

certified statement is provided. This statement shall be included in Permittees' revised SWQMP(s) along with detailed descriptions of the following:

- a) All urban runoff related ordinances adopted by the Permittees and appropriate citations thereof and the reasons they are enforceable;
 - b) The Permittee's Progressive Enforcement Policy and how it will be effectively implemented;
 - c) The local administrative and legal procedures available to mandate compliance with urban runoff related ordinances and, therefore, with the conditions of this Order;
 - d) Descriptions of how these ordinances are implemented and how enforcement actions under these ordinances may be appealed; and
 - e) A description of whether the municipality can issue administrative orders and injunctions or if it must go through the court system for enforcement actions.
4. **Fiscal Analysis:** Each Permittee shall secure the resources necessary to meet the requirements of this Order and shall prepare an annual fiscal summary as part of the SWQMP Annual Report. The summary shall, for each fiscal year covered by this Order, identify the expenditures necessary to accomplish the activities of the SWQMP. The summary shall also include a description of the source(s) of funds that are proposed to **meet** the necessary expenditures, including legal restrictions on the use of such funds.

SWQMP Programs

5. Construction Program

- a. The objectives of the Construction Program shall be to:
 - i. Provide adequate legal authority to control pollutants to the MS4 from construction sites with land disturbance greater than or equal to one acre in size;
 - ii. Require review of construction plans and grading permits to ensure consistency with Permittee requirements;
 - iii. Require BMPs to control discharges sediment and pollutants from construction sites to the MS4;
 - iv. Maintain a tracking systems (inventory) of active construction sites;
 - v. Ensure inspections of construction sites to ensure proper BMP implementation and compliance with local requirements and applicable Provisions of this Order and follow-up inspections to bring inadequate sites into compliance;

- vi. Bring forth enforcement actions for sites in violation of Permittee requirements and advise the Central Valley Water Board of potential violations of Construction General Permit requirements;
 - vii. Provide regular internal and external training on applicable components of the SWQMP and related Permits; and
 - viii. Conduct an assessment as a part of the annual reporting process to determine the effectiveness of the Construction Program element and identify any necessary modifications.
- b. Each Permittee shall update its SWQMP to reduce pollutants in runoff from construction sites during all construction phases to the MEP. At a minimum, the Construction Program shall address the items above, as well as include the following control measures:
 - i. Source Identification,
 - ii. Threat to water quality prioritization,
 - iii. Progressive enforcement of non-compliant sites, and
 - iv. Reporting of recalcitrant non-compliant sites the Central Valley Water Board.
 - c. Each Permittee shall implement and enforce a program to control runoff from all construction sites subject to the NPDES General Construction Permit. The program shall ensure the following minimum requirements are effectively implemented at these construction sites:
 - i. Sediments generated on the project site shall be retained using adequate source control BMPs;
 - ii. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
 - iii. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - iv. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as limiting grading during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes; and covering erosion susceptible slopes; and
 - v. Prior to issuance of a grading permit for a construction site, submittal to the permitting agency of an erosion and sediment control plan that contains, at a minimum, the following:
 - a) If applicable to the site, a certification that a Notice of Intent to obtain coverage under the General Construction Permit has been submitted to the State Water Board.
 - b) A vicinity map showing nearby roadways, the construction site perimeter, and the geographic features and general topography surrounding the site;

- c) A site map showing the construction project in detail, including the existing and planned paved areas and buildings; general topography both before and after construction; drainage patterns across the project area; and anticipated storm water discharge locations (i.e., the receiving water, a conduit to receiving water, and/or drain inlets);
 - d) A description of BMPs to address contractor activities that generate pollutants including, at a minimum, vehicle washing, equipment maintenance, and waste handling;
 - e) A description of the type and location of erosion and sediment control BMPs to be employed at the site, including but not limited to, limited grading during the wet season and planting and maintenance of vegetation on slopes, and
 - f) The name and telephone number of the qualified person responsible for implementing the Storm Water Pollution Prevention Plan (SWPPP).
- vi. If applicable, all environmental permits must be obtained from agencies such as Department of Fish and Game, U.S. Army Corp of Engineers, and the Central Valley Water Board's 401 Water Quality Certification;
 - vii. The Permittees shall inspect construction sites within the MS4 Permit boundaries for compliance with local ordinances and SWQMP and to confirm the Construction General Permit required SWPPP documents are on site. Sites shall be reinspected at a frequency determined to be effective by the Permittees, based on the site's threat to water quality, and/or record of compliance until site completion and termination from coverage under the Construction General Permit. Sites in chronic noncompliance shall be reported to the Central Valley Water Board; and
- d. On 14 September 2001, the Permittees submitted a Construction and Development Stormwater NPDES Assessment Checklist and a Grading Inspection Checklist to the Central Valley Water Board, as required by Provision D.10 in WDRs Order 5-01-048 (NPDES No. CA0083500). The checklist must be updated, and an updated copy included in the Annual Report.

