

ATTACHMENT F**DEFINITIONS**

The following are definitions for terms applicable to this Order:

1. “**Anti-degradation policies**” means the *Statement of Policy with Respect to Maintaining High Quality Water in California* (State Board Resolution No. 68-16), which protects surface and ground waters from degradation. In particular this policy protects water bodies where existing quality is higher than that necessary for the protection of beneficial uses including the protection of fish and wildlife propagation and recreation on in the water.
2. “**Applicable Standards and Limitations**” means all State, interstate and federal standards and limitations to which a “discharge” or a related activity is subject under the CWA, including “effluent limitations”, water quality standards, standards of performance, toxic effluent standards or prohibitions, “best management practices” and pretreatment standards under sections 301, 302, 303, 304, 306, 307, 308, 403 and 404 of CWA.
3. “**Best Management Practices (BMPs)**” are methods, measures or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges including storm water. BMPs include structural and nonstructural controls, and operation and maintenance procedures, which can be applied before, during and/or after pollution producing activities.
4. “**CWA**” means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Public Law 92-500 as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483 and Public Law 77-117, 33 U.S.C. 1251 et seq.
5. “**Construction**” means constructing, clearing, grading or excavation that results in soil disturbance. Construction includes structure teardown. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.
6. “**Co-permittee**” shall mean any of the following public entities; the Ventura County Watershed Protection District (VCWPD), the County, or the City of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, or Thousand Oaks. Each Co-permittee is responsible for compliance with the terms of this Order.
7. “**Designated Public Access Points**” means any pedestrian, bicycle, equestrian or public vehicular point of access to jurisdictional channels in the area of Ventura County subject to permit requirements.
8. “**Development**” shall mean any construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and other non-residential projects, including public agency projects; or mass grading for future construction.
9. “**Directly Adjacent**” means situated within 200 feet of the contiguous zone required for the continued maintenance, function, and structural stability of the environmentally sensitive area.
10. “**Director**” shall mean the Director of Public Works of the County and Person(s) designated by and under the Director’s instruction and supervision.
11. “**Directly Discharging**” means outflow from a drainage conveyance system that is composed entirely or predominantly of flows from the subject, property, development, subdivision, or industrial facility, and not commingled with the flows from adjacent lands.
12. “**Discharge**” when used without qualification means the “discharge of a pollutant”.

13. **“Discharge of a Pollutant”** means” Any addition of any “pollutant” or combination of pollutants to “waters of the United States” from any “point source” or, Any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. The term discharge includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers or other conveyances leading into privately owned treatment works. This term does not include an addition of pollutants by any “indirect Discharger.”
14. **“Effluent limitation”** means any restriction imposed by the Regional Board on quantities, discharge rates, and concentrations of “pollutants” which are “discharged” from “point sources” into “waters of the United States”, the waters of the “contiguous zone” or the ocean.
15. **“Environmental Protection Agency”** or **“EPA”** means the United States Environmental Protection Agency.
16. **“Environmentally Sensitive Area”** means any area “in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would be easily disturbed or degraded by human activities and developments” (California Public Resources Code §30107.5). Areas subject to storm water mitigation requirements are: areas designated as an Area of Special Biological Significance (ASBS) by the State Water Resources Control Board, an area designated as a significant natural resource by the California Resources Agency, or an area identified by the Discharger as environmentally sensitive for water quality purposes, based on the Regional Board Basin Plan and Clean Water Act Section 303(d) Impaired Water bodies List for the County of Ventura.
17. **“Facility or Activity”** means any NPDES “point source” or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program.
18. **“Hillsides”** means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is 25% or greater and where grading contemplates cut or fill slopes.
19. **“Illicit Connection”** shall mean any man-made conveyance that is connected to the storm drain system without a permit or through which prohibited non-storm water flows are discharged, excluding roof-drains and other similar type connections. Examples include channels, pipelines, conduits, inlets or outlets that are connected directly to the storm drain system.
20. **“Illicit Discharge”** means any discharge to the storm drain system that is prohibited under local, state or federal statutes, ordinances, codes or regulations. The term illicit discharge includes all non-storm water discharges except discharges pursuant to an NPDES permit, discharges that are identified in Section B of this Order and discharges authorized by the Regional Board Executive Officer.
21. **“Infiltration”** means the downward entry of water into the surface of the soil.
22. **“Maximum Extent Practicable”** means the standard for implementation of storm water management programs to reduce pollutants in storm water. MEP generally emphasizes pollution prevention and source control BMPs primarily and considers economic factors and is therefore less stringent than technology-based limits.
23. **“MS4”** see Municipal Separate Storm Sewer System.
24. **“Municipal Separate Storm Sewer System”** means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains) owned by a State, city, town or other public body, that is designed or used for collecting or conveying storm water, which is not a combined sewer and which is not part of a publicly owned treatment works. Commonly referred to as an “MS4”.

