted.

The results of all inspections will be recorded in the construction site tracking system and summarized in the Annual Report. Please see the BMP on Construction Site Tracking below for more information.

The Municipalities will develop a review program to measure the effectiveness of the post-construction site inspections in year three. In years 4 and five the Municipalities will measure the effectiveness of the inspections and modify as needed.

Measurable Goals and Effectiveness:

1. Evaluate effectiveness of the current post-construction BMP inspection procedures based on enforcement activities and abatement results.
2. Develop procedures for inspecting post-construction structural and non-structural controls
3. Update construction checklist to include post construction BMPs.
4. Provided training to 100% of inspectors on how to perform inspections.

5. Inspect 100% of post-construction BMPs required for each project. All inspections will be documented and included in each Annual Report, once the Ordinance is adopted.
6. Develop a review program to measure the effectiveness of the post-construction site inspections.
7. Begin measuring effectiveness of inspections and modify as needed.

IX. Post-Construction Site Tracking

Task: The Post-Construction Site Tracking System will be used to track all construction sites to ensure that inspections on post-construction BMPs are conducted as needed, and to continue to track the performance for all post-construction BMPs installed. A tracking system will be developed in year two and three when the post-construction inspection procedures and ordinances are being revised and the construction checklist is being developed.

The post-construction tracking system will keep track of the results from all post-construction BMP construction inspections and all post-construction BMP inspections to document their performance and inspection history. As part of the Annual Report, each Municipality will prepare a report on the construction inspections for the past year. The report will include a summary on how many inspections were conducted, how many were in/out of compliance, which enforcement actions taken, and which follow-up actions were taken.

Measurable Goals and Effectiveness:

1. In years two and three, develop a post-construction site tracking system.
2. In year four, begin implementing the tracking system to keep track of the construction of the post-construction BMPs, performance and inspection history of all post-construction BMPs.
3. Keep track of all inspections and include a summary of inspection results as part of the Annual Report.

X. Long Term Maintenance of BMPs

Task: Develop an operation and maintenance (O&M) program in years one through three. Include in the Ordinance, operation and maintenance requirements for storm water control and HMP BMPs, as well as the inspection frequency for each BMP type. Please see BMP 3.II Storm Water Ordinance for more information the Ordinance development schedule, enforcement procedures and implementation schedule.

Private Projects

As part of the conditions of approval, require projects that are subject to storm water land development standards to enter into a long-term maintenance agreement. This agreement will include written Conditions, Covenants and Restrictions that will hold the property owner responsible for maintaining the water quality BMPs implemented for the

project. As part of the maintenance agreement, annual reports documenting maintenance activities throughout the year will be required to be submitted to the appropriate Municipality. In addition, the owner will also be responsible for having the BMPs inspected by a third party professional civil engineer registered by the State of California, landscape architect who is licensed by the State of California, or any other qualified professional as identified in the Ordinance. Inspections may reveal enforcement, correction, and/or follow-up actions. Frequency of inspections performed by third parties will vary based on treatment type and compliance status. An inspection may not be performed every year; however, when one is performed the inspection results will need to be submitted to the appropriate Municipality.

Public Projects

The Municipalities will be responsible for operation and maintenance of their own public projects. In year one through three, the Municipalities will work together to develop a self-certification program to ensure that maintenance staff is maintaining the storm water control BMPs implemented at applicable public project sites. This program will also include reporting maintenance activities and inspections performed throughout the year as part of the Annual Report.

Measurable Goals and Effectiveness:

1. Develop O&M program for private projects in years one through three.
2. Require 100% of all private projects that require storm water control and/or HMP BMPs to enter into a long-term maintenance agreement once the ordinance is adopted.
3. Develop a self-certification O&M program for all public projects.
4. Require all public projects to report all maintenance activities and inspections of storm water control BMPs implemented at the public project sites once the Ordinance is adopted.
5. Submit annual maintenance and inspection reports for both private and public projects starting in the year 4 Annual Report.
6. Report on the results of inspections performed and the compliance status of the inspections.
7. Evaluate maintenance and inspection requirements and revise ordinances, if necessary.

XI. Interim Hydromodification Management Plan (HMP)

Task: The Municipalities will propose interim hydromodification control criteria (numeric and non-numeric) to the CCRWQCB, which will be submitted by the end of year one following SWMP approval. The Municipalities will use the following method proposed in the Comment Letter received on April 17, 2009 to develop interim hydromodification control criteria:

“Option 2

A. Adopted and implement hydromodification criteria developed by another municipality and approved by Board staff, such as the criteria the Water Board adopted for the City of Salinas, as interim criteria.“

Measurable Goals and Effectiveness:

1. Propose to CCRWQCB which pre-approved municipality’s hydromodification criteria the Municipalities want to use, in year one of the permit.
2. Provide training to 100% of municipal staff (engineers, planners, inspectors and other staff as needed) in year 1 on enforceable interim hydromodification criteria.
3. Implement the interim HMP requirements in year 3.

XII. *Hydromodification Management Plan*

Task: It is the intent of the Municipalities to use hydromodification criteria developed by another municipality that was approved by CCRWQCB staff. The Municipalities are aware that adopting an outside municipality’s HMP may require some revisions to the hydromodification criteria to make them applicable for local South County conditions.

During the first year, the Municipalities will submit the hydromodification criteria, they would like adopted, to the CCRWQCB. Beginning in year 2, the Municipalities will meet with CCRWQCB staff to discuss what revisions will be necessary to adopt the interim hydromodification criteria for the Hydromodification Management Plan..

In years two and three, the Municipalities will work to modify the interim hydromodification criteria to better apply to South County. In year three the Municipalities will submit the HMP, which will include specific measurable goals, effectiveness assessment measures, numeric hydromodification control and applicable criteria. In addition, an implementation strategy will be included with the HMP submittal. The implementation strategy will include educating both staff and the development community on the new requirements and include when the new HMP requirement will take affect.

Measurable Goals and Effectiveness:

1. Meet with the CCRWQCB staff to review the interim hydromodification criteria and document any revisions that will need to be made to meet CCRWQCB’s expectations
2. In the years 2 and 3, work to modify the hydromodification criteria.
3. Submit the HMP and implementation plan in year 3.
4. Begin implementing new HMP requirements by the end of year 4.

XIII. *Training*

Task: Training will be provided to ensure that both municipal staff and the development community is informed and updated on new and redevelopment requirements. The Municipalities will offer an annual training on new and redevelopment requirements

where Municipal staff and the development community are invited to attend. The development community and Municipal staff(engineers, planners, maintenance personnel, inspectors and any other staff as needed) will be trained in the following areas:

- Post-construction storm water ordinance,
- Post-construction BMPs,
- LID principles and policies,
- HMP principles and criteria,
- Operation and maintenance requirements,
- Design standards,
- Construction site inspection and tracking system,
- Long-term watershed protection, and
- Habitat conservation.

The Municipalities will develop an evaluation form. This form will be given to staff following the training programs to determine the effectiveness.

Measurable Goals and Effectiveness:

1. Provide annual training where Municipal staff and the development community may attend.
2. Provide training to 100% of engineers, planners, maintenance personnel, inspectors and other appropriate staff on post construction requirements for new and redevelopment.
3. As part of the Annual Report, include a summary on all training opportunities and attendance.
4. Develop and administer evaluation forms.
5. Evaluate the effectiveness of new/redevelopment training program based on the results from the evaluation forms.

XIV. Long Term Watershed Management

Task: Gilroy and Morgan Hill each have their own Master Drainage Plan (Master Plan) that addresses future growth, including infrastructure and redevelopment in the context of long-term watershed protection. The County has a General Plan that addresses the major challenges and opportunities facing the County, particularly with regard to future growth and development.

Each Municipality will review their Master Drainage or General Plan to determine whether long-term watershed management efforts are being addressed. Based on results of this review, the Master Drainage Plan or General Plan will be revised, as appropriate; to integrate storm water management measures and water quality objectives into land use planning and development policies. Where feasible, quantifiable measures will be developed to evaluate how the County's watershed protection efforts, relative to storm water management, achieve desired watershed conditions.

Measurable Goals and Effectiveness:

1. Review and summarize General and Master Drainage plans for existing long-term watershed management efforts.
2. Work with other agencies to pool resources and define scope of long-term watershed management plan.
3. Generally characterize the watershed and sub-watersheds.
4. Develop goals and schedule for regional, long-term watershed management.
5. Begin developing long-term watershed management plan.
6. Where feasible, quantifiable measures will be developed to evaluate how the watershed protection efforts, relative to storm water management, to achieve desired watershed conditions.

XV. Land-use Policies

Task: During the first two years, the Municipalities will review the effectiveness of the existing General Plan/Local Land Use Plan policies, ordinances and procedures to determine if these policies, ordinances and procedures adequately protect the health and functioning of watersheds in the south County. The review will indicate any additional policies, ordinances and procedures that are necessary to protect watershed health and functioning. The Municipalities will develop and adopt any additional policies, ordinances or procedures necessary.

Measurable Goals and Effectiveness:

1. Annually report implementation of existing and new policies and procedures as applicable.
2. Review existing land use policies, ordinances and procedures, compare existing policies to post construction MCM, and identify necessary changes.
3. Modify policies and ordinances if necessary.
4. Develop and implement a program to measure the effectiveness of the land use policies and ordinance.
5. Measure effectiveness of the policies/ordinances and modify as needed.

Program Effectiveness

Effectiveness Assessment is a process that storm water program managers use to evaluate whether their programs are resulting in desired outcomes and if these outcomes are being achieved efficiently and cost-effectively. During the first two years of the storm water program the municipalities will achieve “Outcome Level One” as defined in CASQA document. Municipalities will continue to achieve “Level One Outcomes” while evaluating effectiveness outcomes for this MCM beginning in Year 3. The Program Description and Management Section further describes Effectiveness Assessment for the storm water management program.

