



Development Planning Program Requirements Current MS4 Permit





Development Planning

- **Current Includes 4 Program Requirements**
 - ❑ Standard Urban Storm Water Mitigation Plan (SUSMP)
 - ❑ Site/Activity-Specific BMPs/Mitigation Measures
 - ❑ Evaluating CEQA Projects for Runoff Pollution
 - ❑ General Updates of Certain Elements



Development Planning

- Standard Urban Storm Water Mitigation Plans (SUSMP)
 - ❑ Requires certain level of BMPs depending on project type
 - ❑ Includes development and redevelopment projects
 - ❑ Impacts Planning & Building/Safety



Development Planning

➤ SUSMP Projects

- ❑ Single Family Hillside Home under 1 acre
- ❑ Single Family Hillside Home over 1 acre
- ❑ Ten or more unit homes (includes single family homes, multifamily homes, condominiums, and apartments)
- ❑ A 43,560 square feet (1 acre) of impervious surface area industrial or commercial development
- ❑ Automotive service facilities
 - 5013 - Motor vehicle supplies and new parts
 - 5014 - Tires and tubes
 - 5541 - Gasoline Stations (not RGOs)
 - 7532 - Top & body repair & paint shops
 - 7533 - Auto exhaust system repair shops
 - 7534 - Tire re-treading and repair shops



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➤ SUSMP Projects (continued)

- 7536 - Automotive glass replacement shops
- 7537 - Automotive transmission repair shops
- 7538 - General automotive repair
- 7539 - Automotive repair shops (all inclusive category for everything not listed above)
- ❑ Retail gasoline outlets
- ❑ Restaurants (SIC 5812) – stand alone
- ❑ Parking lots 5,000 square feet or more of surface area or with 25 or more parking spaces
- ❑ Redevelopment projects in subject categories that meet Redevelopment thresholds
- ❑ Any project within an ESA (environmental sensitive area)



Development Planning -SUSMP

➤ BMPs

- ❑ Requires 3 types of BMP categories:
 - Tier I, most project types (e.g., no dumping catch basin signage, no exceedance of peak flow runoff rate, proper trash area design, slope and channel protection)
 - Tier II, use-specific (e.g., RGOs)
 - Tier III, mechanical/infiltration controls for some projects to address post-construction runoff pollution (applies to most planning priority categories)



Development Planning – SUSMP

Tier I

- Applies to most SUSMP project categories and requires
 - ❑ No dumping signage on catch basins
 - ❑ No exceedance of pre-con peak flow (post-con runoff Q pre-con “ Q ”)
 - ❑ Properly designed trash enclosure (standard)
 - ❑ Slope and channel protection for unlined conveyances (most cities drain into lined flood control channels)

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Tier II, Use-Specific (RGOs)