6. Industrial and Commercial Program

- a. The objectives of the Industrial and Commercial Program shall be to:
 - i. Provide adequate legal authority to control pollutants from industrial and commercial facilities to the MS4;
 - ii. Develop and maintain an inventory of industrial and commercial facilities within the MS4's Permit boundary;

- iii. Prioritize based on their threat to water quality the industrial and commercial facilities within the inventory;
 - iv. Inspect the industrial and commercial facilities that pose a significant threat to water quality at frequencies based on the inventory prioritization, and conduct follow-up inspections, as necessary, to bring non-compliant facilities into compliance;
 - v. Implement a progressive enforcement policy to ensure that adequate enforcement is conducted and coordinated with the Central Valley Water Board regarding targeted inspected facilities and referrals of potential non-filers;
 - vi. Provide for regular internal and external training on components of the SWQMP and related Permits; and
 - vii. Complete an assessment as part of the annual reporting process to determine the effectiveness of the Program Element and identify any necessary modifications.
- b. Each Permittee shall update the Industrial/Commercial component of its SWQMP to reduce pollutants in runoff from industrial/commercial sites to the MEP. At a minimum, the Industrial/Commercial Program shall address the objectives listed above, as well as the following control measures:
- i. At a minimum, the Permittees shall inventory restaurants, automotive service facilities, retail gasoline outlets, and industrial facilities that are not covered by the General Industrial Permit. The Permittees are required to inventory any additional facilities which may pose a threat to water quality.
 - ii. The Permittees must prioritize facilities into high, medium, and low categories on the basis of the potential for water quality impact using criteria such as pollutant sources on site, pollutants of concern, proximity to a water body, and violation history of the facility. The different priority categories can be assigned different inspection frequencies, with the highest priority facilities receiving more frequent inspections. The Permittees must describe the process for prioritizing inspections and frequency of inspections. High priority facilities must be inspected a minimum of once per year. If any geographical areas are to be targeted for inspections due to high potential for storm water pollution, these areas must be listed in the SWQMP. Further, the SWQMP must explain how the priority assigned to any one facility may be modified based on the site inspection findings and the facility's potential to discharge pollutants.
 - iii. Each Permittee shall require implementation of pollutant reduction and control measures at high priority industrial and commercial facilities per implementation of the approved model SWPPP or its equivalent, with the objective of effectively prohibiting non-storm

- every other year to address changes in procedures, techniques, or staffing. Permittees must document and maintain records of the training provided and the staff trained; and
- viii. The Permittees must conduct an assessment as a part of the Annual Report process to determine the effectiveness of the program and identify any necessary modifications.

7. Municipal Operations Program

- a. The objectives of the Municipal Operations Program shall be to:
- i. Prevent sanitary sewer overflows (SSO) or spills from entering the storm drain system and respond quickly and appropriately if an SSO or spill does enter the storm drain system;
 - ii. Participate in and implement the regional storm water basin system;
 - iii. Implement pollution prevention BMPs for public facilities (e.g., corporation yards) and facility pollution prevention plans (FPPPs) for public facilities to minimize or eliminate pollutant discharges to the storm drain system;
 - iv. Implement standard protocols for storage, usage, and disposal of pesticides, herbicides (including pre-emergents), and fertilizers on Permittee-owned property such as park sites, landscaped medians, and golf courses;
 - v. Promote the use of integrated pest management (IPM) methods and less toxic alternatives;
 - vi. Prioritize pump stations and siphons for cleaning based on accumulation of waste. Clean and maintain basin inlets when necessary to prevent debris accumulation and flooding;
 - vii. Ensure that basin inlets are properly stenciled, are permanently imprinted, or have legible curb markers to discourage illicit discharges into the storm drain system and promote a 24-hour reporting number;
 - viii. Maintain and inspect storm water basins and pump stations;
 - ix. Conduct street sweeping activities;
 - x. Clean and maintain Permittee-owned parking facilities to minimize the build-up and discharge of pollutants to the storm drain system;
 - xi. Provide regular internal training on applicable components of the SWQMP; and
 - xii. Conduct an assessment as a part of the annual reporting process, determine the effectiveness of the Program Element and identify any necessary modifications.
- b. Each Permittee shall update the Municipal Operations Program component in the SWQMP to effectively prohibit non-storm water discharges and prevent or reduce pollutants in runoff from all municipal land use areas, facilities, and activities to the MEP. At a minimum, the