TABLE 5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND RE-DEVELOPMENT

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals and Effectiveness	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
5.I Post-Construction Storm Water Ordinance	Develop a post-construction ordinance to address various post construction storm water issues.	<ol style="list-style-type: none"> 1. During years 1 and 2, the Municipalities will work together to develop/revise ordinance language. 2. By the end of the year 4 each Municipality will have adopted and implemented the Ordinance. 3. Develop a review program to measure the effectiveness of the post-construction storm water policies, procedures and Ordinance. 4. Measure effectiveness of the policies/Ordinance and modify as needed. 	X				X	X				
				X	X	X				X	X	
			X									X
				X	X	X						
5.II Development Review Process	Review the development review process to ensure that storm water issues are considered throughout the development review process.	<ol style="list-style-type: none"> 1. During years 1 and 2, each Municipality will review their existing development review process to ensure that storm water control requirements are incorporate into in the development review process and conditions of approval and that each municipality has the proper authority to require them. 2. Evaluate the effectiveness of the existing process based on if all new/re-development projects receive a CEQA review, 		X	X	X	X	X				

TABLE 5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND RE-DEVELOPMENT

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals and Effectiveness	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
		development review, and final submittal review. 3. Train applicable planners, engineering staff and inspectors on storm water requirements within the context of the development process. 4. Review all new /redevelopment projects using the new development review process. 5. Develop a review program to measure the effectiveness of the conditions of approval. 6. Begin measuring effectiveness of the development review process and modify as needed.		X	X	X			X	X	X
			X	X	X	X			X	X	X
				X	X	X				X	X
3.III Post Construction Storm Water Control BMPs	Develop, implement and enforce a post construction storm water control program to mitigate runoff from new and redevelopment projects.	1. Develop, implement and enforce a program to mitigate runoff from new and redevelopment projects. 2. The County Gilroy will begin requiring design standards for projects that fall under Attachment 4 requirements, once the Ordinance is adopted. 3. Morgan Hill will continue requiring storm water control BMPs for applicable projects. Once Morgan Hill adopts their Ordinance, all projects subject to Attachment 4		X	X	X	X	X	X	X	X
				X	X					X	X
						X	X	X	X	X	X

TABLE 5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND RE-DEVELOPMENT

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals and Effectiveness	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
		will be required to implement storm water control BMPs and site design, measures.										
5.IV BMP Criteria and Design Standards	Review C.3 Handbook developed by SCVURPPP to ensure the handbook has BMP design criteria that improves water quality and effectively slows runoff.	<ol style="list-style-type: none"> Review C.3 handbook to determine if existing criteria and design standards meet permit and LID requirements. As part of the Annual Report, the Municipalities will submit the SCVURPPP criteria and design standards and indicate standards to be modified. The Municipalities will submit a report on the revised and new criteria and design standards in the Annual Report. 	X				X					
			X				X					
			X							X		
5.V Guidance Manual	Make guidance manuals for post-construction available to assist the project planners and designers in both the development community and the Municipalities.	<ol style="list-style-type: none"> Add C.3 Storm Water Handbook, CASQA Best Management Practices Handbook for New and Redevelopment Projects and Start at the Source to Municipality websites. Develop or adopt LID manual 		X	X	X	X					
			X							X		
				X	X	X	X	X	X			
5.VI Low Impact Development (LID)	Adopt LID requirements for new and redevelopment projects subject to the HMP requirements	<ol style="list-style-type: none"> Monitor the progress of the Central Coast LID Center. Adopt either the Central Coast LID Center's or another Municipality's LID criteria in year 	X				X	X	X			
				X	X	X				X		

TABLE 5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND RE-DEVELOPMENT

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals and Effectiveness	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
		three. 3. Require 100% of all projects subject to HMP to maximize LID planning principles and storm water management practices by the end of year 4.		X	X	X					X	X
5.VII Riparian/Wetland Setback Ordinance	Require a minimum 30-foot setback for new and redevelopment projects from riparian/wetland areas. More definitive setback standards will be developed that will reflect certain conditions of the water body.	1. Require all projects to have a minimum 30-foot setback from riparian/wetland areas. 2. Develop language to include in the storm water ordinance. 3. Begin implementing more definitive setbacks for applicable projects once the Ordinance is adopted.		X	X	X	X	X	X			
				X	X	X	X	X			X	X
5.VIII Post Construction BMP Inspection	Develop procedures for inspecting post-construction BMPs to ensure they are constructed properly and in accordance with the approved plan.	1. Evaluate effectiveness of the current post-construction BMP inspection procedures based on enforcement activities and abatement results. 2. Develop procedures for inspecting post-construction structural and non-structural controls. 3. Update construction checklist to include post construction BMPs. 4. Provide training to 100% of		X	X	X	X	X				
			X				X	X	X			
			X	X	X	X		X	X	X	X	X
				X	X	X			X	X	X	X

TABLE 5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND RE-DEVELOPMENT

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals and Effectiveness	Municipality				Year				
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5
		inspectors on how to perform inspections. 5. Inspect 100% of post-construction BMPs required for each project. All inspections will be documented and included in each Annual Report, once the Ordinance is adopted. 6. Develop a review program to measure the effectiveness of the post-construction site inspections. 7. Begin measuring effectiveness of inspections and modify as needed.		X	X	X			X	X	X
			X	X	X	X			X	X	
				X	X	X				X	X
				X	X	X				X	X
5.IX Post-Construction Site Tracking	Develop a post construction site inspection tracking system for post-construction BMP inspections.	1. Develop a post construction site tracking system. 2. Begin tracking and reporting inspections using construction site inspection tracking system. 3. Track inspections and summarize inspection results as part of the Annual Report.	X	X	X	X	X	X	X		
				X	X	X				X	X
5.X Long-term Maintenance of BMPS	a. Develop O&M program for private projects that will require the owners to maintain storm water BMPs, and have BMPs	1. Develop O&M program for private projects. 2. Require 100% of private projects requiring post-construction BMPs to enter into a long-term	X	X	X	X	X	X	X		
				X	X	X				X	X

TABLE 5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND RE-DEVELOPMENT

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals and Effectiveness	Municipality				Year						
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5		
	inspected by qualified personnel and those results reported to the Municipality. b. Develop a self-certification program for public projects to ensure that maintenance staff are maintaining storm water BMPS.	maintenance agreement. 3. Develop a self-certification O&M program for all public projects 4. Upon Ordinance adoption, require 100% of public projects to report maintenance and inspection of storm water control BMPs implemented at these project sites. 5. Submit annual maintenance/inspection reports for both private and public projects. 6. Report results of inspections and compliance status. 7. Evaluate Maintenance program requirements and revise policies, procedures and ordinances, as needed.	X				X	X	X				
				X	X	X					X	X	
				X	X	X						X	X
				X	X	X							X
5.XI Interim Hydromodification Management Plan	.Adopt and implement hydromodification criteria developed by another municipality and approved by Board Staff.	1. Propose to the CCRWQCB which Hydromodification criteria the Municipalities want to use. 2. Provide training to 100% of municipal staff on enforceable interim hydromodification criteria. 3. Implement the interim HMP requirements in year 3.	X		X		X						
				X				X					
5. XII Hydro-	Work with CCRWQCB to	1. Meet with CCRWQCB staff to	X					X					

TABLE 5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND RE-DEVELOPMENT

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals and Effectiveness	Municipality				Year							
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5			
modification Management Plan	revision the hydromodification criteria to make it suitable for local South County conditions.	review interim hydromodification criteria and document any revisions that will need to be made to meet CCRWQCB's expectations. 2. Modify the Hydromodification criteria. 3. Submit the HMP and implementation plan. 4. Implement new HMP requirements.												
5. XIII Training	Offer annual training on new and redevelopment requirements to both Municipal and the development community staff.	1. Provide annual training to Municipal staff and the development community. 2. Provide training to 100% of municipal staff on post construction requirements. 3. Annually report on training opportunities and attendance at training covering for new and redevelopment requirements. 4. Develop and administer evaluation forms. 5. Evaluate effectiveness based on the results from evaluation forms.	X				X	X	X	X	X	X	X	X
				X	X	X	X	X	X	X	X	X	X	X
				X	X	X	X	X	X	X	X	X	X	X
				X	X	X	X	X	X	X	X	X	X	X
5. XIV. Long-term Watershed Management	Review and revise Master Drainage or General Plan to integrate storm water	1. Review and summarize General or Master Drainage Plan for existing long-term watershed		X	X	X				X				

TABLE 5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND RE-DEVELOPMENT

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals and Effectiveness	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
	management measures and water quality objectives into land-use planning and development policies.	management efforts. 2. Work with other agencies to pool resources and define scope of long-term watershed management plan. 3. Generally characterize the watershed and sub-watersheds. 4. Develop goals and schedule for regional, long-term watershed management. 5. Begin developing long-term watershed management plan. 6. Where feasible, quantifiable measures will be developed to evaluate how the watershed protection efforts, relative to storm water management, to achieve desired watershed conditions.	X						X			
			X						X			
			X							X		
			X								X	
			X									X
5.XV Land Use Policies	Review existing General Plan/Local Land Use Plan policies to determine if these policies provide implementation framework for compliance with this MCM.	1. Annually report implementation of existing and new policies and procedures as applicable. 2. Review existing land use policies, ordinances and procedures, compare existing policies to post construction MCM, and identify necessary changes. 3. Modify policies and ordinances if necessary.		X	X	X	X	X	X	X	X	X
				X	X	X	X					
				X	X	X		X				

TABLE 5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW AND RE-DEVELOPMENT

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals and Effectiveness	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
		4. Develop and implement a program to measure the effectiveness of the land use policies and ordinance. 5. Measure effectiveness of the policies/ordinances and modify as needed.		X	X	X			X			
				X	X	X					X	X

Storm Water Management Plan

Section VI: Pollution Prevention/Good Housekeeping

Introduction

Urban storm water runoff pollutants are derived from: street and road surfaces, pavement, sidewalks, plazas, parking lots, parks and corporate yards, vehicle wear, atmospheric deposition and littering. The pollutants of concern coming from these sources include grease, oil, fuel, brake dust and other hazardous materials. This section is meant to improve and protect receiving water bodies from these pollutants by reducing or eliminating (where practical) adverse impacts from Municipal and/or facility operations and maintenance. The Pollution Prevention/ Good Housekeeping Operation requirement will also require each municipality to continuously examine and alter any actions to help ensure reduction in the amount and types of pollutants introduced to the water bodies.

Under the MCM for Pollution Prevention/Good Housekeeping Operations, each Municipality is required to:

- 1) Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from Municipal operations.
- 2) Include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet building maintenance, new construction and land disturbances, and storm water system maintenance.

