



Public Works Agency



2012 UPDATE OF STORMWATER QUALITY MANAGEMENT (SWQM) ORDINANCE

Stakeholder Workshop

March 21, 2012



Outline

- I. Ventura Countywide NPDES Municipal Stormwater Permit
- II. 2012 Update to County of Ventura Stormwater Ordinance No. 4142
- III. Next Steps



Water Resources are Crucial to Ventura County



It attracts tourists, boosting the local economy

Water provides recreation for Ventura County residents



It is home to many types of wildlife



Potential Impacts



Urban runoff and stormwater pollution can impact the ocean, rivers and lakes impairing peoples' ability to enjoy the water.



Sources of Pollution

- Homes
- Businesses
- Construction sites
- Municipal/County activities





Ventura Countywide NPDES Municipal Stormwater Permit

- NPDES Permit No. CAS004002, Order No. 10-0108 for the Stormwater (Wet Weather) and Non-stormwater (Dry Weather) Discharges from the MS4 for the Ventura County Watershed Protection District, County of Ventura, and the Incorporated Cities Therein;
 - NPDES - National Pollutant Discharge Elimination System
 - MS4 - Municipal Separate Storm Sewer System



NPDES Permit No. CAS004002 Order No. 10-0108

- Adopted on May 7, 2009 by California Regional Water Quality Control Board - Los Angeles Region
- Readopted on July 8, 2010
- Over 70 New Requirements to complete, many in the first and second year;
- Civil and Criminal Penalties for Non-Compliance



Adopted Permit - Groundbreaking

- Treatment Control BMP Standards
- Comprehensive Integration of Low Impact Development (LID) Strategies
- Total Maximum Daily Load (TMDL) Integration
- Expanded Monitoring Program



NPDES MS4 Permit Programs

Public Information and Participation

Watershed Protection Tips for Gardeners	Watershed Protection Tips for Car Owners	Watershed Protection Tips for Pet Owners
		
<p>What Is Our Watershed?</p> <p>Our watershed is the total land area, including your yard, from which stormwater drains into streams, rivers or other bodies of water. In Ventura County our primary watersheds drain into the Ventura and Santa Clara Rivers, Malibu and Calleguas Creeks and the marinas and estuaries that flow into the Pacific Ocean.</p>  <p>cleanwatershed.org</p>	<p>What Is Our Watershed?</p> <p>Our watershed is the total land area, including your yard, from which stormwater drains into streams, rivers or other bodies of water. In Ventura County our primary watersheds drain into the Ventura and Santa Clara Rivers, Malibu and Calleguas Creeks and the marinas and estuaries that flow into the Pacific Ocean.</p>  <p>cleanwatershed.org</p>	<p>What Is Our Watershed?</p> <p>Our watershed is the total land area, including your yard, from which stormwater drains into streams, rivers or other bodies of water. In Ventura County our primary watersheds drain into the Ventura and Santa Clara Rivers, Malibu and Calleguas Creeks and the marinas and estuaries that flow into the Pacific Ocean.</p>  <p>cleanwatershed.org</p>



