

to the Storm Water Standards Manual. The Mitigated Negative Declaration identifies the following potential environmental impacts: historical resources (archaeology), paleontological resources, and land use (Multi-Habitat Planning Area Land Use Adjacency). The Storm Water Pollution Prevention Division is requesting Council certification and adoption of the Mitigated Negative Declaration and associated Mitigation, Monitoring, and Reporting Program.

STAFF RECOMMENDATION:

Staff recommends adoption of the updated Storm Water Standards Manual; Mitigated Negative Declaration; and Mitigation, Monitoring, and Reporting Program.

SUMMARY:

The Clean Water Act established the National Pollutant Discharge Elimination System permit program to regulate the discharge of pollutants, including those from municipal storm drain systems, to waters of the United States. The United States Environmental Protection Agency administers the Clean Water Act and has delegated authority to California's State Water Resources Control Board and its series of Regional Water Quality Control Boards. The 2007 Municipal Permit refers to the most recent issuance to the San Diego region of the municipal storm water permit under this program. This is the third issuance, the first being in July 1990 (Order No. 90-42) and the second in February 2001 (Order No. 2001-01).

The 2007 Municipal Permit requires jurisdictions in the San Diego region, including the City of San Diego, to implement updated storm water practices for land development and construction activities. In order for these updates to apply to both public (Capital Improvement Projects) and private development, they must be adopted by way of provisions set forth in the Land Development Code. The Storm Water Pollution Prevention Division has determined that these required updates are most appropriately addressed through revisions to the Storm Water Standards Manual, the component of the Land Development Manual that contains specific guidance on incorporating temporary and permanent storm water pollution prevention measures into land development projects and construction sites. The updates to the Storm Water Standards Manual can be accomplished through a provision in the Land Development Code for Major Amendments to the Land Development Manual.

The updates to the Storm Water Standards Manual address 2007 Municipal Permit requirements that are mandated by January 24, 2008. Many of these updates will be further revised in the near future according to timelines mandated by the 2007 Municipal Permit and are referred to as interim updates. The 2007 Municipal Permit requires that an update to the Model Standard Urban Stormwater Mitigation Plan, or SUSMP (pronounced *sue-sump*), be prepared collectively by all participating jurisdictions in the region co-permitted under the 2007 Municipal Permit ("Copermittee") by June 2008. Requirements in this updated Model SUSMP, once accepted by the San Diego Regional Water Quality Control Board, will supersede the interim updates currently being proposed for adoption. Additionally, the hydromodification requirements being proposed for the interim will be superseded by a Hydromodification Management Plan that is under development in coordination with the San Diego Copermittees and must be submitted to the San Diego Regional Water Quality Control Board by January 2009.

The Storm Water Pollution Prevention Division has prepared and distributed a draft of the updated Storm Water Standards Manual for public review and comment (Attachment 1). The 30-day comment period began October 10 and will close November 10, 2007 (see Attachment 2 for more information on the processes used to notify the public and solicit comments on the proposed updates to the Storm Water Standards Manual). A complete summary of public comments was not possible at the preparation of the report because the comment period was still open. However, early stakeholder comments received were used to guide the development of the draft document, which are described below.

1. The County's Low Impact Development Handbook, which had been vetted through local technical experts, should be incorporated into the City's Storm Water Standards Manual.
2. The pollution control removal ratings of treatment control Best Management Practices should not be developed locally; rather the California Stormwater Quality Association ratings should be used.
3. The establishment of a grading limitation to a maximum disturbed area should include flexibility based on site and project specifics.
4. The establishment of when a construction site is considered an exceptional threat to water quality and thus require advanced treatment for sediment removal should have provisions that allow the developer to reduce that level of threat through more extensive source control measures.

The proposed revisions to the Storm Water Standards Manual (as of October 10, 2007) in response to the requirements in the 2007 Municipal Permit are discussed below. Please note that revisions to the October 10 draft Storm Water Standards Manual may be made as a result of stakeholder input before the document is made final on December 10, 2007 and docketed for Council consideration.

- Approval Criteria for All Projects. Whether ministerial or discretionary, all projects permitted since the adoption of the City's Storm Water Standards Manual in 2002 have been required to implement Low Impact Development features, which reduce the amount of storm water which leaves a site "where feasible." Revisions to the Storm Water Standards Manual include edits to improve the implementation of Low Impact Development requirements, in keeping with the 2007 Municipal Permit.
- Updated low impact development requirements. Certain categories of larger development project types, called "Priority Development Projects" are subject to additional development regulations, including low impact development requirements. Examples of Priority Development Project categories include: redevelopment projects that create or replace more than 5,000 square feet of impervious surface; housing units of 10 or more units; commercial and heavy industrial developments greater than one acre; and parking lots exposed to storm water and over 5,000 square feet or 15 parking spaces. With the new low impact development requirements, these projects would be required to infiltrate (or evaporate or irrigate) runoff and construct low traffic areas with permeable surfaces. A geotechnical study

will be required to ensure that the amount of infiltration is appropriate for the soils, geologic conditions and proximity to structures.