Objectives

The Pollution Prevention/Good Housekeeping program is a comprehensive approach to reduce direct pollutant introduction into the storm drain system and/or water bodies. The following are the goals, which the Municipalities intend to achieve with the pollution prevention/good housekeeping program:

- 1) Prevent discharges of pollutants into the storm water system (i.e. storm drains, roadside ditches, watercourses, and creeks) during routine construction and maintenance activities pertaining to roads, parks, parking lots, and the corporation yards.
- 2) Maximize pollutant removal during routine maintenance activities.
- 3) Establish accountability by reporting annually on routine activities, such as street sweeping and storm drain cleaning.
- 4) Provide continuing education to employees in the involved departments.

To achieve the overall goal of reducing pollutants from Municipal operations the Tasks listed below the section on Best Management Practices (BMPs) will be implemented within the next five years, upon approval of this SWMP.

Best Management Practices

I. Evaluation of Existing Housekeeping Practices

Task: Municipal operations can result in runoff that may impact water quality. For this reason it is especially important for Municipal operations to implement good housekeeping practices to prevent or reduce pollutant runoff. Existing housekeeping practices will be reviewed and modified, if necessary, to meet storm water runoff concerns and MCM requirements.

The following activities require good housekeeping practices and pollution prevention measures:

- Road repair, excavation and underground utility repair,
- Storm drain and channel maintenance,
- Building and landscape maintenance,
- Vehicle fueling and upkeep,
- Golf courses, and
- Park Maintenance.

These activities can occur at the following properties:

- Corporation yards,
- Parks,
- Golf courses,
- Public swimming pools,
- Municipal buildings,
- Airports, and
- Highways, streets and roads.

During years one and two, the Municipalities will work with their departments to determine if the existing housekeeping practices are meeting the General Permit requirements. All housekeeping practices will be reviewed and modified if it is determined that the existing practices are not adequate to reduce or prevent polluted storm water and non-storm water runoff. In the year two, the Municipalities will submit a report indicating which activities will be modified.

In year three and four, the Municipalities will modify the existing, and/or create, additional housekeeping practices. In the Annual Report for year four, each Municipality will report on which modified/new housekeeping practices will be implemented in the following year. In year five, the modified/new housekeeping practices will be implemented. The new housekeeping practices and pollution prevention measures will be evaluated in year 5 and any plans to revise them will be included in the annual report.

In year four, the Municipalities will work with the various departments to develop inspection procedures for municipal facilities ensuring good housekeeping practices and pollution prevention measures for these facilities are being implemented and are consistent with General Permit requirements. . Inspections and reporting inspection results will begin in year five.

Measurable Goals and Effectiveness:

1. Evaluate effectiveness of current good housekeeping practices based on if the activities listed above use good housekeeping practices.
2. During years one and two, determine which housekeeping practices need to be modified.
3. In year two, include a report on which activities will be modified and include any additional housekeeping practices that will be created.
4. In year three and four, revise existing, and create new, practices.
5. In year four, submit a report on the modified/new housekeeping practices.
6. In year four, develop procedures for inspecting municipal facilities and properties.
7. In year five, implement the modified/new housekeeping practices at all of the properties indicated above.
8. Include the results of municipal facility inspections, the Annual Report for year 5.
9. Evaluate the effectiveness of the new housekeeping practices and pollution prevention measures and revise them if necessary. Include in the Annual Report any revisions that are planned.

II. Street Cleaning

Task: Street cleaning is effective in diverting materials, such as litter and sediment from entering drainage channels and creeks. Street cleaning reduces introduction of these pollutants into drainage channels and creeks, especially during the rainy season. Spills of paint, oil and other similar materials are also cleaned up, as needed, so they will not be washed into drainage channels and creeks.

Currently, Morgan Hill, and Gilroy sweep all commercial and residential streets except for those that are private, have no curb and gutter, or the street is too narrow for the street sweeper. In Morgan Hill, commercial areas are swept every week and residential areas are swept every other week. Gilroy provides sweeping for both commercial and residential roads every other week.

Morgan Hill and Gilroy will review their existing street sweeping schedule and determine if the existing schedule should be modified to further prevent pollutants from entering the storm drain system. During year one and two, Morgan Hill and Gilroy will consider the following when considering schedule modification:

- Should the timing of street sweeping occurs in relation to weather,
- Should some areas have a higher sweeping frequencies than others, and
- Should the street sweeping schedule be articulated when large events occur?

In the Annual Report for year 2, Morgan Hill and Gilroy will include a report indicating the conclusions of the evaluation of the existing street sweeping schedule and if any modifications will be made in year 3.

The unincorporated area of the County has mostly rural roads that exhibit low traffic volume and therefore represent a low potential for storm water pollution. Rural areas, hillside, and mountain roads are narrow, and most were constructed long ago without curbs and gutters. Street sweeping is not conducted routinely on this type of road; rather, it is performed on a service requested or as needed basis. Routine sweeping of roads that lack both curbs and gutters is relatively ineffective.

Measurable Goals and Effectiveness:

1. Review existing street sweeping schedule.
2. Include a report on the findings of the review on street sweeping.
3. Morgan Hill will sweep commercial streets every week and residential streets every other week. Gilroy will sweep both residential and commercial streets every other week.
4. Document the curb miles swept and volume/weight of materials collected.
5. Assess the Street Sweeping Program for potential improvements and/or revisions to the Program.

III. Storm Water Pollution Prevention Plan for Corporation Yard

Task: A Storm Water Pollution Prevention Plan (SWPPP) will be developed and implemented for corporation yards. The purpose of the SWPPP will be to have a documented plan for controlling runoff from the corporation yards and for preventing harmful street maintenance debris from entering the storm drain system from these sites.

The County has maintained an Urban Runoff Management Plan since 1997. This plan was designed for the North County Phase I NPDES permit area, but the South County maintenance yard management and staff of the Department of Roads and Airports have also conformed to these performance standards.

Measurable Goals and Effectiveness:

1. Develop and implement a SWPPP for all corporation yards.
2. Assess the SWPPP at the corporate yards and update as needed.

IV. Program for Cleaning Storm Drain Facilities

Task: Cleaning helps storm drain facilities operate more effectively and efficiently. A schedule for inspecting Municipality-owned storm drain facilities will be developed and implemented by year two. The schedule will include inspecting critical major storm drain facilities, including inlets, pipe structures, culverts, outfalls, and basins. Critical storm drain facilities are derived from historical evidence of problems. The list of critical storm drains to be inspected will be updated, as needed, to include any new problem

areas. The schedule will call for inspecting the critical storm drain facilities in the fall at a minimum, prior to the rainy season to prevent trash and debris from entering receiving water bodies during storm events. The outcome of the inspection will determine if cleaning is needed.

The storm water system throughout the unincorporated area of the County is rural in character; it consists mainly of ditches, swales, and creeks. Short culvert pipes conduct storm water under roads to natural drainage areas. The County conducts street O&M consistent with the primarily rural community characteristics of the south County unincorporated area.

During the first three years, the Municipalities will work together to develop procedures for storm drain facility cleaning and maintenance that will protect water quality and long-term watershed health. In year four, the Municipalities will begin implementing the criteria developed for storm drain facility cleaning and maintenance.

Measurable Goals and Effectiveness:

1. Evaluate the effectiveness of the storm drain facility cleaning program based on inspection and cleaning efforts.
2. Establish a list of critical storm drain facilities in year one.
3. All critical storm drain facilities will be inspected annually at least once in the fall prior to the rainy season.
4. Document the number of storm drain facilities cleaned.
5. Assess the list of critical storm drain facilities to inspect and modify the list, as needed.
6. In years 1 through 3, develop criteria for storm drain cleaning and maintenance.
7. In year four, implement the criteria developed for storm drain facility cleaning and maintenance.

V. Water Utility Discharge Pollution Prevention Plan

Task: Non-storm water discharges, such as the flushing of water lines and fire hydrants, can introduce erosion, turbidity, and chlorine problems to receiving water bodies. An effective way to address these problems is to establish a Water Utility Discharge Pollution Prevention Plan that governs how water utility/firefighting crews handle certain activities like water line hydrant flushing.

Measurable Goals and Effectiveness:

1. Develop a Water Utility Pollution Prevention Plan.
2. Provide training to 100% water utility/firefighting crews on the use of BMPs identified in the Water Utility Pollution Prevention Plan.

VI. Training

Task: Municipal maintenance staff and other applicable staff members will have a minimum of annual training on storm water quality and how their actions can have a direct impact on efforts to reduce pollutant introduction to the storm drain system and/or directly into a water body. The training will focus on how maintenance staff can prevent pollutants from being discharged into the storm drain system during the following maintenance activities:

- Street sweeping,
- Corporation yard and street operations and maintenance,
- Storm drain facilities maintenance, and
- Water utility maintenance.

Additional training will be available when new requirements of the program are adopted. Training programs will be evaluated and modified as necessary to be consistent with SWMP requirements.

Measurable Goals and Effectiveness:

1. Provide annual training to 100% of Municipal maintenance staff and other applicable staff, as appropriate, on good housekeeping practices such as:
 - a. Landscaping activities
 - i. Proper and efficient use of fertilizers and pest control.
 - b. Maintenance activities
 - i. Proper handling and clean-up of maintenance materials.
 - c. Spill prevention-
 - i. Proper training to prevent spilling of materials and operating of equipment.
1. Begin measuring the effectiveness of training and modify if necessary.

Program Effectiveness

Effectiveness Assessment is a process that storm water program managers use to evaluate whether their programs are resulting in desired outcomes and if these outcomes are being achieved efficiently and cost-effectively. During the first two years of the storm water program the municipalities will achieve “Outcome Level One” as defined in CASQA document. Municipalities will continue to achieve “Level One Outcomes” while evaluating effectiveness outcomes for this MCM beginning in Year 3. The Program Description and Management Section further describes Effectiveness Assessment for the storm water management program.

