

Santa Clara Valley Urban Runoff Pollution Prevention Program
Work Plan for Implementation of Permit Provision C.3.
(New and Redevelopment Requirements)

(March 1, 2002)

INTRODUCTION

This document provides a work plan for the Santa Clara Valley Urban Runoff Pollution Prevention Program's (Program's) implementation of Permit Provision C.3. (New and Redevelopment Requirements) as amended by Regional Board Order 01-119. Submittal of this C.3. Work Plan satisfies the requirements of Provisions C.3.b., C.3.c., and C.3.j.

The requirements of Provision C.3. will be implemented by the Program and/or the individual Co-permittees. A separate document entitled "Guidance for Work Plan Tasks Related to Implementation of Permit Provision C.3. (New and Redevelopment Requirements), FY 01-02 and 02-03" (referred to herein as C3 Work Plan Guidance and provided as Attachment 1-1) identifies proposed actions to meet the requirements of Provision C.3. and whether the actions will be implemented at the Program level, Co-permittee level or both.

Provision C.3. requires the "Dischargers" to submit specific work plans for 1) modifications to the development project review process (C.3.b.); 2) implementation of Group 1 requirements (C.3.c.); and 3) site design standards review and revision (C.3.j.). The Program's specific work plans for Program tasks related to these sections are included in this overall C.3. work plan. Note that many of the tasks needed to implement the Group 1 requirements (C.3.c.) are included under work plans for other C.3. sections. To avoid duplication, the tasks listed in the work plan for C.3.c. are only those that are not covered elsewhere.

APPROACH TO WORK PLAN DEVELOPMENT

Through discussions with the Program's Budget Ad Hoc Task Group (AHTG) and Management Committee, the following approach to development of the implementation plan was agreed upon:

- Develop an implementation work plan identifying tasks, products, deadlines, and budgets.
- Prepare guidance to the Co-permittees on what they need to start preparing for their FY 02-03 Work Plan submittal due 3/1/02.
- Form a New and Redevelopment AHTG (now called the C.3. Provision Oversight AHTG) and identify key participants. (Work groups will be formed to address specific topics. The agency staff assigned to attend the AHTG or work group meetings may vary depending on whether the topics being discussed relate to public or private development projects or general Co-permittee guidance.) The purpose of the AHTG and work group will be to:
 - Review Program guidance for Co-permittee work plan submittals;
 - Guide and track progress of Program implementation tasks;
 - Review consultant work products;
 - Share examples of local approaches and tools (procedures, checklists, forms, etc.).

- Form a separate AHTG to draft the model waiver/compensatory mitigation program (start with policy/legal issues and then address technical components).
- Organize the various required submittals into one comprehensive guidance manual.
- Conduct a parallel effort to update the Program's Planning Procedures Performance Standard.
- Fast track the consultant selection process (particularly for the HMP) by assembling a team of experts and getting their help with work plans and scope development.

To date, the two ad hoc tasks groups have been formed and are meeting, Co-permittee work plan guidance has been prepared (Attachment 1-1), and a consultant (GeoSyntec) has been selected to develop the HMP work plan (Attachment 1-2).

The following tables are attached to this memorandum and form the basis of the Program's implementation plan:

Table 1 -- Summary of Annual and One-Time Reporting Requirements (Chronological Order)

This table was created by arranging the reporting requirements in Table 1 of Order No. 01-119 in chronological order. Some requirements with multiple due dates were broken out into separate line items.

Table 2 -- C.3. Provisions Implementation Schedule

This table was created by arranging the implementation schedule in Table 2 of Order No. 01-119 in chronological order, and identifying the implementing party (Program and/or Co-permittees) and the funding year. This table, combined with Table 1, helps prioritize the actions that need to be started and/or completed in FY 01-02, based on their due dates. Italicized actions indicate implementation steps not specifically listed in the Order but identified as necessary by Program staff.

Table 3 -- C.3. Provisions Implementation -- Approximate Budget Allocation and Approach for FY 01-02 Tasks

This table lists eight actions that need to be started and/or completed in FY 01-02 (the top items from Table 2), assigns an approximate budget, and identifies the line items in the Program's FY 01-02 budget to be used for funding. This table was reviewed and accepted by the Management Committee on December 20, 2001.

INCREMENTAL PROGRESS ON C3 TASKS

Development Policies Comparison Project

During the past year, Program staff have been working with the Co-permittees to review and improve their development policies (as they relate to Program goals and objectives). Program staff prepared a Development Policies, Codes, and Ordinances Work Sheet, with assistance of the SCBWMI Land Use Subgroup, and are using the work sheet to do the assessment of municipal policies, including stormwater-related requirements. Staff have collected policy, code, ordinance, and guidance documents from the Co-permittees and have completed the review for nine of the 15 Co-permittees. Program staff has also met with at least six of the Co-permittees to discuss the results of the reviews. Through these reviews, Program staff have helped Co-permittees begin the process of identifying additional steps or development policies, ordinances, or other tools that could be improved to meet the C.3. provisions.

Other Tasks

Other tasks that Program staff have begun and/or completed since the adoption of the permit amendment for Provision C.3. (October 17, 2001) include the following:

- Developed this C.3. Work Plan and the C.3. Work Plan Guidance (Attachment 1-1).
- Formed the C.3. Provision Oversight AHTG and held two meetings, one to discuss the work plan guidance and one to discuss the Program's draft work plans.
- Formed the Waiver AHTG and held three closed legal work group meetings with Program and Co-permittee attorneys and one closed meeting with Co-permittees.
- Selected a consultant to draft the HMP Work Plan (GeoSyntec), and worked with the consultant and the SCVWD to develop early drafts of the work plan.
- On behalf of BASMAA, contracted with CDM to perform the "Using Start at the Source to Comply with Development Standards" project and held a kick off meeting of the BASMAA New Development Committee work group.
- Presented the Program's draft C.3. Implementation Approach to the BASMAA New Development Committee.
- Gave a presentation on the C.3. requirements and SCVURPPP's implementation approach to the Santa Clara County Public Works Officers Association and the Santa Clara County Pollution Prevention Committee and shared slides with Co-permittees and other stormwater programs.

PROGRAM C3 IMPLEMENTATION WORK PLAN

This Program C3 Implementation Work Plan was prepared by taking the tasks from the C3 Work Plan Guidance for which the Program has some or all responsibility to implement, and adding more detailed subtasks, deliverables, and schedules. The task numbering corresponds to that in the C3 Work Plan Guidance.

The following pages contain the scopes of work, products, schedules, and budgets for these elements of Provision C.3:

- Provision C.3.b. Development Project Approval Process
- Provision C.3.c. Requirements for Group 1 and Group 2 Projects
- Provision C.3.d. Use of Numeric Sizing Criteria for Designing Treatment Systems
- Provision C.3.e. Operation and Maintenance of Treatment BMPs
- Provision C.3.g. Waiver and Compensatory Mitigation Program
- Provision C.3.j. Site Design Measures Guidance and Standards Development
- Provision C.3.k. Source Control Measures Guidance Development
- Provision C.3.n. Reporting Assistance

Geosyntec developed the Hydromodification Management Plan (HMP) Work Plan (C.3.f.) in consultation with Program staff and the SCVWD. It was reviewed and approved by the C3 Provision Oversight AHTG on February 12, 2002 and approved by the Management Committee on February 21, 2002. The HMP Work Plan is provided as Attachment 1-2.

Provisions C.3.l. and C.3.m., Update General Plans and Water Quality Review Processes, respectively, are to be implemented solely by the Co-permittees. Provision C.3.a. provides general goals and does not require specific actions or deliverables.

Provision C.3.b. Development Project Approval Process

Purpose:

To provide guidance to assist Co-permittees in reviewing and modifying their development project approval processes to meet the requirements of C.3.b.