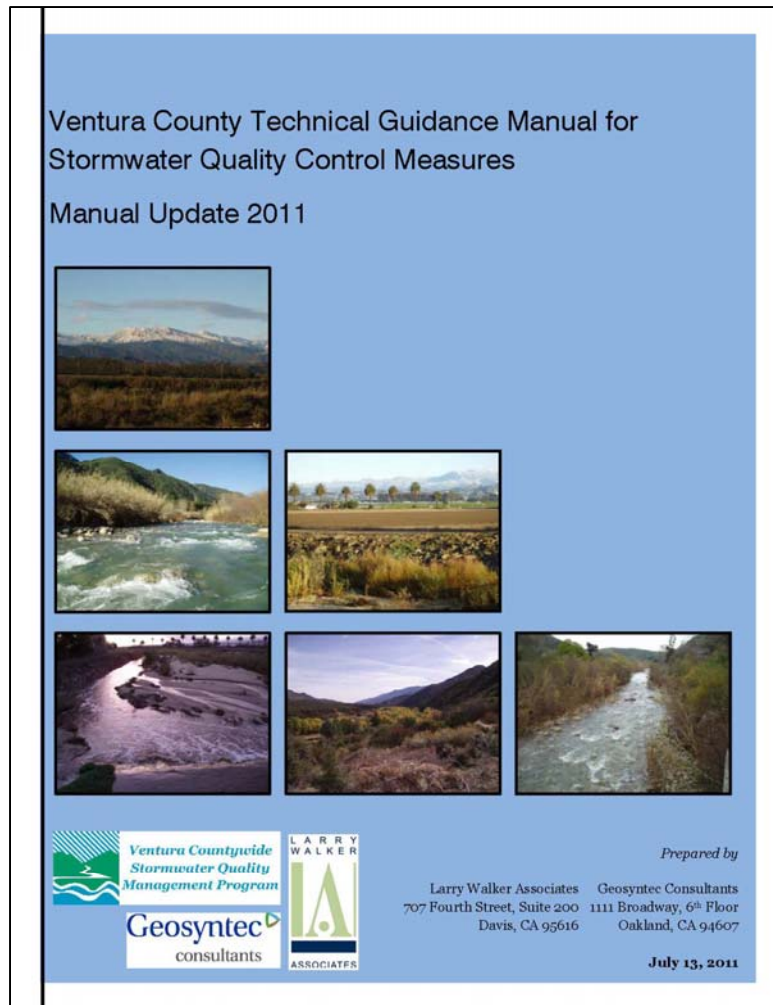
NPDES MS4 Permit Programs

Industrial/Commercial Business Program





NPDES MS4 Permit Programs Planning and Land Development Program

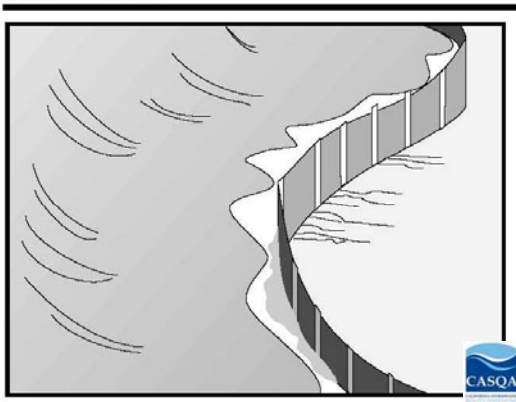




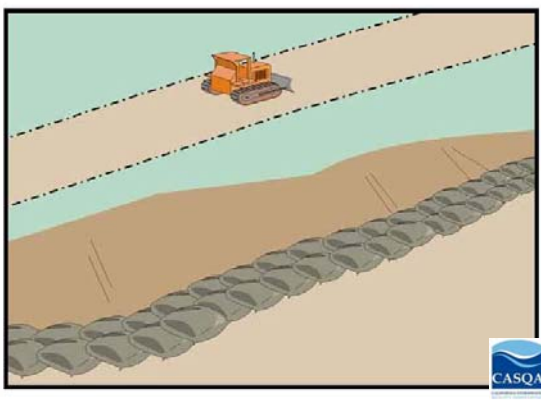
NPDES MS4 Permit Programs

Development Construction Program

Silt Fence



Sandbag Barrier



NPDES No. CAS004002
Ventura County Municipal Separate Storm Sewer System Permit

Order No. R4-2010-0108

Table 6 - BMPs at Construction sites less than 1 acre

Minimum Set of BMPs for All Construction Sites	CASQA Handbook	Caltrans Handbook
For Erosion Control		
Scheduling	EC-1	SS-1
Preservation of Existing Vegetation	EC-2	SS-2
Sediment Controls		
Silt Fence	SE-1	SC-1
Sand Bag Barrier	SE-8	SC-8
Stabilized Construction Site Entrance/Exit	TC-1	TC-1
Non-Storm Water Management		
Water Conservation Practices	NS-1	NS-1
Dewatering Operations (Groundwater dewatering only under NPDES Permit No. CAG994004). ¹	NS-2	NS-2
Waste Management		
Material Delivery and Storage	WM-1	WM-1
Stockpile Management	WM-3	WM-2
Spill Prevention and Control	WM-4	WM-4
Solid Waste Management	WM-5	WM-5
Concrete Waste Management	WM-8	WM-8
Sanitary/ Septic Waste Management	WM-9	WM-9