TABLE 6 – POLLUTION PREVENTION/GOOD HOUSEKEEPING

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
6.I Evaluation of Existing Housekeeping Practices	Review/research existing housekeeping practices.	1. Evaluate effectiveness of current good housekeeping practices based on if the activities listed above use good housekeeping practices.		X	X	X	X	X				
		2. Determine which housekeeping practices need to be modified.		X	X	X	X	X				
		3. Report on which activities will be modified and include any additional housekeeping practices that will be created.		X	X	X		X				
		4. Revise existing practices and create new practices, if needed.		X	X	X			X	X		
		5. Submit a report on the modified/new housekeeping practices.		X	X	X					X	
		6. Develop procedures for inspecting municipal facilities and properties.		X	X	X					X	
		7. Implement the modified/new housekeeping practices.		X	X	X						X
		8. Include the results of municipal facility inspections in Annual Report.		X	X	X						X
		9. Evaluate the effectiveness of the new housekeeping practices and pollution prevention measures and revise them if necessary.		X	X	X						X

TABLE 6 – POLLUTION PREVENTION/GOOD HOUSEKEEPING

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
		Include in the annual report any revisions that are planned.										
6.II Street Cleaning	Establish a street sweeping schedule and provide additional cleaning on an as needed basis.	<ol style="list-style-type: none"> 1. Review existing street sweeping schedule. 2. Include a report on the findings of the street sweeping schedule review. 3. Morgan Hill will sweep commercial streets every week and residential streets every other week. Gilroy will sweep both residential and commercial streets every other week. 4. Document curb miles swept and volume of materials collected. 5. Assess street sweeping program and document possible improvements. 			X	X	X					
					X	X		X				
					X	X	X	X	X	X	X	X
					X	X	X	X	X	X	X	X
6.III Storm Water Pollution Prevention Plan for Corporation Yard	Develop and implement a SWPPP for corporation yards.	<ol style="list-style-type: none"> 1. Develop a SWMPP for corporation yards. 2. Implement the SWPPP at corporation yards. 3. Assess the SWPPP and update as needed. 		X	X	X	X	X	X	X	X	X
				X	X	X	X	X	X	X	X	X
				X	X	X	X	X	X	X	X	X
6.IV Program for Cleaning Storm Drain Facilities	Develop and implement a schedule for inspecting/cleaning of critical storm drain facilities.	<ol style="list-style-type: none"> 1. Evaluate the effectiveness of the storm drain facility-cleaning program based on inspection 										

TABLE 6 – POLLUTION PREVENTION/GOOD HOUSEKEEPING

BMPs, Measurable Goals, Effectiveness Assessment and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
		and cleaning efforts. 2. Establish a list of critical storm drain facilities. 3. All critical storm drains will be inspected annually prior to rainy season. 4. Document number of facilities cleaned. 5. Assess list of critical storm drain facilities and inspect and modify the list, as needed. 6. Develop criteria for storm drain cleaning and maintenance. 7. Implement the criteria developed for storm drain facility cleaning and maintenance.		X	X	X	X					
				X	X	X	X	X	X	X	X	X
				X	X	X	X	X				
			X					X	X	X	X	X
				X	X	X			X	X	X	X
6.V Water Utility Discharge Pollution Prevention Plan	Develop and implement a Water Utility Pollution Prevention Plan.	1. Develop a Water Utility Pollution Prevention Plan. 2. Provide training to 100% of applicable staff.			X	X					X	X
					X	X					X	X
6.VI Training	Provide annual training to applicable staff regarding water quality and Impacts of their actions on pollutant reduction.	1. Document attendance at training events. 2. Begin measuring effectiveness training and modify as needed.		X	X	X	X	X	X	X	X	X
				X	X	X					X	X

Storm Water Management Plan

Total Maximum Daily Load (TMDL)

Introduction

Under the CWA, once a water body is identified on the 303(d) list of impaired water bodies, a TMDL, for each pollutant involved in that impairment must be established within 13 years. Once a TMDL is adopted, an implementation plan must be developed and implemented with the intent of meeting water quality objectives.

TMDLs establish a loading criteria based on precedent pollution levels and water quality standards. The goal of the TMDL is to reduce pollutant loading from each of the identified sources of impairment to restore the impaired water body to its full beneficial use.

This SWMP is not meant to designate specific BMPs for each TMDL, but to implement BMPs in the areas under each Municipality's jurisdiction. These BMPs will reduce controllable sources of nitrate and sediment associated with storm water discharge to the MEP. The effectiveness of the implemented BMPs will determine if additional BMPs are required and/or if BMPs need to be more focused on preventing the sources of impairment from being exposed to storm water runoff.

For the Upper Pajaro Watershed within the Municipalities' jurisdiction, the Pajaro River and Llagas Creek have TMDL's established for both nitrates and sediment. In addition, a fecal coliform TMDL is currently in development for the Pajaro River, Llagas Creek and Uvas Creek.

Pajaro River and Llagas Creek Nitrate TMDL

In 1998, the Pajaro River and Llagas Creek were identified as water bodies impaired by nutrients and listed on the 303(d) list. On October 13, 2006, the Pajaro River and Llagas Creek nitrate TMDL was set at a maximum concentration of 10mg/L nitrate-N in receiving waters. The primary sources of nitrate were identified as croplands and rangelands; however, each Municipality is required to reduce nitrate discharges. Each Municipality will include nitrate education as part of the public education program as well as provide nutrient management at County/City buildings and parks.

The BMPs contained in this SWMP have been developed to address sources of storm water pollution including nitrate. A goal of the SWMP is not to target BMPs to specific TMDLs, or geographic areas, but to implement the BMPs throughout the management area to reduce controllable sources of nitrate associated with the storm drain system to the MEP. Specific BMPs that will address nitrate and provide for TMDL implementation are listed in Appendix C1.

During the second year of the Program, the County will develop a plan to evaluate the sources of nitrate in storm water. The plan will include identifying and prioritizing potential sources of nitrate. For example, use permits for hobby farms and other land uses that may be potential sources will be investigated. The plan will also include identifying target audiences for outreach. Lastly, methods for evaluating potential source reduction will be investigated.

Pajaro River and Llagas Creek Sediment TMDL

In 1998, the Pajaro River and Llagas Creek were identified as impaired water bodies for sedimentation/siltation and put on the 303(d) list. On November 27, 2006, a sediment TMDL was established, one for each of the seven major sub watersheds of the Pajaro River Watershed. In addition, an annual load allocation (LA) and waste load allocation (WLA) was established for seven land use sources of sediment loading. The seven land use sources of sediment were identified as: crop, fallow and orchard; forest; pasture and range; urban lands; roads; barren; and sand and gravel mining.

The Municipalities are required to obtain a NPDES Storm Water Phase II Permit and must include in the Storm Water Management Plan specific actions to reduce sediment discharges. The actions taken will be described and assessed as part of the Annual Report. A table of annual load allocations is located in Appendix C. The Annual Allocations Table contains the annual load allocations and waste load allocations for the sub watersheds within the Municipalities' jurisdiction.

The BMPs contained in this SWMP have been developed to address sources of storm water pollution including sediment. A goal of the SWMP is not to target BMPs to specific TMDLs, or geographic areas, but to implement the BMPs throughout the management area to reduce controllable sources of sediment associated with the storm drain system to the MEP. Section 4: Construction Site Storm Water Runoff Control is specifically focused on reducing sediment in storm water. A plan will be developed to evaluate the sources of sediment in storm water and sources reduction. Additional BMPs that will address sediment and provide for TMDL implementation are located in Appendix C1.

Program Effectiveness

Effectiveness Assessment is a process that storm water program managers use to evaluate whether their programs are resulting in desired outcomes and if these outcomes are being achieved efficiently and cost-effectively. During the first two years of the storm water program the municipalities will achieve "Outcome Level One" as defined in CASQA document. Municipalities will continue to achieve "Level One Outcomes" while evaluating effectiveness outcomes for this MCM beginning in Year 3. The Program Description and Management Section further describes Effectiveness Assessment for the storm water management program

TABLE 7 – TMDLs

BMPs, Measurable Goals, and Implementation Details/Schedule

Best Management Practice	Implementation Details	Measurable Goals	Municipality				Year					
			Joint	County	Gilroy	Morgan Hill	1	2	3	4	5	
7.1 Nitrate Evaluation Plan	Develop a Plan to evaluate the sources of nitrate in storm water. The Plan will include identification and prioritization of potential nitrate sources and investigate/evaluate methods for potential source reduction. For example, use permits for hobby farms and other land uses may be potential sources investigated. The Plan will also include identifying target audiences for outreach.	1. Review existing use permits and other resources to identify and prioritize potential sources of nitrates with emphasis on hobby farms and backyard livestock.		X	X	X		X				
		2. Establish priority list for nitrate sources.	X					X				
		3. Conduct inspections of high priority sites. Coordinate with IDD&E MCM on reporting results.		X	X	X			X			
		4. Identify target audiences for outreach. Coordinate with Pubic Education and Outreach MCM on reporting results.	X					X				
		5. Conduct workshop or similar outreach event (specific outreach type will be based on identified audience). Coordinate with Pubic Education and Outreach MCM on conducting outreach.	X						X			
		6. Develop a review program to measure the effectiveness of SWMP BMPs related to the nitrates TMDL.	X							X	X	
				X	X	X						X

		7. Begin measuring effectiveness of the TMDL program and modify as needed.											
7.II Sediment Evaluation Plan	Develop a Plan to evaluate the sources of sediment in storm water and source reduction. Please See Section 4: Construction Site Storm Water Runoff Control for more information.	<ol style="list-style-type: none"> 1. Develop plan. 2. Develop a review program to measure the effectiveness of SWMP BMPs related to the nitrates TMDL. 3. Begin measuring effectiveness of the TMDL program and modify as needed. 	X X							X	X	X	X
				X	X	X							X