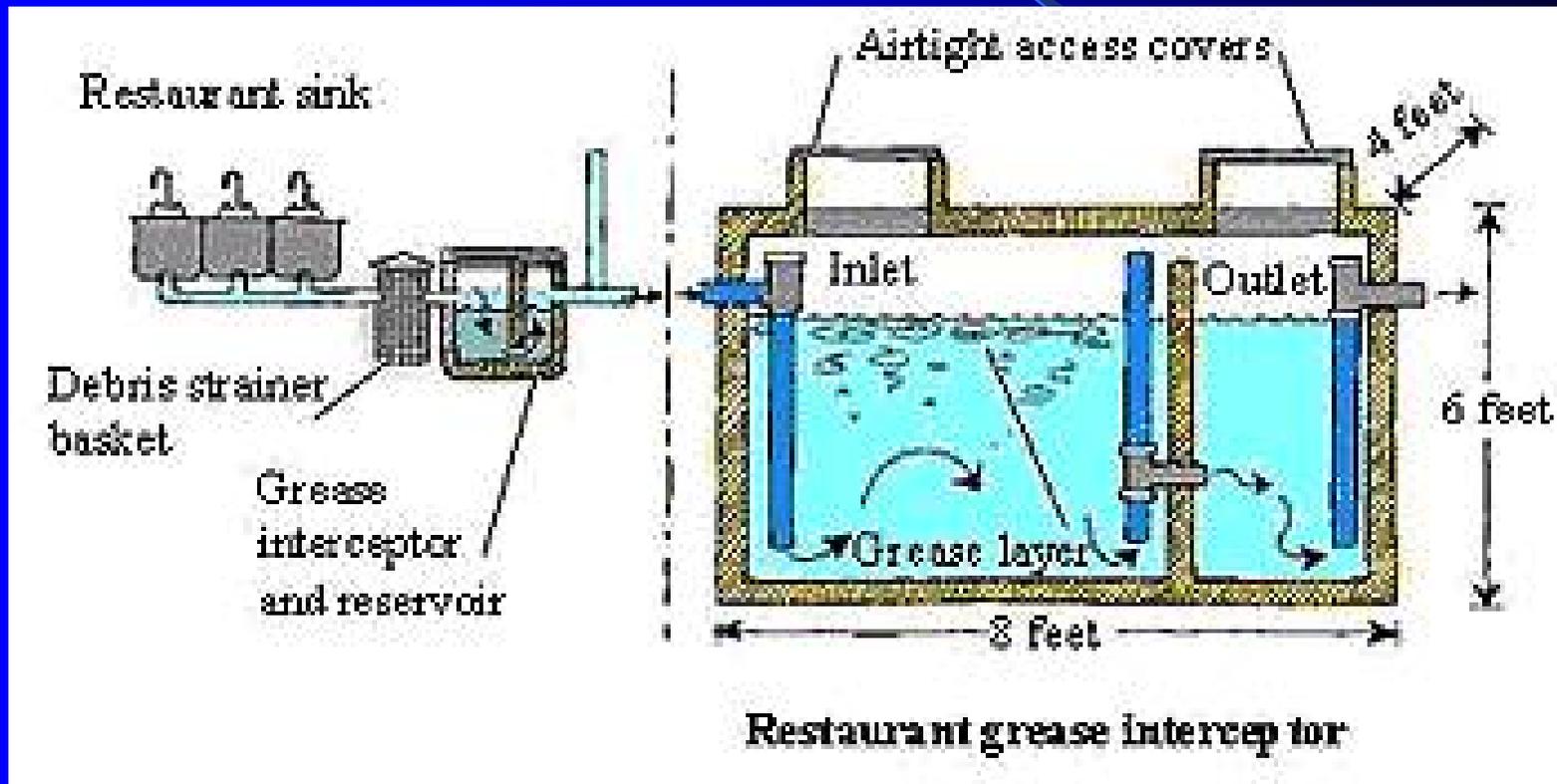
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Tier II, Use-Specific (Industrial/Commercial)



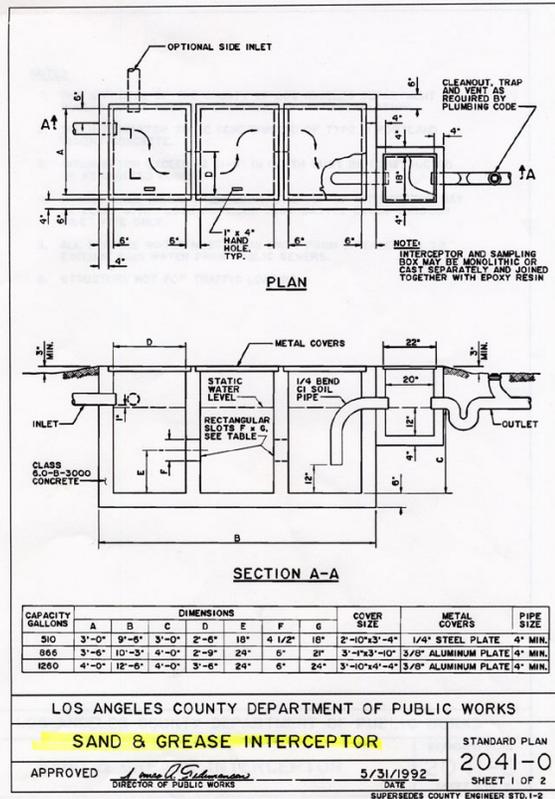
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Tier II, Use-Specific (Restaurants)



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Tier II, Use-Specific (Automotive-Related)