Background:

Provision C.3.b. states in part: "Dischargers shall modify their project review processes as needed to incorporate the requirements of Provision C.3. Each Discharger shall include conditions of approval in permits for applicable projects, as defined in Provision C.3.c., to ensure that pollutant discharges are reduced by incorporation of treatment measures and other appropriate source control and site design measures, and increases in runoff flows are managed in accordance with C.3.f., to the maximum extent practicable... Modification of project review processes shall be completed by July 1, 2003, subject to a work plan, submitted by March 1, 2002, acceptable to the Executive Officer, identifying incremental progress already made and to be made toward this completion by July 1, 2003..."

Scope (refer to C.3. Work Plan Guidance):

This scope of work is based on the tasks identified in the C.3. Work Plan Guidance. Efforts will be coordinated with the consultant working with the City of San Jose to modify its review process.

- b.1. Assist Co-permittees to assess current stormwater-related requirements in their development review processes, for public and private projects.*
 - Assess current stormwater requirements in typical development review process, and identify additional steps or tools are required at each stage of the process to meet C.3. requirements.
 - Assess and communicate to Co-permittees how results of current "Development Policies Comparison" project can be used to review the adequacy of Co-permittee review processes. Conduct communication during meetings with Co-permittees to discuss the results of Program staff review of their development policies using the approved checklist.
- b.2. Assist Co-permittees to develop new or modify existing review policies, procedures, and/or conditions of approval to incorporate Group 1 requirements (based on results of tasks under C.3.c. through C.3.m. of the C.3. Work Plan Guidance).*
 - Research methods and tools being used by Southern California communities implementing SUSMPs for implementation ideas.
 - Develop guidance on and tools for modifying development project approval processes. (Tools will also be developed as part of other C.3. element work plans.) Work with San Jose's consultant and a work group of the C3 Provisions Oversight Ad Hoc Task Group to develop useful tools. Examples of tools for the approval process include:
 - i. Checklist with criteria to determine whether a proposed project or a project in the approval "pipeline" is subject to the C.3. requirements (Task c.1.)
 - ii. Checklist for planning or public works departments to use in determining whether stormwater treatment controls meet the hydraulic design criteria (Task d.2.).
 - iii. Form for BMP & O&M agreement information (Task e.1.)
 - iv. Checklist to determine whether a project is eligible for a waiver (Task g.1.)
 - v. Conditions of approval for site design measures (Task j.2.), source control measures (Task k.1.), and pesticide reduction measures (Task n.5.).
- b.3. Assist with the training of Co-permittee staff in planning, building, and engineering departments on the C.3. provisions and goals, the required changes in the approval process, and the use of appropriate tools.*
 - Conduct one or more workshops on the above topics for representatives of Co-permittee departments involved in C.3. implementation (a "train the trainers" concept).

b.4. *Submit work plan for completion of Provision C.3.b. requirements. Identify incremental progress made toward completion of Actions b.1., b.2., and b.3. above in FY 02-03 Work Plan.*

- Submit this work plan and describe incremental progress in the introduction to the work plan.

Products and Schedule:

Task	Work Product	Completion Date
b.1.	Stormwater Requirements in Review Process	March 2002
b.1.	Meetings with Co-permittees Re: Development Policies Reviews (in progress)	May 2002
b.2.	Guidance/Tools for Modifying Development Project Approval Processes	October 2002
b.3.	C3 Implementation Workshops	Fall 2002 and Spring 2003
b.4.	Submit Work Plan	March 1, 2002

Implementing Parties:

Program staff (Jill Bicknell, Wendy Edde, Julie Stephenson)
Coordinate with San Jose's consultant (Mike Campbell, RBF)

Provision C.3.c. Requirements for Group 1 and Group 2 Projects

Purpose:

To provide guidance to assist Co-permittees in meeting the Group 1 and Group 2 project requirements, as well as investigating an alternative Group 2 project definition.

Background:

Provision C.3.c. states in part: "... (C.3.c.i.) Dischargers shall require Group 1 Projects to design and implement stormwater treatment BMPs to reduce stormwater pollution to the maximum extent practicable. Implementation of this requirement shall begin on July 15, 2003, subject to a work plan, submitted March 1, 2002, acceptable to the Executive Officer, identifying incremental progress already made and to be made toward implementation of C.3.c.i. by July 15, 2003..."

"... (C.3.c.ii.) Dischargers shall require Group 2 Projects to design and implement stormwater treatment BMPs to reduce stormwater pollution to the maximum extent practicable. Implementation of this requirement shall begin on October 15, 2004, at which time the definition of Group 1 Project is changed to include all Group 2 Projects..."

"... (C.3.c.iii.) The Program may propose, for approval by the Regional Board, an alternative Group 2 Project definition. Any such proposal shall contain supporting information about the Dischargers' development patterns, and pollutant source information, that demonstrates that the proposed definition is comparable in effectiveness to the Group 2 Project definition (i.e., that a comparable development area and/or pollutant loading would be addressed under the proposed alternate definition). Proposals must be submitted by April 15, 2004, in order to be considered by the Regional Board before the Group 2 Project implementation date..."

Scope (refer to C3 Work Plan Guidance):

The tasks needed to assist Co-permittees in meeting the Group 1 and Group 2 project requirements include tasks in all of the other work plans for Provisions C.3.b. through C.3.n. This scope of work focuses on those requirements and tasks that are not addressed in the other work plans.

- c.1. *Develop a procedure to assist Co-permittees to request and log the type, size, and impervious area of every project (and extent of redevelopment if applicable) for determination of applicability of Group 1 (and later Group 2) requirements.*
 - Review Group 1 and Group 2 definitions, data requirements, and determine at what stage of a typical project review process information should be requested from applicants. Coordinate with Task n.2., and include findings in data management memorandum.
 - Develop a model checklist for listing project data and determining applicability of Group 1 or Group 2 requirements.
- c.3. *Submit work plan for completion of Provision C.3.c. requirements. Identify incremental progress made toward Group 1 implementation, in FY 02-03 Work Plan.*
 - Submit this work plan and describe incremental progress in the introduction to the work plan.
- c.4. *Compile guidance being developed under other elements into one guidance manual for implementation of Group 1 project requirements.*
 - Prepare a guidance manual with sections corresponding to guidance developed for each C.3. provision. For example, a preliminary outline would be (with reference to guidance developed as part of tasks in the C.3. Work Plan):

- Section 1: Introduction
- Section 2: Planning Procedures Performance Standard (Tasks c.5., c.9., k.1.)
- Section 3: Development Project Review Procedures (Tasks b.1., b.2., c.1., c.2., n.2.)
- Section 4: Selection of Site Design Measures (Task j.2.)
- Section 5: Selection of Source Control Measures (Task k.1.)
- Section 6: Selection of Stormwater Treatment Devices
- Section 7: Hydromodification Management (Task f.2.)
- Section 8: Numeric Design Criteria (Tasks d.1., d.2., j.3.)
- Section 9: Operation and Maintenance of BMPs (Tasks e.1., e.2., e.3., e.5., n.2.)
- Section 10: Waiver and Compensatory Mitigation (Task g.1.)
- Section 11: Data Management (n.2.)

c.5. *Revise portions of the model Planning Procedures Performance Standard (PPPS) to incorporate the Group 1 requirements and other C.3. requirements.*

- Revise PPPS #1, 2, 5, 6, 8, and 9 to be consistent with the wording in Provision C.3.a.
- Revise PPPS # 3, 4, and 7 as necessary to include C.3. requirements for environmental review (C.3.m.), stormwater treatment BMPs (C.3.c.), and operation and maintenance (C.3.e.), respectively.
- Include source control requirements in the PPPS, and attach a model list of source control measures and/or conditions of approval (see Task k.1.).
- Obtain approval from Management Committee of the revised PPPS and request Co-permittees to update their local urban runoff management plans to include them.

c.7. *Develop approach for evaluating an alternative minimum project size and identify data needs from Co-permittees.*

- See draft approach under Task c.8. below. The approach will allow for individual Co-permittees to propose alternative minimum size projects for their communities if desired.
- Obtain approval from Management Committee and prepare guidance to Co-permittees regarding data collection and submittal to the Program for analysis.

c.8. *Conduct analysis of alternative minimum project size and prepare proposal for submittal to Regional Board.*

- Evaluate the level of impact on stormwater quality and quantity caused by 5,000 sq.ft. of impervious surface for different settings and types of development.
- Collect information from a representative number of Co-permittees on project review processes and how the Group 2 requirements would increase the number of reviews of normally ministerial projects
- Review minimum project size requirements in other municipal storm water permits in California, including SUSMP requirements.
- Compile data collected by Co-permittees on the impervious surface area of new and redevelopment projects that submitted applications during and after April 2002.
- Based on available data, perform a statistical analysis of the imperviousness of development projects for each Co-permittee's jurisdiction.
- Prepare draft proposal for an alternative minimum size project for review by the Program's C3 Provisions Oversight Ad Hoc Task Group and Management Committee. The proposal may include different minimum sizes for different Co-permittees based on consideration of current land use and zoning.