Appendix

Appendix A: Acronyms

1. Acronyms List

Appendix B: Maps

1. Phase II Permit Jurisdiction Area: Pajaro River Watershed
2. Municipality Permit Area Boundary

Appendix C: Tables

1. BMPs That Address Pollutants in South Santa Clara County
2. Responsibility Chart
3. Annual Load Allocation

Appendix D: Ordinance

1. Title 8, Health and Safety
 - a. Chapter 8.90 Urban Storm Water Quality Management and Discharge Control

A.1 Acronyms

BMP: Best Management Practice

BOS: Board of Supervisors

CASQA: California Stormwater Quality Association

CCRWQCB: Central Coast Regional Water Quality Control Board

CEQA: California Environmental Quality Act

CWA: Federal Clean Water Act

EPA: United States Environmental Protection Agency

HCP: Habitat Conservation Plan

HHW: Household Hazardous Waste

HMP: Hydrograph Modification Plan

IDD&E- Illicit Discharge Detection and Elimination

LA: Load Allocations

LID: Low Impact Development

MCM: Minimum Control Measures

MEP: Maximum Extent Practicable, as defined by the CWA

MS4: Municipal Separate Storm Sewer System

NOI: Notice of Intent

NPDES: National Pollutant Discharge Elimination System

O&M: Operation and Maintenance

RWQCB: Regional Water Quality Control Board

SCBWMI: Santa Clara Basin Watershed Management Initiative

SCRWA: South County Regional Waste Water Authority

SCVURPPP: Santa Clara Valley Urban Runoff Pollution Prevention Program

SCVWD: Santa Clara Valley Water District

SFBRWQCB: San Francisco Bay Regional Water Quality Control Board

SWMP: Storm Water Management Plan

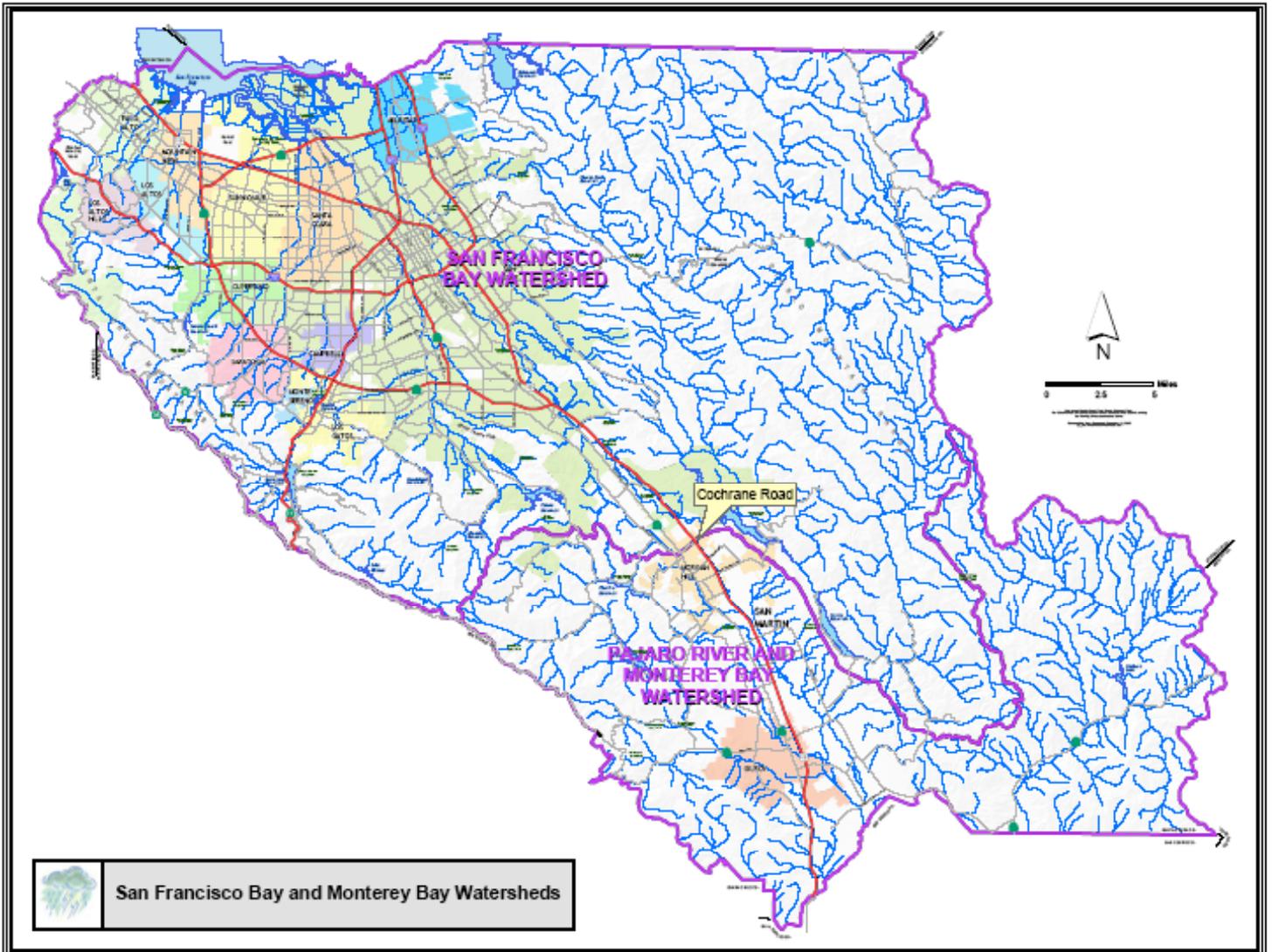
SWPPP: Storm Water Pollution Prevention Plan

SWRCB: State of California Water Resources Control Board

TMDL: Total Maximum Daily Load

WLA: Waste Load Allocation

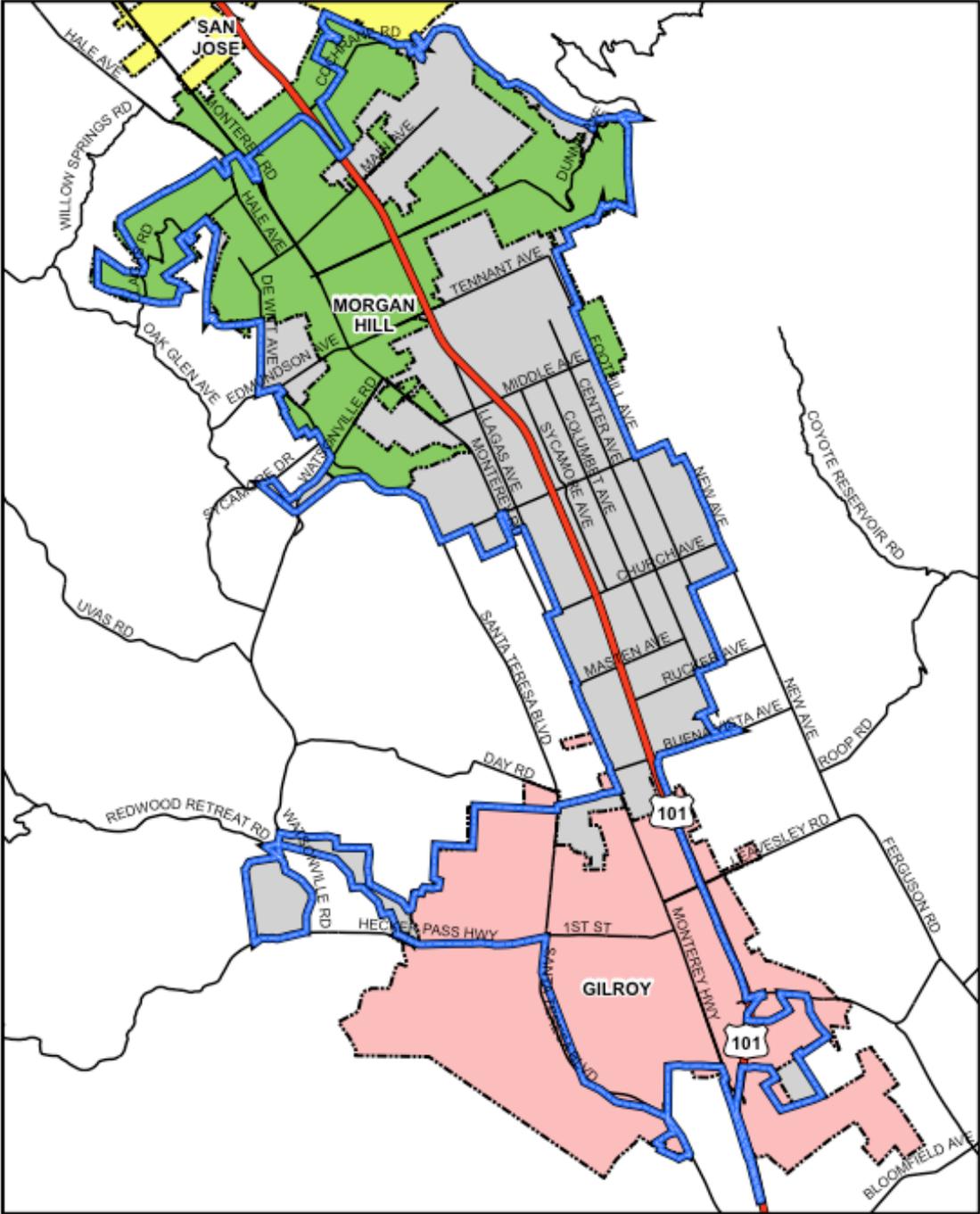
B.1: Phase II Permit Jurisdiction Area: Pajaro River Watershed



PAJARO RIVER WATERSHED AREA = Phase II Area

B.2: Municipality Permit Area Boundary

Urban Area of Gilroy-Morgan Hill



- Permit Boundary (2000 Decennial Census - Urbanized Area)
- Affected Unincorporated Area
- SAN JOSE
- MORGAN HILL
- GILROY



C.1: BMPs That Address Pollutants in South Santa Clara County

BMPs that Address Pollutants in South Santa Clara County			
POCs	Land Use	Sources	BMPs
Sediment	Residential	<ul style="list-style-type: none"> • Driveway and sidewalk cleaning • Landscape maintenance and irrigation 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV, 2.VI • 3.II, 3.IV, 3.V, 3.VI, 3.VIII • 4.I, 4.III, 4.IV • 5.I, 5.II, 5.III, 5.VI, 5.VII, 5.IX, 5.X, 5.XI, 5.XII • 6.I, 6.II, 6.III, 6.IV, 6.V
	Municipal	<ul style="list-style-type: none"> • Landscape and grounds maintenance • Parking lot maintenance • Building maintenance (power washing) 	
	Industrial	<ul style="list-style-type: none"> • Parking lot maintenance (power washing) 	
Nutrients	Residential	<ul style="list-style-type: none"> • Septic system maintenance • Dumping/spills • Swimming pool and spa discharge 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV, 2.VI • 3.II, 3.IV, 3.V, 3.VI, 3.VIII, 3.X, 3.XI • 6.I, 6.III
	Municipal	<ul style="list-style-type: none"> • Dumping/spills • Landscaping and grounds maintenance 	
	Industrial	<ul style="list-style-type: none"> • Dumping/spills • Landscaping and grounds maintenance 	
Heavy Metals	Residential	<ul style="list-style-type: none"> • Dumping/ spills • Vehicle and equipment maintenance/ washing • Illicit connections 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV • 3.II, 3.V, 3.VI, 3.VIII, 3.IX, 3.X • 4.I, 4.IV, • 5.IX • 6.I, 6.II, 6.III, 6.IV, 6.V
	Municipal	<ul style="list-style-type: none"> • Dumping/ spills • Vehicle and equipment maintenance, repair/ washing • Washing greasy equipment 	
	Industrial	<ul style="list-style-type: none"> • Parking lot maintenance (power washing) • Illicit connections 	
Floatable	Residential	<ul style="list-style-type: none"> • Sump Dewatering • Dumping/spills• Landscape maintenance and irrigation 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV, • 3.II, 3.V, 3.VI, 3.VIII, 3.X • 4.I, 4.III, 4.IV • 5.IX • 6.I, 6.III, 6.IV, 6.V
	Municipal	<ul style="list-style-type: none"> • Sump Dewatering • Dumping/spills • Landscape maintenance and irrigation • Parking lot maintenance (power washing) • Vehicle washing 	