Municipal Operations Program shall address the objectives listed above, as well as the following control measures:

- i. Sanitary sewer overflow and spill response;
- ii. Construction requirements for municipal capital improvement projects;
- iii. Pollution prevention at Permittee facilities;
- iv. Landscape and pest management;
- v. Storm drain system maintenance;
- vi. Street cleaning and maintenance;
- vii. Parking facilities maintenance;
- viii. Storm water basin construction and maintenance;
- ix. Public industrial activities management;
- x. Emergency procedures;
- xi. Non-emergency fire fighting flows;
- xii. Training; and
- xiii. Effectiveness assessment.

8. Illicit Connection and Discharge Program

- a. The objectives of the Illicit Connection Discharge Program shall be to:
 - i. Provide adequate legal authority to control and/or prohibit pollutants from being discharged to the municipal storm drain system;
 - ii. Proactively detect illicit discharges and connections through a variety of mechanisms including, but not limited to, public reporting, dry weather monitoring, and field crew inspections;
 - iii. Upon identification of an illegal connection, investigate and eliminate the connection through a variety of mechanisms including, but not limited to, permitting or plugging the connection;
 - iv. Upon identification of an illicit discharge, investigate the discharge and conduct any necessary follow up actions to mitigate the impacts of the discharge;
 - v. Conduct an assessment as a part of the annual reporting process; determine the effectiveness of the Program Element and identify any necessary modifications.
- b. Each Permittee shall update the Illicit Connection and Discharge Program component of the SWQMP to actively seek and eliminate illicit discharges and connections. At a minimum, the Illicit Connection and Discharge Program shall address the objectives listed above and include the following control measures:
 - i. Detection of illicit connections and illicit discharges;
 - ii. Illegal connection identification and elimination;
 - iii. Investigation/inspection and follow-up procedures;

- iv. Enforcement of local codes and ordinances;
- v. Training; and
- vi. Effectiveness assessment.

9. Public Involvement and Education Program (Public Outreach Program):

- a. Each Permittee shall implement a Public Outreach Program using all media as appropriate to (1) measurably increase the knowledge of target communities regarding MS4s, impacts of urban runoff on receiving waters, and potential BMP solutions for the target audience; and (2) to change the behavior of target communities and thereby reduce pollutant releases to MS4s and the environment. The objectives of the Public Outreach Program shall be to:
 - i. Encourage the public to actively participate in the implementation of the storm water program as well as the various outreach events;
 - ii. Promote the use of the 24-hour public reporting phone number ;
 - iii. Implement a public education strategy for the overall program that includes developing and distributing materials, conducting a mixed media campaign, participating in community outreach events, and conducting public opinion surveys to gauge the level of awareness and behavior change within a community and/or target audience;
 - iv. Evaluate the ability to interface and coordinate with school education programs within the MS4 NPDES Permit boundaries;
 - v. Implement a business outreach program; and
 - vi. Conduct an assessment as a part of the annual reporting process, determine the effectiveness of the program component and identify any necessary modifications.
- b. Each Permittee shall update the Public Outreach Program component of its SWQMP to educate the public and encourage their participation in the implementation of the SWQMP. At a minimum, the Public Outreach Program shall address the objectives listed above and include the following control measures:
 - i. Public participation,
 - ii. Twenty-four hour reporting phone number,
 - iii. Public Outreach implementation,
 - iv. Public school education,
 - v. Business outreach, and
 - vi. Effectiveness assessment.
- c. Each Permittee shall incorporate a mechanism for public participation in the implementation of the SWQMP (i.e., programs that engage the

public in cleaning up creeks, removal of litter in river embankments, stenciling of storm drains, etc.).