- Incorporate review comments, obtain approval by the Management Committee, and submit to the Regional Board approval.

c.9. *Update guidance manual and performance standards for Group 2 projects as needed*

Products and Schedule:

Task	Work Product	Completion Date
c.1.	Procedure/checklist to determine Group 1 applicability	April 2002
c.3.	Program Work Plan for C.3.c.	Draft to MC – February 7, 2002 Final to MC – February 21, 2002 Final to Regional Board – March 1, 2002
c.4.	Guidance Manual (with sections added as completed)	Draft – December 2002 Final – March 2003
c.5.	Updated Performance Standard	Draft – December 2002 Final – March 2003
c.7.	Approach for alternative minimum project size analysis	Draft – March 1, 2002 Final data collection guidance – May 2002
c.8.	Proposed alternative minimum project size and analysis report	Draft – December 2003 Final to Regional Board -- April 15, 2004
c.9.	Update PS and Guidance Manual for Group 2	September 2004

Implementing Parties:

Program staff (Jill Bicknell, Wendy Edde, Julie Stephenson)
Consultant services as needed

Provision C.3.d. Use of Numeric Sizing Criteria for Designing Treatment Systems

Purpose:

To develop specific and clear hydraulic design criteria to assist Co-permittees and project applicants in sizing BMPs to meet requirements of Provision C.3.d.

Background:

Provision C.3.d. states in part: "All Dischargers shall require that treatment BMPs be constructed for applicable projects, as defined in C.3.c., that incorporate, at a minimum, the following hydraulic sizing design criteria to treat stormwater runoff. As appropriate for each criterion, the Dischargers shall use or appropriately analyze local rainfall data to be used for that criterion..."

Scope (refer to C3 Work Plan Guidance):

d.1. Analyze local rainfall data and develop area-specific volume and flow based design criteria.

- Determine available rainfall data from SCVWD, State Department of Water Resources and National Climatic Data Center. Select rain gages and rainfall data sets for analysis. Select gages to cover the different climatic regions in Santa Clara Valley.
- Conduct the following analyses for each gage/data set if possible:
 - Develop curves for the volume of annual runoff required for 80 percent capture, for different percents of impervious area;
 - Determine mean storm precipitation depth for use in calculating the maximized stormwater quality capture volume using the equations in *Urban Runoff Quality Management* (1998);
 - Determine the 85th percentile hourly rainfall intensity;
 - Determine the 50-year return period storm event.
- Summarize results of the analysis.

d.2. Develop guidance on appropriate criteria to use for each BMP type.

- Review guidance developed in Southern California for design criteria required by SUSMPs.
- Develop procedures for calculating the appropriate volume and flow based design criteria, incorporating curves and "look-up" tables as much as possible.
- Evaluate general categories of BMPs as to whether they should be sized based on flow, volume or both.
- Develop lists of BMPs and the appropriate criteria from Task d.1. and incorporate into the Guidance Manual (Task c.4.)
- Develop a model checklist for planning or public works departments to use in determining whether stormwater treatment controls meet the hydraulic design criteria.

Products and Schedule:

Task	Work Product	Completion Date
d.1.	Rainfall Data Analysis	September 2002
d.2.	Guidance on BMP Sizing Criteria	December 2002

Implementing Parties:

Program staff (Jill Bicknell, Julie Stephenson)
SCVWD staff
Consultant services

Provision C.3.e. Operation and Maintenance of Treatment BMPs

Purpose:

To assist Co-permittees to develop local agency operation and maintenance (O&M) verification programs to help ensure the proper maintenance of stormwater treatment measures on public and private property.

Background:

Provision C.3.e. states in part: "Each Discharger shall implement an operation and maintenance (O&M) verification program, which shall include the following:

- i. Compiling a list of properties (public and private) and responsible operators for all treatment BMPs. In addition, the Dischargers shall inspect a subset of prioritized treatment measures for appropriate operation and maintenance, on an annual basis, with appropriate follow-up and correction.
- ii. [Verification requirements for private property developer/owner]
- iii. The Dischargers shall report on their Treatment BMPs Operation and Maintenance Verification program in each Annual Report. The Annual Report shall contain: a description of the organizational structure of the Discharger's O&M Verification program; an evaluation of the Discharger's O&M verification program's effectiveness; summary of any planned improvements in O&M Verification; and a list or summary of treatment BMPs that have been inspected that year with inspection results."

Scope (refer to C3 Work Plan Guidance):

- e.1. *Assist Co-permittees develop a procedure for logging information about treatment BMPs installed at approved Group 1 projects, and for maintaining a list or database of properties, treatment BMPs, and responsible operators.*
 - Develop a form for collecting information about treatment BMPs and responsible operators at each project site, and for tracking the completion of O&M agreements and distribution of appropriate outreach materials to owners and/or applicants.
- e.2. *Develop model language for documents assigning responsibility to the developer/owner of private projects for O&M of treatment BMPs, or to the appropriate agency for O&M of treatment BMPs at public projects.*
 - Collect examples of and develop models of documents such as O&M responsibility agreements, written conditions in sales/ lease agreements, use permit conditions, provisions in CC&Rs, etc. Provide guidance on when it is appropriate to use different types of documents.
- e.4. *Develop fact sheets on the O&M requirements and frequencies for various BMP types that can be used to educate parties responsible for O&M and attached to O&M agreements*
 - Research and collect information on O&M requirements and frequencies for various BMPs.
 - Develop brief one-page fact sheets with references to more detailed materials
 - Research and develop fact sheets for pesticide reduction measures related to landscape maintenance. Use existing IPM Fact Sheets where possible.
- e.5. *Assist Co-permittees in determining how to prioritize BMPs for inspection as part of O&M verification programs.*
 - Review Provision C.3. Table 2 (Implementation Schedule), Provision C.3.e. actions, for guidance on Regional Board's priority BMP types.
 - Develop a prioritized list of BMPs for inspection, based on BMP type, maintenance frequency, maintenance difficulty, frequency of use on project sites, etc.

e.6. *Develop guidance to Co-permittees on annual reporting of results of their O&M verification programs.*

- Develop a form for reporting: a list or summary of treatment BMPs inspected during the year; inspection results; and any required follow-up and correction. Provide guidance on how to evaluate verification program effectiveness.

Products and Schedule:

Task	Work Product	Completion Date
e.1.	Form for BMP & O&M Agreement Information	December 2002
e.2.	Guidance on O&M Agreements	December 2002
e.4.	O&M Fact Sheets	March 2003
e.4.	List of Pesticide Reduction Measures	June 2002
e.5.	Prioritized BMP Inspection List	March 2003
e.6.	Inspection Program Reporting Form	June 2003

Implementing Parties:

Program staff (Jill Bicknell, Wendy Edde, Julie Stephenson, Nicole Pierce)
Consultant services as needed

Provision C.3.f. Hydromodification Management Plan

Purpose:

To develop a plan and guidance that assists Co-permittees to manage increases in runoff peak flow and volume for Group 1 projects, where such increases may cause increased erosion of creek beds and banks or related impacts.

Background and Scope:

See Attachment 2.

Products and Schedule:

See Attachment 2.