NPDES MS4 Permit Programs

Public Agency Activities Program





NPDES MS4 Permit Programs

Illicit Connections/Discharge Elimination Program





NPDES MS4 Permit Programs Monitoring and Reporting Program





NPDES MS4 Permit Programs

Total Maximum Daily Load (TMDL) Program



Ventura County TMDLs

Watershed	Constituent Listing
Ventura Coastal Beaches (Hobie/Kidde Beaches)	Bacteria
Ventura River Watershed	Bacteria
	Trash
	Algae
	Water Diversion/fish barriers
Santa Clara River Watershed	Nitrogen Compounds
	Chloride Reach 3
	Bacteria
Calleguas Creek Watershed	Nutrients
	Toxicity (Chlorpyrifos and Diazinon)
	OC Pesticides and PCBs
	Metals (Cu, Hg, Ni, Zn, Se)
	Salts (Boron, Chloride, Sulfate, TSS)
	Trash (Revolon Slough/Beardsely Wash)
	Trash (Calleguas Creek)
	Bacteria
Malibu Creek and Santa Monica Bay Watershed	SMB Marine Debris
	Bacteria (shellfish/swimming restrictions)
	Nutrients (Phase I)/ Ammonia/pH/ Algae/ Eutrophication
	Sedimentation
	Benthic-macroinvertebrate Bioassessment
	Trash
	Lake Sherwood Mercury
	Metals



Stormwater Ordinance

- County Stormwater Quality Management (SWQM) Ordinance No. 4142
- Adopted in 1997 by the County's Board of Supervisors
- The Municipal Stormwater Permit requires all Permittees to update Stormwater Ordinance by July 8, 2012 to ensure legal authority to enforce the Permit requirements



2012 Update County Stormwater Ordinance

Ordinance Update Overview

- Consistency with the 2010 Municipal Stormwater Permit requirements
- Total Maximum Daily Loads (TMDLs)
- Article 7 Enforcement
- Definitions (new, modified, and deleted)
- Miscellaneous



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

- I. Sec. 6920 "Prohibition" under Article 2 "Prohibition of Non-Stormwater Discharges"
 - a. The County is required to prohibit non-stormwater discharges into the County Storm Drain System and Receiving Waters.
 - The prohibition exemption list was updated per the 2010 Municipal Stormwater Permit:
 - 1. Dechlorinated water line flushing;
 - 2. Landscape irrigation;
 - 3. Diverted stream flows;
 - 4. Rising ground waters;
 - 5. Uncontaminated groundwater infiltration; and others*

* *Refer to Sec. 6920*



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

- I. Sec. 6920 "Prohibition" under Article 2 "Prohibition of Non-Stormwater Discharges" (Cont.)
 - b. In addition, the County is required to prohibit discharges from the 12 activities or activity areas:
 - (1) Washing or cleaning of gas stations, auto repair garages, or other types of automotive service facilities;
 - (2) Mobile auto washing, carpet cleaning, steam cleaning, sandblasting and other such mobile commercial and industrial operations;
 - (3) Areas where repair of machinery and equipment which are visibly leaking oil, fluid or antifreeze, is undertaken;
 - (4) Storage areas for materials containing grease, oil, or other hazardous substances, and uncovered receptacles containing hazardous materials;
 - (5) Swimming pools that exceed 0.1 mg/L for chlorine/ bromine and 250 mg/L for chloride; and others*

* Refer to Sec. 6920



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

- II. Sec. 6922 "Exemption" under Article 2 "Prohibition of Non-Stormwater Discharges"
 - a. The content of this section was moved to Sec. 6920a
 - 18. Discharges which are not a source of any Pollutant to the County Storm Drain system or Receiving Waters and which have been given a written exemption by the Director with concurrence by the Regional Board.



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

- III. Sec. 6922 "Termination of Non-Stormwater Discharge" under Article 2 "Prohibition of Non-Stormwater Discharges"
 - a. New Section to provide an enforcement measure for the County to possess the required legal authority to eliminate illicit discharges.
 - The party responsible for non-exempt Non-Stormwater Discharge may be required to immediately discontinue the Discharge.
 - If necessary, the party may be required to eliminate the source of the Discharge to prevent any future Illicit Discharges.



