
Central Valley Regional Water Quality Control Board

FREQUENTLY ASKED QUESTIONS

State Water Resources Control Board Water Quality Order No. 2013-0001-DWQ Waste Discharge Requirements for

Storm Water Discharges from Small Municipal Separate Storm Sewer Systems

This is a list of Frequently Asked Questions (FAQ) related to the Storm Water Discharges from Small Municipal Separate Storm Sewer Systems Permit (Small MS4 Permit) that have been encountered by the Central Valley Regional Water Quality Control Board (Central Valley Water Board).

E. 12 Post Construction Storm Water Management Program

E.12.c. – Regulated Projects

Question 1 – Effective Date for Applicability of LID Runoff Standards to Regulated Projects:

Do tentative maps, development applications, or improvement plan approval dates (i.e. Approved Tentative Map, Approved Development Applications, Signed Improvement Plans, etc.) exempt a project from the requirements of the permit?

Response: Approved Tentative Maps and Signed Improvement Plans are completed once a discretionary project has a tentative map application that is deemed complete by a local agency. Approval of development applications is a discretionary action taken by a local agency once a discretionary project has a development application deemed complete. If the discretionary project has a tentative map application or development application that was deemed complete prior to the second year of the effective date of the Small MS4 Permit (i.e. prior to 1 July 2015), it is not subject to the Post Construction Standards of the Small MS4 Permit.

Question 2 - Effective Date for Applicability of LID Runoff Standards to Regulated Projects:

Until a local agency fully adopts a Storm Water Quality Standard providing detailed formulas with acceptable treatment measures; can a project be grandfathered in under the previously existing Storm Water Quality Standards established by the local agency?

Response: The local agency cannot use the adoption date of a Storm Water Quality Standard as the effective date to implement the Small MS4 Permit's requirement if it falls after the effective date described in the Small MS4 Permit. The Small MS4 Permit is specific in the effective date of the applicability of the Low Impact Design Runoff

Standards to Regulated Projects (See answer to question #3). It is the Permittee's responsibility to ensure that it has adequate legal authority (e.g., ordinances) to implement requirements for new projects by the deadlines in the Small MS4 Permit. Permit requirements that apply to new projects are effective on either (1) the date of adoption for the Storm Water Quality Standard, or (2) the effective date described on page 51 of the permit, whichever is earlier.

E.12.e - Low Impact Development (LID) Standards

Question 1 – Site Assessment: Does the following site <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx> provide an acceptable method for determining Hydrologic Soil Groups?

Response: Yes. Natural Resources Conservation Service (NRCS) classifications are what we use.

Question 2 – Drainage Maintenance Areas:

Please clarify the general intent of the storm water treatment requirement. Is it the Water Board's desire to treat all storm drain runoff within each Drainage Maintenance Areas (DMAs) prior to leaving the DMA, or is it the Water Board's desire to treat all storm drain within a project before the final release point from the project site? In other words, does the runoff need to be treated before it leaves a DMA, or does the runoff need to be treated before it leaves the project?

Response: It is the intent of the Small MS4 Permit that post construction conditions replicate the natural drainage patterns of the site. The Small MS4 Permit requires that each DMA be managed by one or more of the control options: Site Design Measures, Source Control, Storm Water Treatment and Baseline Hydromodification Measures. Each of the control options allow for alternative designs for compliance with the Small MS4 Permit. Compliance is determined at the edge of the project.

Question 3 – Drainage Maintenance Areas & Site Design Measures:

Can storm water runoff from discrete DMAs be conveyed through a pipe to a Site Design Measure specified in section E.12.b.(ii) for treatment, or does the runoff need to surface flow to the Site Design Measure? In other words, does storm drain runoff have to be treated before it enters a storm drain pipe even if the storm drain pipe is a culvert crossing added only to convey water under a roadway and then back in to a Site Design Measure (e.g. grassy swale)?

Response: Yes, conveyance to a Site Design Measure through a constructed drain or pipe is allowed. The Small MS4 Permit does not prohibit storm water runoff from a discrete DMA from being conveyed through a pipe to a Site Design Measure for treatment.

Question 4 - Numeric Sizing Criteria for Storm Water Retention and Treatment: The permit specifies one of two options for calculating storm water retention and treatment. Both

calculations require the use of rainfall data for the specific project location. When the City does not provide such information, what is an acceptable (official) data source for rainfall data?

Response: The Small MS4 Permit does not specify a specific source for local rainfall data to use in the calculation of either the numeric or flow-based criteria for sizing storm water retention and treatment. Although there is no official data source for rainfall data, some sources for local rainfall data are: National Oceanic and Atmospheric Administration (NOAA), Caltrans, California Department of Water Resources California Data Exchange Center (CDEC), or United States Geological Survey (USGS).

Question 5 – Numeric Sizing Criteria for Storm Water Retention and Treatment

Is the California Phase II LID Sizing Tool developed by the Sacramento State Office of Water Programs funded by the SWRCB an acceptable sizing method?

Response: Yes this sizing tool is an acceptable sizing method.

Question 6 – Site Design Measures:

Does a project that is part of a larger master plan have to provide onsite treatment measures if the master plan includes a master basin that has already been constructed which includes a mechanical filtration device sized for the entire master plan project? For example, projects may be currently constructed without onsite treatment measures that discharge offsite through a mechanical filtration device, part of the master basin (located upstream of the master basin). Under this scenario, there may be project sites within the approved master plan that have not been developed yet. Are the undeveloped project sites exempt from onsite treatment since the master basin has previous been constructed with a mechanical filtration device that is sized for all developed and undeveloped projects?

Response: In the scenario provided, the undeveloped project sites would have met the requirements for on-site treatment if the filtration unit and basin are appropriately sized. Considerations would include the waterway or structure for conveyance to the master basin. For example, if natural streams are used to convey the storm water to the master basin, then additional site measures may be needed. If the conveyance is constructed, then additional measures would not be needed.

Question 7 – Storm Water Treatment Measures and Baseline Hydromodification Management Measures:

Can a detention basin be utilized as a bio-retention measure if the appropriate rock/soil combination is sized and constructed at the bottom of the basin? The measure would be constructed at the low point of the detention basin and would be disconnected from the pump station inlet to avoid being included in the storm water discharge when the pump station is activated. The onsite storm drain collection system would discharge into the basin via a bubble up structure and the appropriate volume of water would flow to the low point of the basin, where the appropriate volume of storm water would be intercepted by the bio-retention measure. The appropriate percolation rates necessary to percolate the storm water would be confirmed.

Response: The Small MS4 Permit would not prohibit this practice provided it achieves water quality requirements. However the local agency has the discretion and responsibility for site specific practices.

Question 8 – Exceptions to Requirements for Bioretention Facilities:

Are there additional exceptions from what is listed in section E.12.e.ii.i that would allow a development to utilize media filters as treatment on a new project?

Response: No.

E.12.f – Hydromodification Management

Question 1 - What is the exact timing for the hydromodification requirements?

Response: The local agency has until 30 June 2016 (assuming that they were enrolled under the permit during the first year) to develop and implement the Hydromodification Management procedures. These requirements are applicable to the local agency (i.e. municipality). The local agency has discretion to impose deadlines for projects through its permitting processes.