Implementing Parties:

Program staff (Jill Bicknell)
SCVWD staff
Consultant (GeoSyntec) and Expert Panel

Provision C.3.g. Waiver and Compensatory Mitigation Program

Purpose:

Develop a model under which a project proponent may request a waiver from treatment BMP requirements for a given project due to impracticability, with a provision to provide other equivalent water quality benefit or credits or treatment of an equivalent pollutant loading or quantity of storm water. (that allows participation in regional solutions).

Background:

Provision C.3.g. states in part: "The Dischargers may establish a program under which a project proponent may request a waiver from the requirement to install treatment BMPs for a given project, upon an appropriate showing of impracticability, and with provision to treat an equivalent pollutant loading or quantity of stormwater runoff, or provide other equivalent water quality benefit...The Dischargers should specifically define the basis for impracticability or infeasibility..." (C.3.g.i.)

The permit encourages the Program to propose a model waiver program on behalf of the Dischargers. "The waiver program proposal should state the criteria for granting waivers; criteria for determining impracticability or infeasibility; and criteria for use of regional or watershed stormwater treatment facilities. The proposal should also describe how the project sponsor will provide equivalent water quality benefits or credit to an alternative project or to a regional or watershed treatment facility and tracking mechanisms to support the reporting requirements..." (C.3.g.iv.). Section C.3.g.v. lists the information that must be provided in the Annual Report each year for each project granted a waiver.

Scope (refer to C3 Work Plan Guidance):

g.1. Develop a model waiver program.

- Establish a Waiver Ad Hoc Task Group.
- Work with the ad hoc task group (including outside Program legal counsel) to evaluate the legal and policy implications of a waiver program and develop a model program.
- Investigate any waiver programs in place in Southern California communities implementing SUSMPs.
- List and define the criteria for determining the impracticability or infeasibility of storm water controls at a project site (technical and financial). Based on these criteria, create a checklist and maps to determine whether a project is eligible for a waiver. Define a method for evaluating the equivalency of the proposed mitigation as well as how credits would be evaluated.
- List and define the criteria for participation in regional facilities where feasible.
- Develop a draft waiver program proposal for review by Program Management Committee
- Submit waiver program proposal to the Regional Board for approval.

g.3. Begin tracking information for reporting on waivers granted, including project name, location, type, percent impervious surface, reasons for and terms of waiver, and the alternative benefit project and completion date.

- Develop guidance and a model reporting form for logging information on projects granted waivers, for use in Co-permittee Annual Reports.

Products and Schedule:

Task	Work Product	Completion Date
g.1.	Model Waiver Program Proposal	Draft to MC – April 2002 Final to Regional Board – July 2002
g.2.	Guidance on Waiver Reporting	Within one month of approval of model waiver program by Regional Board and Co-permittees

Implementing Parties:

Program staff (Adam Olivieri)
Program ad hoc task group (including Program legal counsel and Co-permittee attorneys)
SCVWD staff (groundwater protection and regional facilities issues)

Provision C.3.j. Site Design Measures Guidance and Standards Development

Purpose:

To assist Co-permittees to incorporate site design measures that reduce water quality impacts into local design standards and encourage their use in project designs so as to meet the requirements of C.3.

Background:

Provision C.3.j. states in part: "The Dischargers shall review their local design standards and guidance for opportunities to make revisions that would result in reduced impacts to water quality and beneficial uses of waters. In this event, the Dischargers shall make any such revisions and implement the updated standards and guidance, as necessary." The provision then lists example site design measures such as minimizing land disturbance, minimizing impervious surfaces, clustering and preservation of open space, maintenance/restoration of riparian habitat and wetlands as project amenities, landscaping to slow, detain and/or infiltrate stormwater, and other "lot-level" design measures.

The Program, through BASMAA, has funded development of "Start at the Source: Design Guidance Manual for Stormwater Quality Protection" (1999), a companion document called "Start at the Source Tools", and workshops on site design measures. Currently, the Program is the major contributor to a BASMAA Task of Regional Benefit called "Using Start at the Source to Comply with Development Standards". This project will provide guidance to Co-permittees and developers on how to use site design techniques such as those described in "Start at the Source" to comply with the flow and volume-based numeric design standards for development projects stated in Provision C.3.d.

Scope (refer to C3 Work Plan Guidance):

- j.1. Develop and submit a work plan and schedule to assist Co-permittees to review, revise, and implement revised site design standards and guidance.*
 - Submit this work plan to the Regional Board.

- j.2. Prepare guidance to assist Co-permittees in reviewing existing local design standards and guidance.*
 - Continue reviewing Co-permittees' development policies as part of the "Development Policies Comparison Project" and providing guidance to Co-permittees about changes needed to allow consideration of site design techniques that benefit stormwater quality.
 - Compile references and examples of site design measures (e.g., Start at the Source Manual and Tools).
 - Prepare model conditions of approval for requiring site design measures in projects.
 - Facilitate the sharing of example language and guidelines related to site design among Co-permittees.

- j.3. Oversee completion of and work with the BASMAA work group on the BASMAA project "Using Start at the Source to Comply with Development Standards".*
 - Finalize scope of work and subcontract with CDM to perform work. (Done- see scope of work in Attachment 1-3.)
 - Attend BASMAA work group meetings and review project methodology and draft report.
 - Incorporate project results into C.3. Guidance Manual (Task c.4.).
 - Propose and help fund and coordinate a BASMAA workshop on how site design measures can be used to meet the numeric design standards in Provision C.3.d.

Products and Schedule:

Task	Work Product	Completion Date
j.1.	Site Design Standards Revision Work Plan	March 1, 2002
j.2.	Development Policies Comparison Project	Complete reviews – April 2002 Complete Co-permittee meetings – May 2002
j.2.	Site Design Guidance and Model Conditions	December 2002
j.3.	BASMAA Project Final Report	June 2002
j.3.	Site Design Measures Workshop	Fall 2002

Implementing Parties:

Program staff (Jill Bicknell, Wendy Edde, Julie Stephenson)
Consultant (CDM)

Provision C.3.k. Source Control Measures Guidance Development

Purpose:

Assist Co-permittees to enhance existing source control requirements for new and redevelopment projects to limit pollutant generation, discharge and runoff to the maximum extent practicable.

Background:

Provision C.3.k. states in part: "The Dischargers shall, as part of their continuous improvement process, submit enhanced New and Redevelopment Performance Standards which summarize source control requirements for new and redevelopment projects to limit pollutant generation, discharge, and runoff, to the maximum extent practicable...A model enhanced Performance Standard and proposed work plans for its implementation shall be submitted by March 1, 2003. Implementation shall begin no later than July 1, 2003, and the status shall thereafter be reported in the Dischargers' Annual Reports..."

Scope (refer to C3 Work Plan Guidance):

k1. *Revise the current Planning Procedures Performance Standard (PPPS) to include source control requirements.*

- Revise PPPS as part of Task c.5. to include source control requirements.
- Develop a model list of source control measures (in the form of conditions of approval), based on existing lists used by Co-permittees, examples in Provisions C.3.k. and other references, and include the list as an attachment to the revised performance standard.

Products and Schedule:

Task	Work Product	Completion Date
k.1.	Updated Performance Standard	Draft – December 2002 Final – March 1, 2003
k.1.	Model conditions of approval for source control measures	Draft – July 2002 Final – September 15, 2002

Implementing Parties:

Program staff (Jill Bicknell, Julie Stephenson)

Provision C.3.n. Reporting Assistance

Purpose:

To assist the Co-permittees in meeting the Provision C.3.n. reporting requirements, plan for anticipated data needs, and begin collecting and tracking required data on development projects as needed.

Background:

Provision C.3.n. describes the information that needs to be provided in Annual Reports for Co-permittees to demonstrate compliance with other sections of C.3. Information must be collected and reported for all new development and significant redevelopment projects which meet the Group 1 or Group 2 definitions, with additional data required for projects that must implement treatment measures.