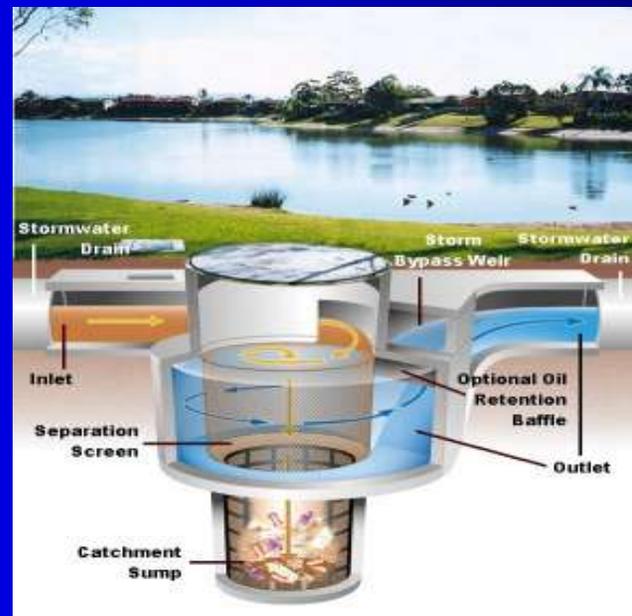
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TIER III BMPs

(Post-Construction Runoff Pollution Control)

➤ Vortex Separation Systems

- Great for trash, lousy for oil & grease (typically pollutants on hard-scaped surfaces)
- Requires A Lot Maintenance
- Very expensive: \$5,000 to \$100,000
- Require Lots Head to Drive Them





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TIER III BMPs

- **Mechanical and Infiltration Controls**
 - ❑ Post-construction runoff pollution reduction
 - ❑ Applies to most but not all SUSMP-projects
 - ❑ Selection of control should be based on cost, performance in addressing the pollutant of concern (e.g., oil and grease) reputation of vendor/product reliability, and feasibility of installation
 - ❑ Controls must be designed (sized) properly in accordance with one of several “numeric criteria”

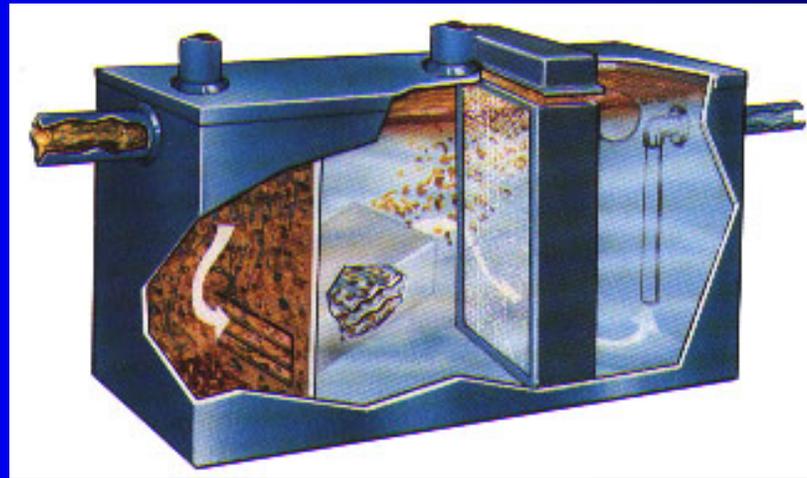


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Mechanical BMP Examples

➤ Oil/Water Separators

- ❑ Great for oil & grease and metal fines (but that's it)
- ❑ Requires Maintenance (chambers must be cleaned-out by a hazardous waste hauler periodically) which can be expensive
- ❑ Can be expensive: \$2,000 to \$50,000