BMPs that Address Pollutants in South Santa Clara County

POCs	Land Use	Sources	BMPs
	Industrial	<ul style="list-style-type: none"> • Sump Dewatering • Loading and un-loading area wash downs • Parking lot maintenance (power washing) • Industrial process water or rinse water 	
Pesticides	Residential	<ul style="list-style-type: none"> • Landscaping and grounds irrigation 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV, 2.VI • 3.II, 3.V, 3.VI, 3.VIII, 3.X • 6.I, 6.III
	Municipal	<ul style="list-style-type: none"> • Landscaping and grounds maintenance • Outdoor fluid storage 	
	Industrial	<ul style="list-style-type: none"> • Outdoor fluid storage • Sump dewatering • Industrial process water or rinse water 	
Herbicides	Residential	<ul style="list-style-type: none"> • Sump dewatering • Landscape maintenance and irrigation 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV, 2.VI • 3.II, 3.V, 3.VI, 3.VIII, 3.X • 6.I, 6.III
	Municipal	<ul style="list-style-type: none"> • Landscaping and grounds maintenance • Outdoor fluid storage • Sump dewatering 	
	Industrial	<ul style="list-style-type: none"> • Sump Dewatering • Industrial process water or rinse water • Outdoor fluid storage 	
Non-Sediment Solids	Residential	<ul style="list-style-type: none"> • Dumping/spills • Septic system maintenance • Sump dewatering 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV • 3.II, 3.V, 3.VI, 3.VIII, 3.X, 3.XI • 4.I, 4.III, 4.IV • 5.IX • 6.I, 6.III, 6.IV, 6.V
	Municipal	<ul style="list-style-type: none"> • Dumping/spills • Landscaping and grounds maintenance • Sump dewatering 	
	Industrial	<ul style="list-style-type: none"> • Sump Dewatering • Industrial process water or rinse water • Parking lot maintenance (power washing) • Outdoor materials storage 	
Pathogens	Residential	<ul style="list-style-type: none"> • Septic system maintenance 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV • 3.II, 3.III, 3.IV, 3.V, 3.VI, 3.VIII, 3.XI • 6.I, 6.III,
	Municipal	<ul style="list-style-type: none"> • Outdoor fluid storage • Illicit connections 	
	Industrial	<ul style="list-style-type: none"> • Outdoor materials storage • Illicit connections 	

BMPs that Address Pollutants in South Santa Clara County

POCs	Land Use	Sources	BMPs
Oxygen-Demanding Substances	Residential	<ul style="list-style-type: none"> • Painting • Landscape maintenance and irrigation • Vehicle washing 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV, 2.VI • 3.II, 3.V, 3.VI, 3.VIII, 3.X • 4.I, 4.IV • 5.IX • 6.I, 6.III, 6.IV, 6.V
	Municipal	<ul style="list-style-type: none"> • Vehicle maintenance and repair • Landscape and grounds maintenance and irrigation • Outdoor fluid storage 	
	Industrial	<ul style="list-style-type: none"> • Industrial process water or rinse water • Parking lot maintenance (power washing) • Outdoor materials storage (fluids) 	
Petroleum Hydrocarbons	Residential	<ul style="list-style-type: none"> • Vehicle maintenance washing and repair • Driveway and sidewalk cleaning • Outdoor fluid storage • Dumping/spills 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV • 3.II, 3.V, 3.VI, 3.VIII, 3.IX, 3.X • 4.I, 4.III, 4.IV • 5.IX • 6.I, 6.III,
	Municipal	<ul style="list-style-type: none"> • Vehicle maintenance, fuel, washing and repair • Parking lot maintenance (power washing) • Outdoor fluid storage • Dumping/spills • Washing down of greasy equipment and grease traps 	
	Industrial	<ul style="list-style-type: none"> • Industrial process water or rinse water • Parking lot maintenance (power washing) • Outdoor materials storage (fluids) • Loading and un-loading area wash down 	
Polycyclic Aromatic (by products of fuel burning)	Residential	<ul style="list-style-type: none"> • Driveway and sidewalk cleaning • Dumping/spills • Vehicle and equipment maintenance and washing 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV, 2.VI • 3.II, 3.V, 3.VI, 3.VIII • 4.I, 4.IV • 5.IX • 6.I, 6.III,
	Municipal	<ul style="list-style-type: none"> • Vehicle maintenance, fuel, washing and repair • Parking lot maintenance (power washing) • Dumping/spills • Washing down of greasy equipment and grease traps 	

BMPS that Address Pollutants in South Santa Clara County

POCs	Land Use	Sources	BMPs
	Industrial	<ul style="list-style-type: none"> • Industrial process water or rinse water • Parking lot maintenance (power washing) • Loading and un-loading area wash downs 	
Hydrocarbons	Residential	<ul style="list-style-type: none"> • Vehicle and equipment maintenance and washing • Driveway and sidewalk cleaning 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV, 2.VI • 3.II, 3.V, 3.VI, 3.VIII • 4.I, 4.IV • 5.IX • 6.I, 6.III,
	Municipal	<ul style="list-style-type: none"> • Washing greasy equipment and grease traps • Vehicle washing 	
	Industrial	<ul style="list-style-type: none"> • Parking lot maintenance (power washing) • Industrial process water or rinse water 	
Trash	Residential	<ul style="list-style-type: none"> • Dumping/ spills 	<ul style="list-style-type: none"> • 1.I, 1.II, 1.III, 1.IV, 1.V, 1.VII • 2.IV, 2.V • 3.II, 3.V, 3.VI, 3.VIII, • 4.I, 4.IV • 5.IX • 6.I, 6.II, 6.III, 6.IV, 6.V
	Municipal	<ul style="list-style-type: none"> • Dumping/ spills • Vehicle maintenance/ washing 	
	Industrial		

C. 2 Responsibility Chart

Department Responsibilities			
MCM	Gilroy	Morgan Hill	County
Overall Program Management	<ul style="list-style-type: none"> • Engineering Division of Community Development 	<ul style="list-style-type: none"> • Public Works - Eulo 	<ul style="list-style-type: none"> • Planning and Development
Public Education and Outreach	<ul style="list-style-type: none"> • Community Services/recreation • BLES 	<ul style="list-style-type: none"> • Public Works - Eulo 	<ul style="list-style-type: none"> • DEH • IWM • Planning and Development
Public Involvement and Participation	<ul style="list-style-type: none"> • Engineering Division of Community Development 	<ul style="list-style-type: none"> • Public Works - Eulo 	<ul style="list-style-type: none"> • DEH • AEM
Illicit Discharge Detection and Elimination	<ul style="list-style-type: none"> • BLES 	<ul style="list-style-type: none"> • Public Works - Eulo 	<ul style="list-style-type: none"> • DEH • Planning and Development • IWM
Construction Site storm Water Runoff Control	<ul style="list-style-type: none"> • BLES 	<ul style="list-style-type: none"> • Public Works - Ha 	<ul style="list-style-type: none"> • Planning and Development • Parks • R&A • F&F
Post-Construction Storm Water Management in New and Redevelopment	<ul style="list-style-type: none"> • Engineering and other divisions of Community Development, as needed. 	<ul style="list-style-type: none"> • Public Works - Ha 	<ul style="list-style-type: none"> • Planning and Development • Parks • R&A • F&F
Pollution Prevention and Good Housekeeping	<ul style="list-style-type: none"> • BLES 	<ul style="list-style-type: none"> • Public Works - Struve 	<ul style="list-style-type: none"> • Parks • R&A • F&F

C.3 Annual Load Allocations

Land Use Source Category									
Major Sub Watershed	Allocations (Annual load allocations (LA)/ waste load allocation (WLA))	Crop, Fallow and Orchard	Forest	Pasture and range	Urban Lands	Roads	Barren	Sand and Gravel Mining	Total Load
Llagas	LA	596	326	6978	354		144		9,185
	WLA				787				
Uvas	LA	946	989	12454	280		369		15,177
	WLA				139				
Upper Pajaro	LA	4114	1228	37664	356		425	3	43,951
	WLA				161				

D.1 Title 8, Health and Safety

CHAPTER 8.90

URBAN STORM WATER QUALITY MANAGEMENT AND DISCHARGE CONTROL.

8.90.010 Purpose and Intent.

The purpose and intent of this chapter is to ensure the health, safety, and general welfare of City of Morgan Hill citizens, and protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. §1251 et seq.) by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-storm water discharges to the storm drain system.

8.90.020 Definitions.

The terms used in this chapter shall have the following meanings:

A. Authorized Enforcement Officer. The City of Morgan Hill Public Works Director and those individuals designated by the Public Works Director to enforce the provisions of this chapter. Authorized Enforcement Officers include, but are not limited to, individuals employed by the Code Enforcement Division of the City of Morgan Hill's Community Development Department.

B. Best Management Practices. Activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. Best Management Practices (BMPs) include but are not limited to: treatment facilities and methods to remove pollutants from storm water; operating and maintenance procedures; facility management practices to control runoff, spillage or leaks of non-storm water, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions as the City determines appropriate for the control of pollutants.

C. City. The City of Morgan Hill.

D. Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

E. Construction Activity. Activities subject to National Pollutant Discharge Elimination System (NPDES) Construction Permits. These include construction projects resulting in land disturbance of 1 acre or more or projects in the City's right-of-way. Such activities include but are not limited to clearing and grubbing, excavating, demolition, and all grading activities.

F. Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed (California Health and Safety Code §25117).

G. Illegal Discharge. Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section 8.90.90, "Prohibition of Illegal Discharges," of this chapter.

H. Illicit Connections. An illicit connection is defined as either of the following:

1. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency; or
2. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the City.