Also, Provision C.3.n.iii. calls for a “summary of the types of pesticide reduction measures required for those new development and significant redevelopment projects to be addressed under Provision C.3.c...” These requirements are tied to the pesticide reduction requirements in Provision C.9.d. The Program has developed a Pesticide Management Plan to address Provision C.9.d., which contains several tasks related to control of pesticide use at new and redevelopment projects. Co-permittees are to begin to consider pest-resistant landscaping and design features in the design, landscaping and environmental reviews of development projects in FY 02-03, per Pesticide Plan Action VII.A.2.

Scope (refer to C3 Work Plan Guidance):

- n.1. *Provide guidance on the information required in each annual report, as described in Table 1 of Provision C.3..*
- Include C.3. reporting requirements in Annual Report guidance to Co-permittees.
- n.2. *Prepare summary of data to be collected to meet C.3. requirements and recommendations for data management.*
- Prepare a memorandum to Co-permittees describing data to be collected and data management (data base fields, stage in review process to request data from applicant, etc.).
- n.5. *Provide guidance on collection and reporting of information on types of pesticide reduction measures required for development projects, and the percentage of projects for which pesticide reduction measures were required.*
- Develop model conditions of approval for pest resistant landscaping features and practices, including a list of pest-resistant plants (Action VII.A.1. of the Program’s Pesticide Plan).
 - Develop a reporting format for pesticide reduction measures (Action VII.A.4. of the Program’s Pesticide Plan).

Products and Schedule:

Task	Work Product	Completion Date
n.1.	Annual Report Guidance/Reporting Format	May of each year, beginning 2002
n.2.	Data Management Memorandum	March 2002
n.5.	Model Conditions for Pest Resistant Landscaping	June 2002

Implementing Parties:

Program staff (Jill Bicknell, Julie Stephenson, Nicole Pierce)

**Table 1
Summary of Annual and One-Time Reporting Requirements (Chronological Order)**

Provision	Activity	Information to Report	Date
C.3.b.	Project approval process	Submit work plan for completion of C.3.b. requirements by July 1, 2003	March 1, 2002
C.3.c.i.	Group 1 work plan	Submit work plan identifying incremental progress toward implementation of C.3.c.i. requirements by July 15, 2003	March 1, 2002
C.3.f.	Peak runoff limitation	Submit a detailed work plan and schedule for HMP	March 1, 2002
C.3.j.	Site design guidance	Submit work plan and schedule for revision of site design guidance	March 1, 2002
C.3.b.	Project approval process	List of any modifications made to development project approval process	Sept. 15, 2002 (FY 01-02 AR)
C.3.f.	Peak runoff limitation	Submit literature review for HMP	Sept. 15, 2002
C.3.j.	Site design guidance	Summarize the status of review, revision, and implementation of site design measures guidance and standards	Sept. 15, 2002 (FY 01-02 AR)
C.3.k.	Source controls	Submit draft conditions of approval document for source control measures	Sept. 15, 2002
C.3.n.	Reporting	List new development and redevelopment projects by name, type of project, site acreage or square footage, square footage of new impervious surface. (Include description of storm water control measures used in each project, per current performance standards).	Sept. 15, 2002
C.3.f.	Peak runoff limitation	Submit draft Hydrograph Modification Management Plan (HMP)	March 1, 2003
C.3.b.	Project approval process	List of any modifications made to development project approval process	Sept. 15, 2003 (FY 02-03 AR)
C.3.e.	O&M verification	Details of O&M verification program: organizational structure, evaluation, proposed improvements, list number of inspections and follow-up	Sept. 15, 2003 (FY 02-03 AR)
C.3.j.	Site design guidance	Summarize the status of review, revision, and implementation of site design measures guidance and standards	Sept. 15, 2003 (FY 02-03 AR)
C.3.j.	Site design guidance	Submit draft proposal of revised standards and site design guidance	Sept. 15, 2003
C.3.k.	Source controls	Summarize how any revisions to source control measures guidance document have been implemented	Sept. 15, 2003 (FY 02-03 AR)
C.3.m.	Environmental review process	Summarize any revisions to Environmental Review Processes	Sept. 15, 2003 (FY 02-03 AR)
C.3.n.	Reporting	List new development and redevelopment projects by name, type of project, site acreage or square footage, square footage of new impervious surface. (Include description of storm water control measures used in each project, per current performance standards).	Sept. 15, 2003

Table 1
Summary of Annual and One-Time Reporting Requirements (continued)

Provision	Activity	Information to Report	Date
C.3.n.	Reporting	Describe the pesticide reduction measures required for new development and redevelopment projects; give percentage of new development and redevelopment projects for which pesticide reduction measures were required.	Sept. 15, 2003 (FY 02-03 AR)
C.3.f.	Peak runoff limitation	Submit final HMP	Oct. 15, 2003
C.3.c.iii	Project size categories	Propose alternative minimum project size (optional)	April 15, 2004
C.3.e.	O&M verification	Details of O&M verification program: organizational structure, evaluation, proposed improvements, list number of inspections and follow-up	Sept. 15, 2004 (FY 03-04 AR)
C.3.g.	Waiver	Name and location of project which was granted a waiver; Project type and size; Percent impervious surface; Reason for granting the waiver; Terms of the waiver; The storm water treatment project or regional treatment receiving the benefit, and the date of completion of the treatment project.	Sept. 15, 2004 (FY 03-04 and subsequent ARs)
C.3.h.	Alternate certification	List the projects certified by someone other than a Discharger employee.	Sept. 15, 2004 (FY 03-04 and subsequent ARs)
C.3.j.	Site design guidance	Summarize the status of review, revision, and implementation of site design measures guidance and standards	Sept. 15, 2004 (FY 03-04 AR)
C.3.m.	Environmental review process	Summarize any revisions to Environmental Review Process	Sept. 15, 2004 (FY 03-04 AR)
C.3.n	Reporting	List new development and redevelopment projects by name, type of project (using the categories in Provision C.3.c.), site acreage or square footage, square footage of new impervious surface. For Group 1 projects, report treatment BMPs and numeric sizing criteria used, O&M responsibility mechanism, site design measures used, and source control measures required	Sept. 15, 2004 (FY 03-04 AR) and subsequent annual reports
C.3.n.	Reporting	Describe the pesticide reduction measures required for new development and redevelopment projects; give percentage of new development and redevelopment projects for which pesticide reduction measures were required	Sept. 15, 2004 (FY 03-04 AR) and subsequent annual reports
C.3.l.	General Plan	Confirm that any water quality and watershed protection principles and policies necessary to implement ... C.3. ... have been incorporated into the General Plan or equivalent plan.	Next scheduled update/revision to occur after October 15, 2004

**Table 2
C.3. Provisions Implementation Schedule**

Provision	Activity	Action	Implementation Date	Implementing Party	Funding Year
C.3.f.	Peak flow limitation	Submit a detailed work plan and schedule for HMP	March 1, 2002	Program, consultant	FY 01-02
C.3.j.	Site design guidance	Submit work plan and schedule for completion of review, revision, and implementation of site design standards and guidance	March 1, 2002	Program	FY 01-02
C.3.c.	<i>Project size</i>	<i>Submit work plan identifying progress toward implementation of Group 1 requirements (and preparation of guidance)</i>	<i>March 1, 2002</i>	<i>Program and Co-permittees</i>	FY 01-02
C.3.b.	<i>Project review</i>	<i>Submit work plan for completion of modifications to development project review process</i>	<i>March 1, 2002</i>	<i>Program and Co-permittees</i>	<i>FY 01-02</i>
C.3.b,e,k,m	<i>Project review, O&M, source controls, environmental review</i>	<i>Include tasks to begin developing O&M verification program, implement source control measures guidance and revise environmental review process in FY 02-03 work plans</i>	<i>March 1, 2002</i>	<i>Co-permittees</i>	
C.3.n.	<i>Reporting</i>	<i>Start collecting data on project type, size, and amount of impervious surface (C.3.n.i.) and types of pesticide reduction measures required and percentage of Group 1/2 projects for which measures required (C.3.n.iii.)</i>	<i>April 17, 2002</i>	<i>Co-permittees</i>	
C.3.j.	Site design guidance	Oversee/help fund BASMAA project "Using SAS to Comply with Development Standards"	Complete by June 2002	Program, consultant	FY 01-02
C.3.g.	Waiver	Complete work on policy/legal issues related to waiver program	June 2002	Program and Co-permittees	FY 01-02
C.3.f.	Peak flow limitation	Submit literature review for HMP	Sept. 15, 2002	Program, consultant	01-02/02-03
C.3.k.	Source controls	Submit draft conditions of approval document for source control measures	Sept. 15, 2002	Program	01-02/02-03
C.3.g.	Waiver	Complete draft proposed model waiver program	June 2002	Program and Co-permittees	FY 02-03
C.3.f.	Peak flow limitation	Submit draft HMP	March 1, 2003	Program, consultant	FY 02-03