10. Planning and Land Development Program:

- a. The objectives of the Planning and Land Development Program shall be to:
 - i. Incorporate water quality and watershed protection principles into the Permittee's policies and planning procedures by continuing to update the Storm Drainage and Flood Control Master Plan that covers the MS4 Permit boundaries to provide water quality and watershed protection through the implementation of a Regional Storm Water Basin System.
 - ii. Ensure that all storm water basins are maintained to maximize infiltration rates.
 - iii. Ensure that selected post-construction storm water controls will remain effective upon project completion by requiring maintenance agreements and by conducting periodic inspections for all priority development projects;
 - iv. Provide a comprehensive review of development plans to ensure that all new and existing developments within the MS4 Permit boundaries are connected to the regional storm water basin system or have implemented equivalent temporary controls until the site is connected to the storm water basin system to minimize storm water quality impacts;
 - v. Provide regular internal training on applicable components of the SWQMP; and
 - vi. As a part of the annual reporting process, conduct an annual assessment to determine the effectiveness of the program element and identify any necessary modifications.
- b. Each Permittee shall update the Planning and Land Development Program component of the SWQMP to minimize the short and long-term impacts on receiving water quality from new development and redevelopment. At a minimum, the Planning and Land Development Program shall address the objectives listed above and the following control measures:
 - i. Implementation of the FMFCD Storm Drainage and Flood Control Master Plan;
 - ii. Maintenance agreement and transfer where appropriate;
 - iii. Training;
 - iv. Update and implementation of post construction guidelines;
 - v. Update of hydrology studies;
 - vi. Study of storm water basin designs that improve storm water quality; and

vii. **Effectiveness assessment.**

11. **Water Quality Protection Principles** - In order to further reduce pollutants and runoff flows from new development and redevelopment beyond the criteria provided in the FMFCD Storm Drainage and Flood Control Master Plan, each Permittee shall encourage the following concepts:
- a. Minimization of impervious surfaces and directly connected impervious surfaces in areas of new development and redevelopment and where feasible to maximize on-site infiltration of runoff (low impact development concepts).
 - b. Implementation of pollution prevention methods supplemented by pollutant source controls and treatment, and where practical, use of strategies that control the sources of pollutants or constituents (i.e., the point where water initially meets the ground) to minimize the transport of urban runoff and pollutants offsite and into MS4s.
 - c. Preservation, and where possible, creation or restoration of areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones.
 - d. Limiting disturbances of natural water bodies and natural drainage systems by development including roads, highways, and bridges.
 - e. Identification and avoidance of development in areas that are particularly susceptible to erosion and sediment loss; or establishment of guidance that protects areas from erosion and sediment loss.
 - f. Coordination with local traffic management programs to reduce pollutants associated with vehicles and increased traffic resulting from development.
 - g. Implementation of source and structural controls as necessary and appropriate to protect downstream receiving water quality from increased pollutant loads and flows (hydromodification concepts) from new development and significant redevelopment.
 - h. Control of the post-development peak storm water run-off discharge rates and velocities to maintain or reduce pre-development downstream erosion, and to protect stream habitat.
 - i. Low Impact Development - New development and redevelopment projects shall consider integration of Low Impact Development (LID) principles into project design.
12. **Development Standards** - Permittees shall follow FMFCD development standards in accordance with the FMFCD Storm Drainage and Flood Control

community promoting water quality protection principles and LID designs for new development and redevelopment projects.