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

- IV. Sec. 6931 "Termination of Illicit Connections" under Article 3 "Prohibition of Illicit Connections"
 - a. Term "Illicit Connection" was updated to exclude previously authorized connections
 - If existing connection to the County Storm Drain System has been authorized by the County, it is not considered an Illicit Connection.



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

IV. Sec. 6931 "Termination of Illicit Connections" (Cont.)

- b. The new requirement for termination of illicit connections were added including elimination or acquisition of a permit for the connection in 90 days to allow all administrative and inspection requirements to be completed to meet required 180 day-termination;
- If connection to the County Storm Drain System is determined to be an Illicit Connection, the owner will be required to eliminate or get a permit for the connection within 90 days;



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

- V. Sec. 6950 "Construction" under Article 5
"Requirements for the Control of Urban Runoff"
 - a. This Section was revised to reflect new Municipal Stormwater Permit requirements (Subpart 4.F "Development Construction Program" of the 2010 Municipal Stormwater Permit).
 - Minimum BMPs are required for less than 1 acre of soil disturbance, 1 acre or more of soil disturbance, and High Risk Sites.
 - Coverage under General Construction Permit including Stormwater Pollution Prevention Plan (SWPPP) for construction 1 acre or greater.
 - Stormwater Pollution Control Plan (SWPCP) or equivalent (SW-1 for private projects) for construction disturbing less than 1 acre of soil.



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

- VI. Sec. 6951 "Development" under Article 5
"Requirements for the Control of Urban Runoff"
 - a. This Section was revised to reflect new Municipal Stormwater Permit requirements (Subpart 4.E "Planning and Land Development Program").
 - Applicable projects within the County Unincorporated Urban Areas are subject to **Post-Construction Stormwater Management Plan (PCSMP)**.
 - Example of applicable project: New Development disturbing 1 acre of soil and adding/creating 10,000 sq. ft. of impervious surface area.



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

VI. Sec. 6951 "Development" (Cont.)

- Post-Construction Stormwater Management Plan (PCSMP) to control runoff from impervious surface area to reduce Effective Impervious Area (EIA) to 5% or less of the total project area through:
 - Infiltration,
 - Storage for reuse,
 - Evapotranspiration,
 - Bioretention, or
 - Biofiltration;

* Detailed requirements for implementation of PCSMP are described in the Municipal Stormwater Permit (Subpart 4.E.).

** The County PCSMP template is available at www.onestoppermit.ventura.org under the Surface Water Quality Section's "Forms" tab.



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

VI. Sec. 6951 "Development" (Cont.)

- Applicable projects within the County Unincorporated Urban Areas are subject to **Hydromodification Controls**, currently:
 - Projects less than 50 acres to implement PCSMP
 - Projects greater than 50 acres to implement additional controls
- Watershed-specific Draft Hydromodification Control Plans (HCPs) will be available in summer of 2013.
- HCPs will be in effect upon RWQCB approval (estimated fall/winter of 2013).



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

VII. Sec. 6952 "Roadway Construction Projects" under Article 5

- a. This new Section was added to include requirements for Countywide roadway construction projects (Subpart 4.E of the new Municipal Stormwater Permit).
- Streets, roads, highways, and freeway construction of 10,000 sq. ft. or more of impervious surface area shall incorporate USEPA Guidance "Managing Wet Weather with Green Infrastructure: Green Streets " to the maximum extent practicable (MEP).
- USEPA Guidance is available at www.onestoppermit.ventura.org under Surface Water Quality Section's "Guidelines/Standards" tab.



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

VIII. Sec. 6953 "Single-Family Hillside Homes"

- a. This new Section was added to include requirements for Countywide New Development of single-family hillside homes (Subpart 4.E of the new Municipal Stormwater Permit).
- New Development of a Single-Family Hillside Home shall incorporate five measures:
 1. Conserve natural areas,
 2. Protect slope and channels,
 3. Provide storm drain system stenciling and signage,
 4. Divert roof runoff to vegetated areas, and
 5. Direct surface flow to vegetated areas.