Table 2, continued
C.3. Provisions Implementation Schedule

Provision	Activity	Action	Implementation Date	Implementing Party	Funding Year
C.3.k.	Source controls	Implement source control measures guidance	March 1, 2003	Co-permittees	
C.3.m.	Environmental review process	Revise environmental review processes as needed to evaluate water quality impacts of stormwater runoff from new development and significant redevelopment	March 1, 2003	Co-permittees	
C.3.b.	Project review process	Modify development project approval process as needed	July 1, 2003*	Co-permittees (Program guidance)	FY 02-03
C.3.c.	Project size	Require stormwater treatment BMPs at Group 1 projects (<i>Program prepare guidance</i>)	July 15, 2003*	Co-permittees (Program guidance)	FY 02-03
C.3.n.	<i>Reporting</i>	<i>Start collecting data for Group 1 projects on treatment BMPs and numerical sizing criteria used, O&M responsibility mechanism, site design measures used, and source control measures required.</i>	<i>July 15, 2003</i>	<i>Co-permittees</i>	
C.3.g.	<i>Waiver</i>	<i>Document projects granted waivers, if any, including project type, size, percent impervious, reasons and terms for waiver, and benefits and completion date of mitigation project.</i>	<i>July 15, 2003</i>	<i>Co-permittees</i>	
C.3.e	O&M verification	Implement an O&M verification program for Group 1 projects with structural in-ground BMPs such as sand filters, filter inlets, detention/ retention basins	July 15, 2003	Co-permittees (Program guidance)	FY 02-03
C.3.e.	O&M verification	Begin reporting on O&M verification program in Annual Report	Sept. 15, 2003	Co-permittees	
C.3.j.	Site design guidance	Submit draft proposal for revised site design standards and guidance	Sept. 15, 2003 (<i>July 1, 2003?</i>)	Program	FY 02-03
C.3.e	O&M verification	Implement an O&M verification program for Group 1 projects with landscape and all other BMPs, such as vegetated swales, dry or wet ponds.	Oct. 15, 2003	Co-permittees (Program guidance)	02-03/03-04
C.3.f.	Peak flow limitation	Submit final HMP for Regional Board approval	Oct. 15, 2003	Program	02-03/03-04

Table 2, continued
C.3. Provisions Implementation Schedule

Provision	Activity	Action	Implementation Date	Implementing Party	Funding Year
C.3.f.	Peak flow limitation	Implement HMP	Following RWQCB approval	Co-permittees (Program guidance)	02-03/03-04
C.3.c.	Project size	Propose alternative minimum project size (optional)	April 15, 2004	Program and Co-permittees	02-03/03-04
C.3.j.	Site design guidance	Incorporate revisions into local process and fully implement site design standards and guidance	Sept. 15, 2004	Co-permittees (Program guidance)	03-04/04-05
C.3.c.	Project size	Require stormwater treatment BMPs at Group 2 projects (<i>Prepare Program guidance</i>)	Oct. 15, 2004	Co-permittees (Program guidance)	03-04/04-05
C.3.g.	Waivers	Report on any waiver(s) granted by the Discharger in Annual Report, due Sept. 15 of each year	Begin the year a waiver is granted (FY 03-04 Annual Report, Sept. 15, 2004)	Co-permittees	
C.3.l.	General Plans	Confirm that any water quality and watershed protection principles and policies necessary to implement ... C.3. ... have been incorporated into the General Plan or equivalent plan.	Next scheduled update/revision to occur after Oct. 15, 2004	Co-permittees	
C.3.n.	Reporting	See Table 1.	See Table 1		

Legend: Italicized actions indicate implementation steps not specifically listed in Provision C.3. but identified by Program staff.

* This implementation date is subject to submittal of an acceptable work plan by March 1, 2002. If no acceptable work plan is received, the implementation date shall be October 15, 2002.

Table 3
C.3. Provisions Implementation -- Approximate Budget Allocation and Approach for FY 01-02 Tasks

Permit Prov. No.	Action	Implementation Date	Implementing Party	Funding Year	Approximate FY 01-02 Budget	Notes / Approach
C.3.b.	1. Submit work plan for completion of modifications to development project review process	March 1, 2002 (work plan); begin implementation guidance	Program and Co-permittees	FY 01-02	\$15,000	Program to develop guidance for co-permittee work plans and guidance on implementation
C.3.c.	2. Submit work plan identifying progress toward implementation of Group 1 requirements (and preparation of guidance)	March 1, 2002 (work plan); begin implementation guidance	Program and Co-permittees	FY 01-02	\$15,000	Program to develop guidance for co-permittee work plans and guidance on implementation
C.3.f.	3. Submit a detailed work plan and schedule for HMP; begin work	March 1, 2002 (work plan); begin to develop HMP	Program, District, and consultant	FY 01-02	\$40,000	Program staff to work with consultant team and District staff to develop work plan
C.3.j.	4. Submit work plan & schedule for completion of review, revision, and implementation of site design standards and guidance	March 1, 2002 (work plan); begin implementation guidance	Program and Co-permittees	FY 01-02	\$10,000	Program to develop guidance for co-permittee work plans and guidance on implementation
C.3.j.	5. Oversee/help fund BASMAA project "Using SAS to Comply with Development Standards"	June 2002	Program and consultant	FY 01-02	\$35,000	\$25K contribution to BASMAA + \$10K contract management/review
C.3.g.	6. Complete work on waiver program policy/legal issues; begin work on technical issues	June 2002	Program and Co-permittees	01-02/02-03	\$30,000	Staff to work with ad hoc group and legal counsel (not including legal fees)
C.3.f.	7. Submit literature review for HMP	Sept. 15, 2002	Consultant	01-02/02-03	\$15,000	Consultant to complete draft by July 2002
C.3.k.	8. Submit draft conditions of approval document for source control measures	Sept. 15, 2002	Program and Co-permittees	01-02/02-03	\$10,000	Program staff begin work compiling existing COAs and draft model list to add to performance standards
	Total available budget*				\$170,000	

* Available budget includes \$150,000 allocated for new development tasks (SC33.24) and \$20,000 from the budgets for work plan development and continuous improvement (SC33.21 and SC33.25).

**Guidance for Work Plan Tasks Related to Implementation of
Permit Provision C.3.
(New and Redevelopment Requirements)**

FYs 01-02 and 02-03

Introduction

The purpose of this C3 Work Plan Guidance is to organize the efforts to be completed by the Program and the Co-permittees in order to meet the requirements of the Program's NPDES Permit Provision C.3., New and Redevelopment Project Requirements, as revised by Order 01-119 (adopted 10/17/01). Work Plan elements correspond to each subsection of Provision C.3. The Work Plan identifies the goals of each element, proposed actions, and completion schedules. The Work Plan Guidance also identifies whether actions will be implemented at the Program level, Co-permittee level, or both. In this way, the Work Plan Guidance assists Co-permittees in developing their individual work plans for inclusion in the Program's FY 02-03 Work Plan submittal to the Regional Board, due March 1, 2002. Co-permittee work plans provide more detail on subtasks specific to each Co-permittee and appropriate schedules.

In order to ensure a coordinated, collaborative Program-wide approach, it is requested that Co-permittee work plan tasks that are developed and conducted outside of this work plan framework be communicated to the Management Committee and coordinated with the overall efforts of the Program.