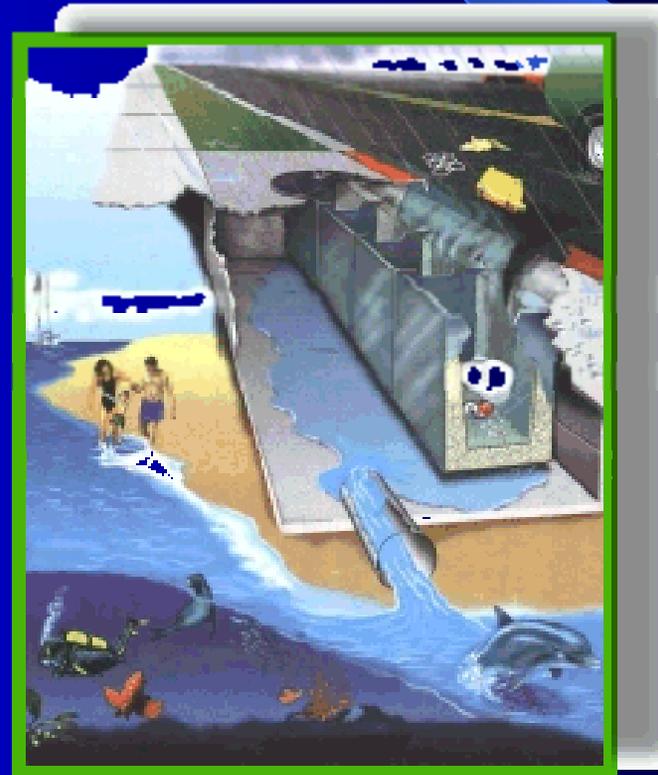
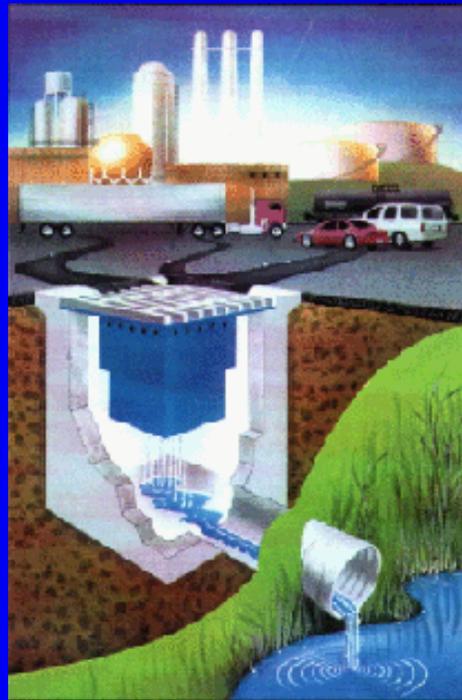


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Mechanical BMP Examples

➤ Catch Basin Inserts

- ❑ Okay for oil & grease and metal fines
- ❑ Uses fabric filters
- ❑ High Maintenance (filters must be replaced frequently)
- ❑ Inexpensive: \$1,000 to \$2,000

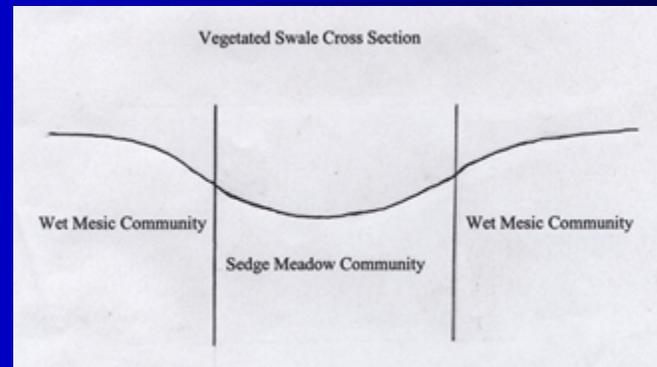




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Infiltration BMP Examples

- **Vegetative (Grass) Swales**
 - ❑ Effective against all pollutants
 - ❑ Low to Moderate maintenance (depending on vegetations)
 - ❑ Relatively Inexpensive





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Infiltration BMP Examples

- **Detention/Retention Basins**
 - ❑ Effective against all pollutants
 - ❑ Low to Moderate maintenance (depending on vegetations)
 - ❑ High Capital Cost (reduces developable area)





Development Planning

Infiltration BMP Examples

➤ Hard Infiltration Controls

□ Unit Pavers

- Effective against most pollutants
- Low maintenance
- High capital cost



Development Planning

Infiltration BMP Examples

➤ Hard Infiltration Controls

- ❑ Unit Pavers
- ❑ Effective against most pollutants
- ❑ Low maintenance
- ❑ High Capital Cost



Development Planning

Infiltration BMP Examples

➤ Hard Infiltration Controls

- ❑ Plastic Chambers
- ❑ Effective against most pollutants
- ❑ Low maintenance
- ❑ High Capital Cost