MONITORING PROGRAM

19. **Monitoring and Reporting Program:** The Permittees shall comply with Monitoring and Reporting Program No. R5-2013-0080, which is part of this Order, and any revisions thereto approved by the Board.
20. **Additional Studies:** The Permittees shall conduct any additional studies described herein, within the Monitoring and Reporting Program, or as described in the revised SWQMP, once approved by the Board.
21. **Program Effectiveness Assessment and Reporting Program–** By **2 December 2013** the Permittees shall submit a proposed Long Term Effectiveness (LTEA) strategy, which shall build on the results of the Permittees' Annual Reports and the initial program effectiveness assessments. The LTEA shall identify how the Permittees will conduct a more comprehensive effectiveness assessment of the storm water program as part of the SWQMP. The strategy shall identify key goals for the program and address the storm water program in terms of achieving both programmatic goals (raising awareness, changing behavior) and environmental goals (reducing pollutant discharges, improving environmental conditions).
 - a. The Permittees shall report program assessment results in the Annual Reports. The program assessments shall identify the direct and indirect measurements that the Permittees use to track the effectiveness of their programs as well as the outcome levels at which the assessment is occurring consistent with this Order. Direct and indirect measurements shall include, but not be limited to, conformance with established performance standards, quantitative monitoring to assess the effectiveness of control measures, measurements or estimates of pollutant load reductions or increases from identified sources, raising awareness of the public, and/or detailed accounting/documentation of SWQMP accomplishments.
 - b. The Permittees shall track the long-term progress of their SWQMP towards achieving improvements in receiving water quality.
 - c. The Permittees shall use the information gained from the program effectiveness assessment to improve their SWQMPs and identify new BMPs, or modification of existing BMPs. This information shall be reported within the Annual Reports consistent with this Order.

Order R5-2013-0080 shall be included for each program area. Specific requirements that must be addressed in the Annual Reports are listed below.

1. An Executive Summary discussing the effectiveness of the SWQMP to reduce storm water pollution to the MEP and to achieve compliance with water quality objectives in receiving waters;.
2. A Summary of activities conducted by the Permittees;
3. Identification of BMPs and a discussion of their effectiveness at reducing urban runoff pollutants; and
4. A Summary of the monitoring data and an assessment of each component of the MRP. To comply with Provisions C.1 and C.2 of WDRs Order R5-2013-0080 the Permittees, shall compare receiving water and discharge data with applicable water quality standards. The lowest applicable standard from the Basin Plan, California Toxics Rule (CTR), and California Title 22 (Title 22), and constituent specific concentrations limits (e.g., mercury) shall be used for comparison. When the data indicate that discharges are causing or contributing to exceedances of applicable water quality standards or constituent specific concentrations limits, the Permittees shall prepare a Report of Water Quality Exceedance and identify potential sources of the problems, and recommend future monitoring and BMP implementation measures to identify and address the sources.
5. Raw data are required to be submitted in electronic format.
6. For each monitoring program requirement the Annual Reports shall include the following results and information:
 - a. All physical, chemical and biological data collected in the assessment;
 - b. All graphs, charts, statistical analysis, modeling, and any other analytical analyses in support of the Permittees' evaluation of the data and conclusions derived from that analysis; and
 - c. Documentation of quality assurance and control procedures (QA/QC).
7. An effectiveness assessment for each program element, as defined in the SWQMP, shall be conducted annually, shall be built upon each consecutive year, and shall identify any necessary modifications. The SWQMP shall describe, in detail, the performance standards or goals to use to gauge the effectiveness of the storm water management

program. The primary questions that must be assessed for each program element include the following:

- a. Level 1 Outcome: Was the Program Element implemented in accordance with the Permit Provisions, SWQMP Control Measures and Performance Standards?
 - b. Level 2 Outcome: Did the Program Element raise the target audience's awareness of an issue?
 - c. Level 3 Outcome: Did the Program Element change a target audience's behavior, resulting in the implementation of recommended BMPs?
 - d. Level 4 Outcome: Did the Program Element reduce the load of pollutants from the sources to the storm drain system?
 - e. Level 5 Outcome: Did the Program Element enhance or change the urban runoff and discharge quality?
 - f. Level 6 Outcome: Did the Program Element enhance or change receiving water quality?
8. A summary of any Reports of Water Quality Exceedance (RWQEs) that have been completed during the year, and a status update for those in progress. The summary shall include the conclusions and recommendations of completed RWQEs and the status of any additional BMP implementation pursuant to RWQEs;
 9. Pursuant to 40 CFR 122.42(c)(7), the Permittees shall identify water quality improvements in, or degradation of, urban storm water;
 10. An estimate of the amount of pollutant removal provided by the regional storm water management basin system.
 11. For each monitoring component, photographs and maps of all monitoring station locations and descriptions of each location; and
 12. Recommendations to improve the monitoring program, BMPs, Performance Standards, and the SWQMP to address potential receiving water quality exceedances and potential pollutant sources, and to meet the MEP standard.