Also, in consideration of the interest of other Bay area stormwater agencies in the Program's efforts to implement C.3., Program staff will look for opportunities to work with BASMAA agencies, through the BASMAA New Development Committee, on some of the C.3. elements and allow for their review and input as time permits.

Legend:

"X" = will implement at this level (Program or Co-permittee)

"N" = not being implemented at this level

"A" = assist with or develop guidance for implementation¹

"R" = coordinate with regional effort

"O" = optional

"CI" = continuous improvement

"WD" = Santa Clara Valley Water District

"CSJ" = City of San Jose

"TBD" = to be determined

"AR" = annual report

Completion dates in **bold** are dates specified in Permit Provision C.3.

Completion dates in *italics* are suggested dates based on the permit- required schedule for other tasks.

¹ Co-permittee assistance with a Program-level activity can consist of participation in an ad hoc task group, and/or review and approval of Program products.

C3 Work Plan Guidance (New and Redevelopment Requirements)

<p><u>C.3.b. Development Project Approval Process</u></p> <p>Goal: To modify local Co-permittee development project approval processes, for both private and public development projects, to incorporate the requirements of Provision C.3.</p> <p>Actions –</p>	Program	Co-permittee	Completion Date	Required by C.3. Section
<p>b.1. Assess current stormwater-related requirements in Co-permittee’s development review process, for public and private projects, and identify additional steps or tools required at each stage of the process to meet C.3. requirements.</p>	A	X	6/02	b. (all)
<p>b.2. Develop new or modify existing review policies, procedures, and/or conditions of approval to incorporate Group 1 requirements (based on results of tasks under C.3.c. through C.3.m.)</p>	A	X	7/1/03	b. (all)
<p>b.3. Train Co-permittee staff in planning, building, and engineering departments on the C.3. provisions and goals, the required changes in the approval process, and the use of appropriate tools.</p>	A	X	6/03 <i>(Program workshop ~ 11/02)</i>	b. (all)
<p>b.4. Submit work plan for completion of Provision C.3.b. requirements. Identify incremental progress made toward completion of Actions b.1., b.2., and b.3. above in FY 02-03 Work Plan. (For example, completion of “Development Policies Comparison” work sheet.)</p>	A	X	3/02	b. (last para.)
<p><u>C.3.c. Requirements for Group 1 and Group 2 Projects</u></p> <p>Goal: Prepare to require proponents of Group 1 projects to design and implement stormwater treatment BMPs to reduce stormwater pollution to the maximum extent practicable. Participate in development of the proposal for an alternative Group 2 project definition and prepare to implement C.3. requirements for Group 2 projects as needed.</p> <p>Actions –</p>	Program	Co-permittee	Completion Date	Required by C.3. Section
<p>c.1. Develop and implement a procedure to request and log the type, size, and impervious area of every project (and extent of redevelopment if applicable) for determination of applicability of Group 1 (and later Group 2) requirements.</p>	A	X	4/02	c.i., c.iii., n.
<p>c.2. Develop a method for determining whether a private project was “deemed complete” by 7/15/03, or documenting that a public project was funded and scheduled for construction by 10/15/03.</p>	N	X	3/02	c. (1 st para.)
<p>c.3. Submit work plan for completion of Provision C.3.c. requirements. Identify incremental progress made toward completion of Actions c.1. and c.2. above, and other actions related to Group 1 implementation, in FY 02-03 Work Plan.</p>	X	X	3/02	c.i.
<p>c.4. Compile guidance being developed under other elements (i.e., project review procedures, site design measures, source control measures, numeric design criteria, O&M verification, etc.) into one guidance manual for implementation of Group 1 project requirements.</p>	X	A(O)	Draft 12/02; Final 3/03	

c.5.	Revise portions of the model Planning Procedures Performance Standard to incorporate the Group 1 requirements and other C.3. requirements.	X	A	<i>Draft 12/02; Final 3/1/03</i>	
c.6.	Incorporate revised model Planning Procedures Performance Standard in to local urban runoff management plans.	N	X	6/03	
c.7.	Develop approach for evaluating an alternative minimum project size and identify data needs from Co-permittees.	X	A	3/02	c.iii.
c.8.	Conduct analysis of alternative minimum project size and prepare proposal for submittal to Regional Board.	X	A	4/15/04	c.iii.
c.9.	Update guidance manual and performance standards for Group 2 projects as needed.	X	A	9/04	
C.3.d. Numeric Sizing Criteria					
Goal: Develop specific and clear hydraulic design criteria to assist agencies and project applicants in sizing BMPs to meet requirements of provision C.3.d.					
Actions –		Program	Co-permittee	Completion Date	Required By C.3. Section
d.1.	Analyze local rainfall data and develop area-specific volume and flow based design criteria (Program with assistance from SCVWD).	X	A (WD)	9/02	d. (all)
d.2.	Develop guidance on appropriate criteria to use for each BMP type.	X	A(O)	12/02	
C.3.e. Operation and Maintenance of Treatment BMPs					
Goal: To develop and implement local agency operation and maintenance (O&M) verification programs to help ensure the proper maintenance of stormwater treatment measures on public and private property.					
Actions –		Program	Co-permittee	Completion Date	Required By C.3. Section
e.1.	Develop and implement a procedure for logging information about treatment BMPs installed at approved Group 1 projects, and for maintaining a list or database of properties, treatment BMPs, and responsible operators.	A	X	6/03 (7/15/03)	e.i.
e.2.	Develop model language for documents assigning responsibility to the developer/owner of private projects for O&M of treatment BMPs, or to the appropriate agency for O&M of treatment BMPs at public projects. These documents may include O&M responsibility agreements, written conditions in sales/ lease agreements, use permit conditions, provisions in CC&Rs, etc.	X	A(O)	12/02	e.ii.
e.3.	Adapt model O&M agreement language to meet agency-specific needs and requirements and incorporate into the project review and approval process.	N	X	6/03	e.ii.
e.4.	Develop fact sheets on the O&M requirements and frequencies for various BMP types that can be used to educate parties responsible for O&M and attached to O&M agreements. Include fact sheets for pesticide reduction measures related to landscape maintenance.	X	A(O)	3/03	

e.5.	Develop local programs for inspection of a subset of prioritized treatment BMPs to verify that proper O&M is being performed by the responsible party (Program to assist in defining which BMPs are priority for inspection.)	A	X	6/03 (7/15/03)	e. (all)
e.6.	Report on the Co-permittee's treatment BMPs O&M verification program in each annual report, including organizational structure, evaluation of effectiveness, and planned improvement to the program. Include a list or summary of treatment BMPs inspected during the year, inspection results, and any required follow-up and correction.	A	X	9/03 AR and ongoing	e.iii.
C.3.f. Hydromodification Management Plan					
<p>Goal: To manage increases in runoff peak flow and volume for Group 1 projects, where such increases may cause increased erosion of creek beds and banks or related impacts, through implementation of a hydromodification management plan (HMP).</p> <p>Actions –</p>		Program	Co-permittee	Completion Date	Required by C.3. Section
f.1.	Complete the HMP and required interim products (Program, SCVWD, and City of San Jose have lead role): -- Detailed work plan and schedule -- Literature review -- Draft HMP -- Final HMP (for approval by the Regional Board).	X	A(O)	3/1/02 9/15/02 3/1/03 10/15/03	f.viii.
f.2.	Develop guidance to the Co-permittees on implementation of the HMP as part of requirements for Group 1 projects that may cause increased erosion or other related impacts.	X	A(O)	<i>Draft 10/03; Final after RB approval</i>	
f.3.	Upon adoption by the Regional Board, begin implementation of HMP requirements for Group 1 projects that may cause increased erosion or other related impacts. Before adoption, encourage early implementation of likely elements of the HMP where possible.	N	X	<i>10/03 (early implement); TBD pending RB approval</i>	f.viii.5., f.i., c.i.
f.4.	Evaluate potential regional treatment and/or flow control projects (Water District with Program and City of San Jose assistance.).	A	X (WD)	<i>6/03; ongoing</i>	f.vii., g.ii.
C.3.g. Waiver and Compensatory Mitigation Program					
<p>Goal: Develop a model under which a project proponent may request a waiver from treatment BMP requirements for a given project due to impracticability, with a provision to provide other equivalent water quality benefit or credits or treatment of an equivalent pollutant loading or quantity of stormwater (that allows participation in regional solutions).</p> <p>Actions –</p>		Program	Co-permittee	Completion Date	Required By C.3. Section
g.1.	Develop a model waiver program that includes: -- the legal requirements and mechanisms for implementing the waiver program -- criteria for determining impracticability or infeasibility (technical and financial); -- method for evaluating the equivalency of the proposed mitigation; -- criteria for participation in regional facilities; -- requirements for logging project information for reporting purposes.	X	A	<i>Draft 4/02; Final 7/02</i>	g.iii.