- Updated source Control requirements. Revisions to the Storm Water Standards Manual include requiring Priority Development Projects to include all of the following source control Best Management Practices in project design: minimize pollutants of concern in runoff, sign or stencil storm drain inlets with educational messages about storm water pollution, properly design outdoor material and trash storage areas, efficient irrigation systems (this is already a City requirement), and other Best Management Practices applicable to individual Priority Project categories.
- Updated treatment control requirements. In accordance with the 2007 Municipal Permit, the criteria for selecting treatment Best Management Practices for Priority Development Projects was modified to require selection of “high” or “medium” pollutant removal efficiency Best Management Practices unless Best Management Practices with a low ranking are the only feasible Best Management Practices. Staff has collaborated with all Copermittees, as required in the 2007 Municipal Permit, in order to establish updated requirements.
- Interim hydromodification management requirements. The 2007 Municipal Permit requires the City to work with the Copermittees to collaboratively adopt new hydromodification control regulations to apply to Priority Development Projects over 50 acres in size within a year of the 2007 Municipal Permit’s January 24, 2007 adoption date. The goal of hydromodification regulations is to eliminate storm water flows from Priority Development Project sites which can cause downstream erosion throughout the permanent “use” of the project site. To achieve this, Priority Development Projects upstream of erodible creeks and drainages will need to store runoff on site and release it more slowly over a longer period of time. A consultant team hired by the Copermittees will be completing the interim hydromodification criteria in November 2007, for incorporation into the City’s draft Storm Water Standards Manual. As required by the Municipal Permit, the interim hydromodification criteria will be replaced in approximately two years by a permanent Hydromodification Management Plan currently under development by the Copermittees.
- Phased Grading. The 2007 Municipal Permit requires the City to establish grading limitations on the maximum area that can be disturbed at one time before temporary or permanent erosion controls are required. The Permit further allows the City to reduce this limitation if the site has adequate erosion and sediment control practices implemented. Staff proposes to implement this provision by providing acreage limits which are dependent on the magnitude of risk given the characteristics of the site such as soil type and steepness of slopes.
- Advanced Treatment. The 2007 Municipal Permit requires the City to evaluate construction sites to determine if they are an “exceptional threat to water quality” and lists several factors (e.g., size, slope, proximity to and sensitivity of receiving waters, etc.) to be used in that determination. Sites determined to be exceptional threats to water quality must then be required to utilize “advanced treatment” for sediment in runoff, a process which flocculates sediment (a process of causing fine particles to stick together and form larger particles) and removes the flocculated sediment with filtration. Staff proposes two criteria for determining

whether a construction site poses an exceptional threat: (1) if the site is over one acre and within, directly adjacent to, or directly discharging to a water body that is on the Clean Water Act Section 303(d) list as impaired for sediment or turbidity; and (2) if it is determined that source control methods for managing sediment will not be sufficient based on size of grading site, slope, soil characteristics, and types of construction Best Management Practices.

FISCAL CONSIDERATIONS:

No fiscal impact is anticipated with the adoption of the updated Storm Water Standards Manual.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Council resolution approving 2002 Jurisdictional Urban Runoff Management Plan (Resolution No. R-296019, January 28, 2002), which mentioned the development of the initial version of the Storm Water Standards Manual (subsequently revised May 30, 2003).

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Outreach efforts to solicit input on the draft Storm Water Standards Manual included two public workshops, multiple meetings with stakeholders at the Storm Water Division offices, a 30-day public comment period, and an Internet comment form. Public notification methods included postcard mailings, newspaper notices, e-mail notices, notices on the City's Think Blue website (<http://www.thinkbluesd.com>), media releases, and flyers distributed at City public involvement meetings. See Attachment 2 for details.

The Development Services Department's Environmental Analysis Section also requested public comment via a 30-day comment period on the draft version of the Mitigated Negative Declaration (Project No. 134590) prepared under the California Environmental Quality Act. The draft version of the Mitigated Negative Declaration distributed for comments included a notice inviting stakeholders to attend public workshops on the updates to the Storm Water Standards Manual.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Key stakeholders include commercial businesses and industries, including the building industry, residential homeowners, citizens of the City and other jurisdictions in the San Diego region, and environmental organizations. The Development Services Department prepared a Mitigated Negative Declaration (Project No. 134590), which identified the following potential impacts: historical resources (archaeology), paleontological resources, and land use (Multiple-Habitat Planning Area Land Use Adjacency).

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ATTACHMENTS:

[Attachment 1: Proposed Storm Water Standards Manual Update](#)

[Attachment 2: Public Outreach on Proposed Storm Water Standards Manual Update](#)