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

- IX. Sec. 6954 "State General Permit Compliance"
(former Sec. 6931)
- a. This Section was revised to reflect County requirements for verification of coverage under the State General Permit when applicable.
 - Construction projects subject to General Construction Permit, shall provide County with a notice, plans or reports to verify coverage upon request during County Permit application review.
 - Industrial operations subject to General Industrial Stormwater Permit, shall provide County with a notice, plans or reports to verify coverage upon request during County Permit application review.



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

- X. Sec. 6955 "Best Management Practices"
(former Sec. 6953)
 - a. This Section was revised to ensure consistency with the 2010 Municipal Stormwater Permit.
 - b. Clarification was added regarding requirements for BMP implementation and enforcement.
 - Person engaged in activities or operations which may result in Pollutants entering the County Storm Drain System or any Receiving Waters, shall implement BMPs.
 - If Responsible Party fails to implement BMPs per SWPPP, SWPCP, or PCSMP, a Notice of Noncompliance may be issued and a follow-up inspection may be conducted.
 - If not corrected, then County may undertake enforcement actions per Article 7.



2012 Update

Consistency with the 2010 Municipal Stormwater Permit Requirements

- XI. Sec. 6956 "County Storm Drain Protection"
(former Sec. 6955 "Watercourse Protection")
 - a. "Watercourse" was replaced with "County Storm Drain System" to ensure consistency with the 2010 Municipal Stormwater Permit.
- XII. Sec. 6960 "Scope of Inspections"
 - a. If Entry to Inspect is refused, the Authorized Inspector shall have recourse to every legal remedy to secure lawful entry and inspect the property.
 - b. If special security clearances are required, Discharger shall obtain all necessary clearances on behalf of the County. Requirements and provisions shall be included in SWPCP, SWPPP, PCSMP, and PCSMP control maintenance agreement.



2012 Update

Total Maximum Daily Loads

- A. Sec. 6941 "Reduction of Bacteria and Nutrient Contamination"
 - i. This new Section was added to address the TMDL requirements to reduce bacteria and nutrient contamination by improving handling procedures and management of manure, fertilizers, and yard waste.
 - Manure shall be stored properly not to cause discharge into County Storm Drain System or receiving waters.
 - Fertilizer applied, spilled, or deposited on any impervious surface shall be immediately removed.
 - Any yard waste shall be containerized for storage at the curb or along the street.



2012 Update

Total Maximum Daily Loads

- B. Sec. 6942 "Reduction of Litter/Trash"
(former Sec. 6923 "Litter")
 - i. This Section was updated to address TMDL requirements to reduce litter/trash contamination by improving litter management procedures on residential, commercial, and industrial sites.
 - ii. New requirements for litter management on residential sites.
 - Garbage shall be deposited in a covered receptacle.
 - Spillage and overflow around waste containers shall be promptly cleaned and properly disposed of.



2012 Update

Total Maximum Daily Loads

B. Sec. 6942 "Reduction of Litter/Trash" (Cont.)

iii. New requirements for litter management on commercial and industrial sites.

- Person owning or operating industrial park, establishment, or public place shall procure and place receptacles at their own expense on the premises.
- Persons placing litter in receptacles shall prevent it from being carried or deposited upon any street, sidewalk, or other public place or upon private property.
- Person who sell or offer for sale food or other goods for immediate consumption, shall remove litter (paper, plastic, cardboard wrappers) generated by such business at least each business day.



2012 Update

Total Maximum Daily Loads

B. Sec. 6942 "Reduction of Litter/Trash" (Cont.)

- No person owning or occupying a place of business shall sweep or deposit any litter in the County Storm Drain System.
- Persons owning or occupying places of business shall keep the sidewalk in front of their business premises free of litter.