g.2. Develop local waiver program, perform legal review, and incorporate waiver provisions in project review process. (If model program has not been adopted by Regional Board, develop interim waiver program per C.3.g.vi.)	N	X	6/03 (7/15/03)	g.iii., g.vi.
g.3. Begin tracking information for reporting on waivers granted, including project name, location, type, percent impervious surface, reasons for and terms of waiver, and the alternative benefit project and completion date.	A	X	7/03 (as needed)	g.v.
<p><u>C.3.h. Alternative Certification</u></p> <p>Goal: To allow a professionally qualified person (per C.3.h.) or another Co-permittee with overlapping jurisdiction to certify the adequacy of design of stormwater treatment measures (per C.3.d. and f.).</p> <p>Actions –</p>	Program	Co-permittee	Completion Date	Required by C.3. Section
h.1. Develop an internal procedure to allow alternative certification.	N	X(O)	6/03	
<p><u>C.3.j. Site Design Measures Guidance and Standards Development</u></p> <p>Goal: To incorporate site design measures that reduce water quality impacts into local design standards and encourage their use in project designs so as to meet the requirements of C.3.</p> <p>Actions –</p>	Program	Co-permittee	Completion Date	Required by C.3. Section
j.1. Develop and submit a detailed work plan and schedule for review, revision, and implementation of revised site design standards and guidance.	X	X	3/1/02	j.ii.1.
j.2. Review existing local design standards and guidance, and compare them to the list of areas to address in Provision C.3.j. and other references such as “Start at the Source” and the “Development Policies Comparison” work sheet. Prepare and submit an analysis of local standards, identified opportunities for revision, and proposed revisions. (Program to prepare guidance for Co-permittees on this work product.)	A	X	Guidance 12/02 9/15/03 (FY 02-03 AR)	j.ii.2.
j.3. Oversee completion of and work with the BASMAA work group on the BASMAA project “Using Start at the Source to Comply with Development Standards”, which will evaluate how site design measures can be used to meet the numeric design standards in Provision C.3.d.	X(R)	A(O)	6/02 <i>(workshop Fall 2002)</i>	
j.4. Incorporate any revised standards and guidance into local project approval process and “fully implement” the revised standards and guidance.	N	X	9/15/04	j.ii.3.

<p><u>C.3.k. Source Control Measures</u></p> <p>Goal: Require source control measures for new and redevelopment projects to limit pollutant generation, discharge and runoff to the maximum extent practicable.</p> <p>Actions –</p>	Program	Co-permittee	Completion Date	Required by C.3. Section
<p>k.1. Revise the current Planning Procedures Performance Standard to include source control requirements (complete as part of Action c.5.). Develop a model list of source control measures (in the form of conditions of approval), based on existing lists used by Co-permittees, examples in Provisions C.3.k. and other references, and include the list as an attachment to the revised performance standard. Products:</p> <ul style="list-style-type: none"> -- Draft conditions of approval for source control measures -- Model revised performance standard 	X	A	<p>9/15/02 3/1/03</p>	k. (last para)
<p>k.2. Incorporate model revised Planning Procedures Performance Standard into local urban runoff management plans.</p>	N	X	6/03	
<p>k.3. Develop a work plan for and begin implementation of source control measures requirements by including appropriate conditions of approval in Group 1 projects. Report status and provide examples of application of conditions in annual reports.</p> <ul style="list-style-type: none"> -- Work plan submittal -- Begin implementation -- Document in annual reports 	N	X	<p>3/1/03 7/1/03 9/03 AR and ongoing</p>	k. (last para)
<p><u>C.3.I. Update General Plans</u></p> <p>Goal: Include water quality and watershed protection principles and policies in General Plans to the extent necessary to provide the basis for implementation of the measures required by Provision C.3.</p> <p>Actions –</p>	Program	Co-permittee	Completion Date	Required by C.3. Section
<p>I.1. Review current General Plan policies related to water quality and watershed protection and incorporate additional policies as needed to implement C.3. requirements. Refer to Provision C.3.I. for examples. Two deadlines:</p> <ul style="list-style-type: none"> -- If amendment of General Plan is legally necessary to implement C.3. -- If amendment is not legally necessary 	N	X	<p>7/15/03</p> <p>Next scheduled revision after 10/15/04</p>	

<p><u>C.3.m. Water Quality Review Processes</u></p> <p>Goal: To ensure that water quality impacts and appropriate mitigation measures are identified as part of environmental review of proposed projects.</p> <p>Actions –</p>	Program	Co-permittee	Completion Date	Required by C.3. Section
<p>m.1. Review CEQA initial study checklists and other environmental review documents and modify documents as needed to include questions that sufficiently address water quality impacts of projects (see example questions in Provision C.3.m.)</p>	N	X	3/1/03	m.
<p><u>C.3.n. Reporting Requirements</u></p> <p>Goal: To meet the Provision C.3. reporting requirements, and plan for anticipated data needs, and begin collecting and tracking required data on development projects as needed.</p> <p>Actions –</p>	Program	Co-permittee	Completion Date	Required by C.3. Section
<p>n.1. Provide information described in Table 1 of Provision C.3. in annual reports (Program to provide guidance for each annual report).</p>	A	X	<p><i>Guidance May 2002</i></p> <p>Begin with FY 01-02 AR (9/15/02)</p>	n.
<p>n.2. Prepare summary of data to be collected to meet C.3. requirements and recommendations for data management (data base fields, stage in review process to request data, etc.)</p>	X	A(O)	4/02	
<p>n.3. Collect and report the following for all new and redevelopment projects²: -- project name, location, type (per C.3.c.), size (ac. or sq.ft.), and impervious surface area. For redevelopment projects, include area of land disturbance.</p>	N	X	<p>Begin to collect 4/02; first report FY 01-02 AR (9/15/02)</p>	n.i.
<p>n.4. Collect and report the following for all projects that must implement treatment measures: BMPs, site design, and source control measures used, sizing criteria, O&M responsibility mechanism and responsible party.</p>	N	X	<p>Begin to collect 7/03; first report FY 02-03 AR (9/15/03)?</p>	n.ii.
<p>n.5. Collect information and report a summary of types of pesticide reduction measures required for development projects, and the percentage of projects for which pesticide reduction measures were required. (Model conditions of approval for pest resistant landscaping features and practices and a reporting format for pesticide reduction measures are being prepared as part of Actions VII.A.1. and VII.A.4. of the Program's Pesticide Management Plan. Co-permittees are to begin to consider pest-resistant landscaping and design features in the design, landscaping and environmental reviews of development projects in FY 02-03, per Pesticide Management Plan Action VII.A.2.)</p>	A	X	<p>Begin to collect 7/02; first report FY 02-03 AR (9/15/03)</p> <p><i>(Model COA 6/02)</i></p>	n.iii.

² Provision C.3.n. requires this information for all projects which meet the Group 1 and Group 2 definitions. Program staff request that Co-permittees consider collecting this information for all projects (and inform Program staff of their decisions), so that there is sufficient data to conduct the alternative project size analysis. As the approach to the alternative project size analysis is further developed, the data needs will be better defined and communicated to the Co-permittees.