Development Planning BMPs

- Mechanical/infiltration controls require sizing according to the following numeric criteria
 - ❑ The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in *California Stormwater Best Management Practices Handbook – Industrial/ Commercial*, (1993); or
 - ❑ The volume of runoff produced from a 0.75 inch storm event, prior to its discharge to a storm water conveyance system; or



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BMPs

- **Mechanical/infiltration controls require sizing according to the following numeric criteria**
 - ❑ **The 85th percentile 24-hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in *Urban Runoff Quality Management, WEF Manual of Practice No. 23/ ASCE Manual of Practice No. 87, (1998)*; or**
 - ❑ **The flow of runoff produced from a rain event equal to at least 0.2 inches per hour intensity; or**
 - ❑ **The flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for Los Angeles County; or**
 - ❑ **The flow of runoff produced from a rain event that will result in treatment of the same portion of runoff as treated using volumetric standards above.**



Development Planning

BMPs

➤ Mechanical/Infiltration Control Selection

❑ Permit and SUSMP USED to allow developers to select appropriate mechanical/infiltration controls

- Regional Board now wants municipal Permittees to require developers to prefer infiltration over mechanical structural controls
- Regional Board has been issuing Notices of Violation to intimidate municipal Permittees into compelling infiltration
- There are infiltration controls and then there are infiltration controls (some are more appropriate than others)
- Still, infiltration controls are more effective and in many cases less expensive than mechanical structural controls



Development Planning

BMPs

- **Mechanical/Infiltration Control Selection (continued)**
 - ❑ Municipal Permittees should require infiltration if feasible
 - ❑ Infeasible situations include
 - hillside developments where there is the threat of slope failure
 - infiltrating runoff from streets (public and private)
 - infiltrating runoff from industrial areas where there is the risk of an accidental release of pollutant materials to the sub-surface
 - infiltrating runoff into inappropriate soils
 - ❑ Municipal Permittees can require mechanical controls if infiltration is not feasible



Development Planning

BMPs

➤ Mechanical/Infiltration Control Selection (continued)

❑ Infeasible situations include

- hillside developments where there is the threat of slope failure
- infiltrating runoff from streets (public and private)
- infiltrating runoff from industrial areas where there is the risk of an accidental release of pollutant materials to the sub-surface
- infiltrating runoff into inappropriate soils



Development Planning

BMPs

- **Maintenance Agreement Requirement**
 - ❑ The developer's signed statement accepting responsibility for maintenance until the responsibility is legally transferred; and either
 - ❑ A signed statement from the public entity assuming responsibility for Structural or Treatment Control BMP maintenance and that it meets all local agency design standards; or
 - ❑ Written conditions in the sales/lease agreement requiring recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year, or



Development Planning

BMPs

- **Maintenance Agreement Requirement (continued)**
 - ❑ Written text in project conditions, covenants and restrictions (CCRs) for residential properties assigning maintenance responsibilities to the Home Owners Association for maintenance of the Structural and Treatment Control BMPs; or
 - ❑ Any other legally enforceable agreement that assigns responsibility for the maintenance of post-construction Structural or Treatment Control BMPs.



Development Planning

Project Activities Requiring
BMPs/Mitigation Measures
(Separate from SUSMP Categories)



Development Planning

- Project activities requiring BMPs (storm water mitigation) through CEQA review or discretionary approval
 - ❑ Vehicle or equipment fueling areas (canopy, proper grading/trench drains)
 - ❑ Vehicle or equipment maintenance areas, including washing and repair (clarifier usually)
 - ❑ Commercial/industrial waste handling (indoor storage/handling)
 - ❑ Outdoor handling/storage of hazardous materials (under cover/roof, off the ground)



Development Planning

- Project activities requiring BMPs (storm water mitigation) through CEQA review or discretionary approval
 - ❑ Outdoor animal care, confinement or slaughter (clarifier, illicit discharge prevention)
 - ❑ Outdoor horticulture (clarifier, illicit discharge prevention)