2012 Update

Total Maximum Daily Loads

- C. Sec. 6943 "Disposal, Storage and Discharge Management"
 - i. This new Section was added to address the TMDL and the Municipal Stormwater Permit requirements to prevent Illicit Discharges into the County Storm Drain System from disposal and storage areas and due to activities related to management of disposal, storage, and discharges;
 - Prohibition of improper disposal, storage and discharge into the County Storm Drain System of household hazardous waste materials, fertilizers, herbicides, pesticides, untreated runoff containing grease, oil, antifreeze, and food waste;
 - Prohibition of discharges from concrete, cement, pumps, tools, equipment washouts, spills, dumping, food processing facilities, and food processing activities;



2012 Update

Article 7 Enforcement

- To improve effectiveness of enforcement program under the County Stormwater Ordinance No. 4142
- The revisions are based on the existing enforcement program of the County of Ventura Resources Management Agency (RMA)



2012 Update

Article 7 Enforcement

I. Notice of Violation (NOV)

- Advise that if the violation(s) is not corrected by the specified deadline, a **Notice of Noncompliance** may be recorded against the property in the Office of County Recorder.*
- Advise that administrative fine may be imposed.*
- Advise that all enforcement costs are recoverable.*

** new items in the 2012 Update*



2012 Update

Article 7 Enforcement

II. Notice of Noncompliance*

- Recorded against the property, if violation is not corrected per NOV within the time allotted.

III. Notice of Imposition of Administrative Fines*

- Served upon the violator, if a violation is not corrected within the allotted time for correction.

** new items in the 2012 Update*



2012 Update Article 7 Enforcement

IV. Administrative Fines

- If Notice of Violation is not appealed* or, if properly appealed, the Notice of Violation is upheld*, the following Administrative Fines may be imposed:

Item	Previous Fine	Proposed Fine*
1 st violation	\$100	\$500
2 nd violation	\$200	\$1,000
Additional violation within one year	\$500/each	\$5,000/each

* new items in the 2012 Update



2012 Update Definitions - New

1. "Dechlorinated/Debrominated Swimming Pool Discharge" – to define requirements for discharge conditions
2. "General Plan" –to supplement new definition of "Unincorporated Urban Areas"
3. "Municipal Stormwater Permit" – this name replaced "NPDES Permit" to specifically refer to the Municipal Stormwater Permit, which is one type of the NPDES Permits;
4. "Non-Stormwater Discharge"
5. "New Development"
6. "Owner's Agent" – to clarify New Development submittal responsibilities



2012 Update Definitions - New

7. "Post-Construction Stormwater Management Plan (PCSMP)" – previously referred to as "Stormwater Quality master Plan"
8. "Receiving Waters"
9. "Redevelopment"
10. "Treatment" – for clarification
11. "Unincorporated Urban Areas" – for clarification of requirements under New Development/Redevelopment Program
12. "Ventura County Technical Guidance Manual for Stormwater Quality Control Measures" – for clarification of requirements under New Development/Redevelopment Program



2012 Update

Definitions - Modified

- I. "Construction Activity" – previously included in "Development", but insufficient
- II. "County Storm Drain System" – previously "Storm Drain System"
- III. "Illicit Discharge"
- IV. "National Pollutant Discharge Elimination System (NPDES) Permit" – definition was expanded to include other NPDES Permits such as Industrial, Construction, etc.
- V. "State Board" – previously referred to as California State Water Resources control Board
- VI. "Stormwater Pollution Control Plan (SWPCP)" – modified to clarify which projects are subject to prepare and submit SWPCP



2012 Update

Definitions - Deleted

- A. "Invoice for Costs" – reference to "Administrative Compliance Order" is deleted; no longer applicable under Article 7 "Enforcement"
- B. "Ocean Plan" – no reference in the Ordinance
- C. "Receiving Water Limitations" – no reference in the Ordinance
- D. "Storm Drain System" – replaced by "County Storm Drain System"
- E. "Stormwater Quality Master Plan" – replaced by Post-Construction Stormwater Management Plan (PCSMP)
- F. "Stormwater Quality Management Plan" – it is no longer required under new Municipal Stormwater Permit
- G. "Watercourse" – no reference in the Ordinance



2012 Update Miscellaneous

- Sec. 6910 - General language clarifications



Next Steps

- Provide your comments by April 13, 2012 to county.stormwater@ventura.org
- Responses by May 11, 2012
- The First Board Hearing not later than June 12, 2012
- The Second Board Hearing not later than June 26, 2012



Questions?

More information is available at
[www://onestopperpermit.ventura.org](http://onestopperpermit.ventura.org)
under **Surface Water Quality Section** tab

Ventura Countywide Stormwater Program
www.vcstormwater.org