I. Industrial Activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

J. National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permits. General, group, and individual storm water discharge permits, which regulate facilities defined in federal NPDES regulations pursuant to the Clean Water Act. The California Regional Water Quality Control Board, Central Coast Region (hereinafter, Regional Board) and the State Water Resources Control Board have adopted general storm water discharge permits, including but not limited to the General Construction Activity and General Industrial Activity permits.

K. Non-Storm Water Discharge. Any discharge to the storm drain system that is not composed entirely of storm water.

L. Pollutant. Anything, which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; dirt, refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a

building or structure (including but not limited to sediments, slurries, and concrete rinsates); and noxious or offensive matter of any kind.

M. Pollution. The human-made or human-induced alteration of the quality of waters by waste to a degree which unreasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses (California Water Code §13050).

N. Porter-Cologne Act. The Porter-Cologne Water Quality Control Act and as amended (California Water Code §13000 et seq.).

O. Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

P. Storm Drain System. Publicly-owned facilities operated by the City or the Santa Clara Valley Water District by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the City and are not part of a publicly owned treatment works as defined at 40 CFR Section 122.2.

Q. Storm Water. Any surface flow, runoff, and drainage consisting entirely of water from rain storm events.

R. Waters of the United States. Surface watercourses and water bodies as defined at 40 CFR § 122.2. including all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry storm water at and during all times and seasons.

8.90.030 Applicability.

This chapter shall apply to all water entering the storm drain system generated on any developed and undeveloped lands lying within the City including any amendments or revisions thereto.

8.90.040 Responsibility for Administration.

The Public Works Director of the City shall administer and implement the provisions of this chapter. Enforcement of the provisions of this chapter shall become the responsibility of the Code Enforcement Division of the City's Community Development Department or other Authorized Enforcement Officers as designated by the Director. Where storm drain facilities and/or watercourses have been accepted for maintenance by another public agency legally responsible for certain watercourses, then the responsibility for enforcing the provisions of this chapter may be assigned to such agency (through contract or agreement executed by the City and such agency) with respect to those watercourses for which they have accepted maintenance.

8.90.050 Severability and Validity.

The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

8.90.060 Regulatory Consistency.

This chapter shall be construed to assure consistency with the requirements of the Clean Water Act and Porter-Cologne Act and acts amendatory thereof or supplementary thereto, or any applicable implementing regulations.

8.90.070 Ultimate Responsibility of Discharger.

The standards set forth herein and promulgated pursuant to this chapter are minimum standards; therefore this chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into waters of the U.S. caused by said person. This chapter shall not create liability on the part of the City, or any agent or employee thereof for any damages that result from any discharger's reliance on this chapter or any administrative decision lawfully made there under.

8.90.080 Taking.

The provisions of this chapter shall not operate to deprive any landowner of substantially all of the market value of his/her property or otherwise constitute an unconstitutional taking without compensation. If application of this chapter to a specific project would create a taking then pursuant to the ordinance the City Council may allow additional land uses, but only to the extent necessary to avoid a taking. Such uses shall be consistent with and carry out the purposes of this chapter as stated in Section 8.90.010, "Purpose and Intent," above.

8.90.090 Prohibition of Illegal Discharges.

No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.

The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

- A. Discharges from the following activities will not be considered a source of pollutants to the storm drain system and to waters of the U.S. when properly managed to ensure that no potential pollutants are present, and therefore they shall not be considered illegal discharges unless determined to cause a violation of the provisions of the Porter-Cologne Act, Clean Water Act, or this ordinance: potable water line flushing; uncontaminated pumped groundwater and other discharges from potable water sources; diverted stream flows; rising groundwater; groundwater infiltration to the storm drain system; uncontaminated foundation and footing drains; uncontaminated water from crawl space pumps; air conditioning condensation; uncontaminated non-industrial roof drains; springs; flows from riparian habitats and wetlands; street wash waters; and flows from fire fighting.

B. The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered by the State of California under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted by the City of Morgan Hill for any discharge to the storm drain system.

C. With written concurrence of the Regional Board, the City of Morgan Hill may exempt in writing other non-storm water discharges, which are not a source of pollutants to the storm drain system nor waters of the U.S.

8.90.095 Prohibition of Pesticide and Herbicide Use.

Pesticides and herbicides can be poisonous to animals and plants. Over-application and applications where pesticides or herbicides mix with stormwater runoff shall be prohibited. Use the minimum recommended amount and do not overspread. Do not apply prior to the forecast of rain. The use of pesticides and herbicides shall be used in a manner, which will not contribute to the pollution of waterways or the stormdrain system through direct or indirect urban runoff.

8.90.100 Prohibition of Illicit Connections.

A. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

B. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

8.90.105 Prohibition of Discharges from Industrial or Commercial Activity.

The following list of discharges from industrial/commercial activities shall be considered prohibited unless permitted under a separate NPDES permit or as allowed by BMPs published or approved by the city public works department.

- A. Water from the cleaning of gas stations, vehicle service garages, or other types of vehicle service facilities;
- B. Water, cleansers, or solvents from the cleaning of vehicles, machinery or equipment, and other such commercial and industrial operations;
- C. Water from the washing or rinsing of vehicles containing soap, detergents, solvents, or other cleaners;
- D. Water from the washing or rinsing of vehicles, with or without soap, from auto body repair shops;
- E. Water from the cleaning or rinsing of vehicle engine, undercarriage, or auto parts cleaning;

- F. Vehicle fluids;
- G. Mat wash water from food service facilities;
- H. Food and kitchen cleaning water from food service facilities;
- I. Leakage from dumpsters or trash containers;
- J. Water from the cleaning or rinsing of garbage dumpster areas and areas where garbage is stored or contained;
- K. Water from pressure washing, steam cleaning, and hand scrubbing of sidewalks, gutters, plazas, alleyways, outdoor eating areas, steps, building exteriors, walls, driveways, loading docks, and other outdoor surfaces;
- L. Wastewater or cleaning fluids from carpet cleaning;
- M. Swimming pool and spa water;
- N. Wash out from concrete trucks;
- O. Runoff from areas where hazardous substances, including diesel fuel, gasoline and motor oil are stored;
- P. Super-chlorinated water normally associated with the disinfection of potable water systems.

8.90.110 Waste Disposal and Litter Prohibitions.

No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drain system, or water of the U.S., any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempted from this prohibition.

Private or commercial garbage and waste storage areas shall properly contain waste and shall not be allowed to discharge contents which can contribute to pollution.

8.90.115 Pet Waste Prohibitions.

Persons owning pets shall properly dispose of pet waste, which can contribute to pollution of waterways or the stormdrain system through direct or indirect urban runoff.

8.90.120 Standard for Parking Lots and Similar Structures.

Persons owning or operating a parking lot, paved gas station, or similar structure shall clean those structures as frequently and thoroughly as practical in a manner that does not results in discharge of pollutants to the City storm sewer system.

8.90.125 Prohibition of Discharges from Landscape Water Runoff Activity.

Any landscape water runoff including but not limited to fertilizer, pesticides, herbicides, and sediment which can be carried to waterways and the stormdrain system shall be prohibited. Irrigation systems shall operate in a manner to allow minimal landscape water runoff.

8.90.130 Discharges in Violation of Industrial or Construction Activity NPDES Storm Water Discharge Permit.

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Authorized Enforcement Officer prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

8.90.140 Leaking Motor Vehicles Prohibition.

No person shall discharge, cause, or permit any discharge runoff containing grease, oil, antifreeze, or other fluids from motor vehicles into the storm drain system. Any leak or spill related to vehicles or equipment shall be cleaned and contained to prevent the potential release of pollutants into storm water.

8.90.150 Limitations on Point of Discharge.

No person shall discharge any substance directly into a manhole or other opening in a City storm drain other than through a City-approved storm drain connection.

8.90.160 Requirement to Prevent, Control, and Reduce Storm Water Pollutants.

A. Compliance with Best Management Practices. Where BMPs are promulgated by the City or any federal, State of California, or regional agency for any activity, operation, or facility which would otherwise cause the discharge of pollutants to the storm drain system or water of the U.S., every person undertaking such activity or operation, or owning or operating such facility shall comply with such requirements. The City further adopts the BMPs developed by the California Storm Water Quality Association (CASQA) and presented in the California Storm Water Quality Best Management Practices Handbooks (2003 and 2004 Errata). These Handbooks, and the BMPs described therein, reflect current practices and standards in storm water pollution prevention.

B. New Development and Redevelopment. The City will adopt requirements identifying appropriate BMPs to control the volume, rate, and potential pollutant load of storm water runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants. The City shall incorporate such requirements in any land use entitlement and construction or building-related permit to be issued relative to such development or redevelopment. The owner and developer shall comply with the terms, provisions, and conditions of such land use entitlements and building permits as required in this chapter and other applicable sections of the City's Municipal Code.

C. Responsibility to Implement Best Management Practices. Notwithstanding the presence or absence of requirements promulgated pursuant to subsections (a) and (b), any person engaged in activities or operations, or owning commercial or industrial facilities or residential property which will or may result in pollutants entering storm water, the storm drain system, or waters of the U.S. shall implement BMPs to the extent they are technologically achievable to prevent and reduce such pollutants. The owner or operator of a commercial or industrial establishment shall provide reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses. Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner or operator's expense.

8.90.170 Requirement to Eliminate Illegal Discharges.

Notwithstanding the requirements of Section 8.90.270, "Authority to Inspect," herein, the Authorized Enforcement Officer may require by written notice that a person responsible for an illegal discharge immediately, or by a specified date, discontinue the discharge and, if necessary, take measures to eliminate the source of the discharge to prevent the occurrence of future illegal discharges.

8.90.180 Requirement to Eliminate or Secure Approval for Illicit Connections.

A. The Authorized Enforcement Officer may require by written notice that a person responsible for an illicit connection to the storm drain system comply with the requirements of this chapter to eliminate or secure approval for the connection by a specified date, regardless of whether or not the connection or discharges to it had been established or approved prior to the effective date of this chapter.

B. If, subsequent to eliminating a connection found to be in violation of this chapter, the responsible person can demonstrate that an illegal discharge will no longer occur, said person may request City approval to reconnect. The reconnection or reinstallation of the connection shall be at the responsible person's expense.

8.90.190 Watercourse Protection.

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property reasonably free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. The owner or lessee shall not remove healthy bank vegetation beyond that actually necessary for maintenance, nor remove said vegetation in such a manner as to increase the vulnerability of the watercourse to erosion. The property owner shall be responsible for maintaining and stabilizing that portion of the watercourse that is within their property lines in order to protect against erosion and degradation of the watercourse originating or contributed from their property.