Development Planning

CEQA Requirements



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CEQA Reviews

- **Mitigated Negative Declarations/EIRs**
 - ❑ If a project includes any of the project activities just mentioned, prescribe appropriate mitigation measures
 - ❑ If project also includes 1 of the 9 SUSMP project categories, indicate that it will conform with SUSMP requirements



Development Planning

General Plan Requirements



Development Planning General Plan

➤ Applies to 4 Elements

- Open Space
- Conservation
- Housing
- Land Use



Development Planning General Plan

- Each element should contain reference to runoff considerations
 - ❑ General Plan Consultants are usually aware of this requirement
 - ❑ Notify me of any planned update of these elements
 - ❑ Updated element must be submitted to the regional board



Development Planning

➤ Public Education

□ Developer/Contractor Fact Sheets

- ✓ A permit requirement
- ✓ Make them available, preferably at the counter for better visibility
- ✓ Make sure to re-stock them



Development Planning

Ventura Permit

(adopted In May of 2009)



Development Planning

**WHAT ARE THE DIFFERENCES
BETWEEN THE CURRENT LA
PERMIT AND THE RECENTLY
VENTURA PERMIT?**



Development Planning

➤ Next L.A. Permit

- ❑ Will be based on the **Ventura Permit**
- ❑ Will be more stringent and costly to comply with
 - largely because of the low impact development requirements and the effective impervious target of 5% for new developments/redevelopments
 - TMDLs will be incorporated (permit authorizes compliance with TMDLs)



Development Planning

➤ Ventura & Next LA Permit

- ❑ SUSMP has been **eliminated** – it appears
- ❑ no reference to SUSMP in final Ventura Permit
 - Tier I and II requirements are gone (THOUGH ONCE THE REGIONAL BOARD DISCOVERS THIS IT WILL WANT TO PUT THEM BACK)
 - Only post-construction runoff mitigation (Tier III) is required
 - ✓ consist of low impact development
 - ✓ infiltrating more runoff than is required
 - ✓ Water conservation/storage is also a LID purpose



Development Planning

- Site/Activity-Specific BMPs/Mitigation Measures
 - **Also gone** (e.g., proper design of fuel islands at commercial or industrial facilities such as a municipal corporate yard)
 - May be brought back by the Regional Board



Planning and Land Use Development

➤ Next LA Permit

□ Planning and Land Use Development Program
Replaces Development Planning/SUSMP

✓ Subject Projects

- **New Developments** (not infill)
- All one acre projects that add 10,000 plus of impervious area (not just industrial and commercial developments that result in the disturbance of one acre of soil) – hits all multi-unit housing developments
- Industrial Park, 10,000 s.f. or surface area (soil disturbance is not a factor)
- Gas Stations 5,000 s.f. of surface area (same)
- Restaurants 5,000 s.f. or more of surface area (same)
- Parking lot, 5,000 s.f. or more of surface area (same)
- **Streets, roads, highways, and freeway construction 10,000 s.f. or more (NEW!) using USEPA guidance to the MEP**



Planning and Land Use Development

➤ **Next LA Permit (continued)**

□ Planning and Land Use Development Program
Replaces Development Planning/SUSMP

✓ Subject Projects

- Automotive Facilities (same)
- Any project located in or directly adjacent to an ESA (likely to impact a sensitive habitat or biological species) or create 2500 s.f. or more of impervious surface (SAME)



Planning and Land Use Development

➤ **Ventura & Next LA Permit (continued)**

- Planning and Land Use Development Program

Replaces Development Planning/SUSMP

- ✓ Subject Projects

- Single-family hillside homes (same)



Planning and Land Use Development

➤ **Ventura & Next LA Permit (continued)**

- Planning and Land Use Development Program
Replaces Development Planning/SUSMP

- ✓ Redevelopment Projects (infill)

- Land disturbing activity that replaces or creates 5,000 s.f. of impervious surface on an existing site



Planning and Land Use Development

- Planning and Land Use Development Program Performance Criteria
 - ✓ Infiltration, storage, and reuse are required (treatment controls such as catch basin inserts are out)
 - ✓ Will require infiltrating, storing, and reusing runoff on-site
 - ✓ Advances the concept of Effective Impervious Area (EIA) with the 5% limitation of the total project area (95% percent of the project area)
 - ✓ Needs to be achieved using Low Impact Development techniques
 - ✓ Low Impact Development