25. “**National Pollutant Discharge Elimination System (NPDES)**” means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits and imposing and enforcing pretreatment requirements under sections 307, 402, 318, and 405 of CWA. The term includes an “approved program.”
26. “**NPDES**” means the National Pollutant Discharge Elimination System.
27. “**New Development**” means land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision.
28. “**Non-storm Water Discharge**” means discharge other than storm water runoff or snowmelt.
29. “**Nuisance**” means anything that meets all of the following requirements: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property; (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal; (3) occurs during, or as a result of, the treatment or disposal of wastes.
30. “**Parking Lot**” means land area or facility for the parking of commercial or business or private motor vehicles.
31. “**Permit**” means an authorization, license, or equivalent control document issued by EPA or an “approve State” to implement the requirements of 40 CFR Parts 122, 123 and 124. “Permit” includes an NPDES “general permit” (§122.28). Permit does not include any permit, which has not yet been the subject of final agency action, such as a “draft permit” or a “proposed permit”.
32. “**Pollutants of Concern**” means a prioritized list of pollutants identified in the Ventura County SMP as requiring additional investigation.
33. “**Potable Water Sources**” means flows from drinking water storage, supply and distribution systems including flows from system failures, pressure releases, system maintenance, well development, pump testing fire hydrant flow testing; and flushing and dewatering of pipes, reservoirs, vaults and wells.
34. “**Priority Pollutants**” are those consultants referred to in 40 CFR 401.15 and listed in the EPA NPDES Application Form 2C, pp.V-3 through V-9.
35. “**Rain Event**” means any rain event greater than 0.1 inch in 24 hours.
36. “**Redevelopment**” means, but is not limited to, the expansion of a building footprint or addition or replacement of a structure; structural development including an increase in gross floor area and/or exterior construction or remodeling; replacement of impervious surface that is not part of a routine maintenance activity; land disturbing activities related with structural or impervious surfaces. Redevelopment of one of the eight identified SQUIMP categories that result in the creation or addition of 5,000 square feet or more of impervious surfaces is subject to the requirements for storm water mitigation. If the creation or addition of impervious surfaces is fifty percent or more of the existing impervious surface area, then storm water runoff from the entire area (existing and additions) must be considered for purposes of storm water mitigation. If the creation or additions is less than fifty percent of the existing impervious area, then storm water runoff from only the addition area needs mitigation.
37. “**Regional Administrator**” means the Regional Administrator of the Regional Office of the Environmental Protection Agency or the authorized representative of the Regional Administrator.
38. “**Side Walk Washing**” means pressure washing of paved pedestrian walkways with average water usage of 0.006 gallons per square foot with no cleaning agents and properly disposing of all debris collected as authorized under Regional Board Resolution No.98-08.