No person shall commit or cause to be committed any of the following acts, unless a written permit has first been obtained from the Authorized Enforcement Officer or his/her designee.

- A. Discharge into or connect any pipe or channel to a watercourse;
- B. Modify the natural flow of water in a watercourse;
- C. Carry out development or grading within thirty (30) feet of a perennial or intermittent stream or riparian habitat.
- D. Deposit in, plant in, or remove any material from a watercourse including its banks, except as required for necessary maintenance;
- E. Construct, alter, enlarge, connect to, change, or remove any structure in a watercourse; or
- F. Place any loose or unconsolidated material along the side of or within a watercourse or so close to the side as to cause a diversion of the flow, or to cause a probability of such material being carried away by storm waters passing through such watercourse.

8.90.200 Requirement to Remediate.

Whenever the Authorized Enforcement Officer finds that a discharge of pollutants is taking place or has occurred which will result in or has resulted in pollution of storm water, the storm drain system, or water of the U.S., the Authorized Enforcement Officer may require by written notice to the owner of the property and/or the responsible person that the pollution be remediated and the affected property restored within a specified time pursuant to the provisions of Sections 8.90.290, "Notice of Violation," through 8.90.320, "Charging Cost of Abatement/Liens," below.

8.90.210 Requirement to Monitor and Analyze.

The Authorized Enforcement Officer may require by written notice of requirement that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to storm water pollution, illegal discharges, and/or non-storm water discharges to the storm drain system or waters of the U.S., to undertake at said person's expense such monitoring and analyses and furnish such reports to the City as deemed necessary to determine compliance with this chapter. The burden, including costs, of these activities, analyses, and reports shall bear a reasonable relationship to the need for the monitoring, analyses, and reports and the benefits to be obtained.

8.90.220 Notification of Spills.

All persons in charge of a facility or responsible for emergency response for a facility have a personal responsibility to train facility personnel and maintain notification procedures to assure immediate notification is provided to the City of any suspected, confirmed, or unconfirmed release of material, pollutants, or waste creating a risk of discharge into storm water and/or the storm drain system.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. from said facility, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of a hazardous material said person shall immediately notify emergency response officials of the occurrence via emergency dispatch services (911). In the event of a release of non-hazardous materials, said person shall notify the City's Public Works Department in person or by phone or facsimile no later than 5:00 p.m. of the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City's Public Works Department within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

8.90.230 NPDES General Permit No. CAS000001 for Industrial Activities

Industrial facilities which fall under the Standard Industrial Classification (SIC) by Federal regulations shall obtain and comply with the State Water Resources Control Board (SWRCB) NPDES General Permit No. CAS000001 Waste Discharge Requirements (WDRS) for Discharges of Storm Water Associated with Industrial Activities excluding construction activities.

8.90.240 NPDES General Permit No. CAS000002 for Construction Activities

For all projects disturbing a soil area of one or more acres, or projects part of a larger common plan of development that in total disturbs more than 1 acre, it shall be a condition of a subdivision map, site plan, building permit, or development or improvement plan to obtain and comply with the State Water Resources Control Board (SWRCB) NPDES General Permit No. CAS000002 Waste Discharge Requirements (WDRS) for Discharges of Storm Water Runoff Associated with Construction Activity.

8.90.250 Storm Water Pollution Prevention Plan (SWPPP) Manual

- A. A Storm Water Pollution Prevention Plan (SWPPP) manual shall be a condition of a subdivision map, site plan, building permit, or development or improvement plan for all projects disturbing a soil area of one or more acres, or projects part of a larger common plan of development that in total disturbs more than 1 acre.
- B. Preparation of a SWPPP manual shall be prepared in accordance with the most current SWRCB NPDES General Permit No. CAS000002 for construction activities.
- C. A SWPPP manual shall be made available at construction sites at all times.

8.90.260 Water Pollution Control

- A. Water Pollution Control drawings for erosion and sediment control showing how to stabilize soil and sediment on the construction site shall be a condition of a subdivision map, site plan, building permit, or development or improvement plan.
- B. Erosion control shall be planned during rainy season between September 15th and May 1st, and sediment control shall be planned year round for the life of the project.

Erosion and sediment control shall meet the minimum standards and specification of the CASQA for Stormwater BMPs.

1. Erosion control plans shall provide details for BMPs such as but not limited to:
 - a. Preservation of Existing Vegetation
 - b. Hydraulic Mulch
 - c. Hydroseeding
 - d. Soil Binders
 - e. Straw Mulch
 - f. Geotextile & Mats
 - g. Wood Mulching
 - h. Earth Dikes & Drainage Swales
 - i. Velocity Dissipation
 - j. Slope Drains
 2. Sediment control plans shall provide details for BMPs such as but not limited to:
 - a. Silt Fence
 - b. Sediment Basin
 - c. Sediment Trap
 - d. Check Dam
 - e. Fiber Rolls / Straw Wattles
 - f. Gravel Bag Berm
 - g. Street Sweeping and Vacuuming
 - h. Sand Bag Barrier
 - i. Straw Bale Barrier
 - j. Storm Drain Inlet Protection
 - k. Wind/Dust Control
 - l. Stabilized Rocked Construction Entrance/Exit
 - m. Tracking Control
- C. Implementation of the Water Pollution Control drawings for erosion and sediment control shall be completed prior to any physical development any property.
- D. Construction sites shall keep erosion and sediment control supplies on site during the rainy season.

8.90.270 Authority to Inspect.

Whenever necessary to make an inspection to enforce any provision of this chapter, or whenever the Authorized Enforcement Officer has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this chapter, the Authorized Enforcement Officer may enter such premises at all reasonable times to inspect the same and to inspect and copy records related to storm water compliance provided that (i) if such building or premises be occupied, he or she shall first present proper credentials and request entry; and (ii) if such building or premises be unoccupied, he or she shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

In any circumstance where there appears an immediate threat to the public health or safety, the Authorized Enforcement Officer or any authorized enforcement officer may enter any structure or premises without the consent of any person or court process.

Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including but not limited to random sampling and/or sampling in areas with evidence of storm water contamination, illicit discharges, discharges of non-storm water to the storm water system, or similar factors.

8.90.280 Authority to Sample, Establish Sampling Devices, and Test.

The City shall have the right to establish on any property such devices as are necessary to conduct sampling or metering operations. During any inspection as provided herein, the Authorized Enforcement Officer may take any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to record site activities.

8.90.290 Notice of Violation.

Whenever the Authorized Enforcement Officer finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the Authorized Enforcement Officer may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

- A. The performance of monitoring, analyses, and reporting;
- B. The elimination of illicit connections or discharges;
- C. That violating discharges, practices, or operations shall cease and desist;
- D. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
- E. Payment of a fine to cover administrative and remediation costs; and
- F. The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the City or a contractor designated by the Authorized Enforcement Officer and the expense thereof shall be charged to the violator pursuant to Section 8.90.320, "Charging Cost of Abatement/Liens," below.

8.90.300 Appeal.

Notwithstanding the provisions of Section 8.90.330, "Urgency Abatement," below, any person receiving a Notice of Violation under Section 8.90.290, "Notice of Violation," above may appeal the determination of the Authorized Enforcement Officer to the City Manager. The notice of appeal must be received by the City Manager within 5 days from the date of the Notice of Violation. Hearing on the appeal before the City Manager or his/her designee shall take place within 15 days from the date of City's receipt of the notice of appeal. The decision of the City Manager or designee shall be final.

8.90.310 Abatement by City.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal under Section 8.90.300, "Appeal," within 10 days of the decision of the City Manager upholding the decision of the Authorized Enforcement Officer, then the City or a contractor designated by the Authorized Enforcement Officer shall enter upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the City or designated contractor to enter upon the premises for the purposes set forth above.

8.90.320 Charging Cost of Abatement/Liens.

Within 30 days after abatement of the nuisance by City, the Authorized Enforcement Officer shall notify the property owner of the property of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment with the City Clerk within 15 days. The City Clerk shall set the matter for public hearing by the City Council. The decision of the City Council shall be set forth by resolution and shall be final.

If the amount due is not paid within 10 days of the decision of the City Council or the expiration of the time in which to file an appeal under this Section, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. A copy of the resolution shall be turned over to the County Auditor so that the auditor may enter the amounts of the assessment against the parcel as it appears on the current assessment roll, and the tax collector shall include the amount of the assessment on the bill for taxes levied against the parcel of land.

8.90.330 Urgency Abatement.

The Authorized Enforcement Officer is authorized to require immediate abatement of any violation of this chapter that constitutes an immediate threat to the health, safety or well-being of the public. If any such violation is not abated immediately as directed by the Authorized Enforcement Officer, the City is authorized to enter onto private property and to take any and all measures required to remediate the violation. Any expense related to such remediation undertaken by the City shall be fully reimbursed by the property owner and/or responsible party. Any relief obtained under this section shall not prevent City from seeking other and further relief authorized under this chapter.

8.90.340 Violations.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. A violation of or failure to comply with any of the requirements of this chapter shall constitute a misdemeanor and shall be punished as set forth in City Municipal Code, Chapter 1.24, General Penalty.

8.90.350 Compensatory Action.

In lieu of enforcement proceedings, penalties, and remedies authorized by this chapter, the Authorized Enforcement Officer may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

8.90.360 Violations Deemed a Public Nuisance

In addition to the enforcement processes and penalties hereinbefore provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored by the City at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken by the City.

8.90.370 Acts Potentially Resulting in a Violation of the Federal Clean Water Act and/or California Porter-Cologne Act.

Any person who violates any provision of this chapter or any provision of any requirement issued pursuant to this chapter may also be in violation of the Clean Water Act and/or the Porter-Cologne Act and may be subject to the sanctions of those acts including civil and criminal penalties. Any enforcement action authorized under this chapter shall also include written notice to the violator of such potential liability.

8.90.380 Coordination with Hazardous Materials Inventory and Response Program.

The first revision of the business plan for any facility subject to the City's hazardous materials inventory and response program shall include a program for compliance with this chapter, including the prohibitions on non-storm water discharges and illicit discharges, and the requirement to reduce storm water pollutants to the maximum extent practicable.

8.90.390 Fees Set by Resolution.

The City Council shall establish, by resolution, any fees necessary to carry out the purpose of this chapter.