SUPPORTING DOCUMENT No. 9

Significant Differences between Order No. R9-2002-0001 (South Orange County) and Tentative Order No. R9-2004-001

A document presented to the Regional Board on February 11, 2004.
A table describing significant differences between Order No. R9-2002-0001, issued to south Orange County, and the Tentative Order and justifications for those differences.

Differences in Order No. R9-2002-0001 and R9-2004-001

Subject	R9-2002-0001 (Orange County)	R9-2004-001 (Riverside County)	Justification for Change
Implementation Schedule	JURMP – 1 year	SWMP – 1 year	No change
	Model SUSMP – 1 year	Model not required	Since 2 Model SUSMPs and over local 30 SUSMPs have been adopted or accepted by the RB, it is not necessary for the Permittees to develop a model.
	Local SUSMPs – 1.5 years	Local SUSMPs – 1 year	Pursuant to Order No. R9-2002-0001, Permittees had only 6 months to develop and implement their local SUSMPs after the model was developed, therefore, 1 year should be more than adequate to modify and implement an existing model.
	WURMP – 1.5 years	Watershed SWMP – 1 year	Various examples are available, and the Permittees have been participating in San Diego County's effort to develop a Santa Margarita Watershed Management Plan, which is addressing most of the requirements for the Watershed SWMP.
	Water Quality Ordinance – 1 year	Water Quality Ordinance – 1 year	No change
	Grading Ordinance – 1 year	Grading Ordinance – 6 months	The Upper Santa Margarita Watershed is rapidly developing and massive amounts of construction occur at all times. To ensure BMPs are implemented to protect water quality at construction sites, it is necessary for the Permittees to update their grading ordinances prior to the next rainy season beginning in October 2004.
Construction Inspections	• High priority sites to be inspected weekly	• High priority sites to be inspected biweekly	The inspection frequency is based on discussions with Permittee staff and

	• Medium and low priority sites to be inspected twice	• Medium priority sites to be inspected monthly • Low priority sites to be inspected as needed	represents what is feasible and necessary to ensure compliance at construction sites.
Industrial and Commercial Facilities	Separate sections	Combine into one section	The industrial and commercial requirements were very similar, so they were combined to simplify and shorten the permit.
Industrial/ Commercial Inspections	• High priority industrial facilities to be inspected annually • Medium and low priority industrial facilities to be inspected as needed • Commercial facilities to be inspected as needed	• High priority industrial and commercial facilities to be inspected annually • Medium priority industrial and commercial facilities to be inspected biannually • Low priority facilities to be inspected once during the permit term	The inspection frequency included in the tentative Order No. R9-2004-001 was proposed by the Permittees in their ROWD, and is consistent with Region 8 requirements.
Dry Weather Monitoring	At least 25% of field screening events must have samples analyzed at lab	Permittees can use results of field screening and best professional judgment to determine the need for analytical testing	Change proposed by Permittees and is reasonable to achieve goals of program.
Receiving Waters Monitoring	• Previous Monitoring and Future Recommendations Report • Mass Loading • TIEs to be conducted when data indicates possible presence of toxicity • Bioassessment • Coastal Storm Drain Outfall • Ambient Receiving waters	• Mass Loading • Toxicity Testing • TIEs to be conducted when data indicates degradation • Bioassessment • Special study to determine numeric criteria to prevent erosion	Tentative Order No. R9-2004-001 is slightly more detailed because the previous program has been ineffective at characterizing runoff, identifying sources, identifying program effectiveness, etc. Data collected over the past 12 years is insufficient to evaluate the program. Despite and NOV and requests from the Regional Board, Permittees did not recommend an improved monitoring program. Therefore, staff specified the minimum monitoring necessary to achieve the goals of an MS4 program.

			The requirements are consistent with the draft model monitoring program being developed for southern California.