39. “**Site**” means the land or water area where any “facility or activity” is physically located or conducted, including adjacent land used in connection with the facility or activity.
40. “**Source Control BMP**” means any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices or operational practices that aim to prevent storm water pollution by reducing the potential for contamination at the source of pollution.
41. “**SQUIMP**” shall mean the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan. The SQUIMP shall address conditions and requirements of new development.
42. “**State General Permit**” shall mean a permit issued by the State Water Resources Control Board or the Regional Board pursuant to 40 CFR §122 and 123 to regulate a category of point sources. The term State General Permit includes but is not limited to the General Permit for Stormwater Discharges Associated with Construction Activity and the General Industrial Activities Stormwater Permit and the terms and requirements of both. In the event the EPA revokes the in-lieu permitting authority of the State Water Resources Control Board, then the term State General Permit shall also refer to any EPA administered stormwater control program for industrial, construction and any other category of activities.
43. “**Storm Water**” shall mean “stormwater”.
44. “**Storm Water Pollution Prevention Plan**” shall mean a plan, as required by a State General Permit, identifying potential pollutant sources and describing the design, placement and implementation of BMPs, to effectively prevent non-stormwater Discharges and reduce Pollutants in Stormwater Discharges during activities covered by the General Permit.
45. “**Stormwater**” shall mean any surface flow, runoff and/or drainage associated with rainstorm events and/or snowmelt.
46. “**Storm Water Pollution Control Plan (SWPCP)**” shall mean a plan identifying potential pollutant sources from a construction site and describing proposed design, placement and implementation of BMPs, to effectively prevent non-stormwater Discharges and reduce Pollutants in Stormwater Discharges to the Storm Drain System, to the maximum extent practicable, during construction activities.
47. “**Stormwater Quality Management Plan**” shall mean the Ventura Countywide Stormwater Quality Management Plan, which includes descriptions of programs, collectively developed by the Co-permittees in accordance with provisions of the NPDES Permit, to comply with applicable federal and state law, as the same is amended from time to time.
48. “**Structural BMP**” means any structural facility designed and constructed to mitigate the adverse impacts of storm water and urban runoff pollution (e.g., canopy, structural enclosure). The category may include both treatment control BMPs and source control BMPs.
49. “**Total Maximum Daily Load (TMDL)**” means the amount of pollutant, or property of a pollutant, from point, non-point and natural background sources, that may be discharged to a water quality-limited receiving water. Any pollutant loading above the TMDL results in a violation of applicable water quality standards.
50. “**Treatment**” means the application of engineered systems that use physical, chemical, or biological processes to remove pollutants. Such processes include, but are not limited to, filtration, gravity settling, media absorption, biodegradation, biological uptake, chemical oxidation and UV radiation.
51. “**Treatment Control BMP**” means any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media absorption or any other physical, biological or chemical process.

52. **“Upset”** means an exceptional incident in which there is unintentional and temporary noncompliance with the permit limit because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance or careless or improper maintenance.
53. **“Water Quality Standards and Water Quality Objectives”** applicable to the Permittee include those contained in the Los Angeles Regional Water Quality Control Plan (Basin Plan), the California Ocean Plan, the National Toxics Rule, the California Toxics Rule, and other state or federally approved surface water quality plans. Such plans are used by the Regional Board to regulate all discharges, including storm water discharges.
54. **“Waters of the State”** means any surface water or groundwater, including saline waters, within boundaries of the state.
55. **“Waters of the United States or Waters of the U.S.”** means:
- a. All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide
 - b. All interstate waters, including interstate “wetlands”
 - c. “All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, “wetlands”, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
 - Which are or could be used by interstate or foreign travelers for recreational or other purposes
 - From which fish or shellfish are or could be taken and sold in interstate or foreign commerce
 - Which are used or could be used for industrial purposes by industries in interstate commerce
 - d. All impoundments of waters otherwise defined as waters of the United States under this definition
 - e. Tributaries of waters identified in paragraphs (a) through (d) of this definition
 - f. The territorial sea
 - g. “Wetlands” adjacent to waters (other than waters that are themselves wetlands) identified in paragraph (a) through (f) of this definition

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 423.22(m), which also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to man-made bodies of water, which neither were originally created in waters of the United States (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area’s status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with USEPA.

56. **“Watercourse”** shall mean any natural or artificial channel for passage of water, including the VCWPD jurisdictional channels included in the List of Channels within the Comprehensive Plan of the VCWPD, as approved by the Board of Supervisors of the VCWPD on October 4, 1993 and any amendments thereto.
57. **“Wet Season”** means the calendar period beginning October 1 through April 15.
58. **“Whole Effluent Toxicity”** means the aggregate toxic effect of an effluent measured directly by a toxicity test.
59. **“Work in Progress”** shall mean work required during a construction project that requires removal of BMPs or operational changes that could otherwise violate the SWPPP when undertaken on a limited basis for the purpose of increasing the effectiveness or improvement of BMPs as the construction progresses.