



NOTICE INVITING PROPOSALS

TITLE OF WORK: City of Marina Stormwater Public Education / Outreach, Public Involvement / Participation Services and Program Support.

SUMMARY OF WORK: The City of Marina is seeking proposals from Qualified Professionals and / or Qualified Firms to perform Public Education / Outreach and Public Involvement / Participation and Program Support services to fulfill the existing National Pollutant Discharge Elimination System (NPDES) Permit and associated requirements. It will be implemented during the 2016-17 and 2017-18 Fiscal Year. This Scope of Work for the Stormwater Program Support Services is stipulated within the MS4 Phase II Permit, the Central Coast Post Construction Requirements and Community Based Social Marketing Requirements as outlined within the associated "Request for Proposals".

RECEIPT AND OPENING OF PROPOSALS: Proposals will be received by the Public Works Department, until 2:00 p.m. on Wednesday, November 30 at Marina City Hall, 211 Hillcrest Avenue, Marina CA 93933.

SECURING BID DOCUMENTS: Copies of the Request for Proposals may be obtained free of charge from the Public Works Department by contacting Edna Gomez at (831) 884-1212, via email at egomez@ci.marina.ca.us or via the internet at www.ci.marina.ca.us.

Publish Dates: November 2, 2016

REQUEST FOR PROPOSALS
City of Marina Stormwater Management Program
Public Education & Outreach Element

INTRODUCTION

The overall goal of the City's Stormwater Management Program has been to develop, implement, and administer a storm water pollution prevention program to reduce the discharge of pollutants in storm water to the maximum extent practicable per the requirements of the State Water Resources Control Board's *NPDES* General PERMIT.

On February 5, 2013, the State Water Resources Control Board adopted Water Quality Order No. 2013-001-DWQ, General PERMIT No. CAS000004 Phase II Small Municipal Separate Storm Sewer Systems (*MS4s*) PERMIT (*2013 Phase II PERMIT*), accessible online at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

As of the date of this RFP the program is in its' 4th Permit Year (Permit Year July 1 – June 30 annually) of the current MS4 Phase II PERMIT (*2013-0001-DWQ*).

At this time the City has elected to secure proposals from Qualified Consultants to develop, implement and manage Public Education / Outreach (*E.7*), Public Involvement / Participation (*E.8*) and other related Public Education / Outreach and Public Involvement / Participation Program requirements as specified in E.9, E.10, E.11, E.12 and E.13 as well as provisions in E.14 under the direction and discretion of the City and the Public Works Department.

SUBMISSION OF PROPOSALS

1. PROPOSALS

Original and 3 copies of the technical proposal are to be submitted in one envelope or package with the project title and due date/time clearly marked on the exterior.

Original and 1 copy of the fee proposal of the contract must be clearly marked for this solicitation, with Consultant name, due date, and time in a separate sealed envelope.

2. QUESTIONS

Questions regarding this proposal must be received in writing by letter or email on or before November 15, 2016. No questions will be answered by telephone. Faxed letters are acceptable.

Address written questions to:
Edrie Delos Santos, Senior Engineer
Public Works Department
211 Hillcrest Avenue
Marina, CA 93933

3. **DUE DATE/TIME**

Proposals will be received by the City until 2:00 P.M., **November 30, 2016** in accordance with the scope of work outlined below. Proposals should be submitted to:

Public Works Department
211 Hillcrest Avenue
Marina, CA 93933

Should you have any questions regarding this project or regarding this request for proposal, please contact Edrie Delos Santos via email at edelossantos@ci.marina.ca.us.

4. **PROJECT DESCRIPTION**

Develop, implement and manage under the direction of the City a fully integrated Public Education / Outreach (E.7), Public Involvement / Participation (E.8) and other related Public Education / Outreach and Public Involvement / Participation Program requirements as specified in E.9, E.10, E.11, E.12 and E.13 that will satisfy the condition of the PERMIT during the Permit Years 4 and 5.

5. **SCOPE OF WORK**

Task 1: Provide Program Outline to meet NPDES Permit Requirements

The services required for the Project include all Public Education / Outreach and Public Involvement / Participation tasks outlined within the:

- Phase II Small Municipal Separate Storm Sewer System (MS4) Program Permit and associated attachments, including:
 - Central Coast Regional Water Quality Control Board correspondence dated May 3, 2013 addressing the need of Permittees to implement a “Pilot Program” addressing Community Based Social Marketing which is attached herein as **Attachment 1**
 - Stormwater Management Program Permit Comparison / Guidance Document which is attached herein as **Attachment 2**
 - Central Coast Post Construction Requirements at;
http://www.swrcb.ca.gov/rwqcb3/water_issues/programs/stormwater/docs/lid/lid_hydromod_charette_index.shtml

Additional Program Support services required for the Project include the coordination and implementation of the following sections of the Phase II Small Municipal Separate Storm Sewer System (MS4) Program Permit and associated attachments:

- Section E.14 in conjunction with Water Code Section 13267 Technical Report Order, provided by the Central Coast Regional Water Quality Control Board (RWQCB) dated June 13, 2016 which is attached herein as **Attachment 3**. The City will provide lead direction with the Consultant providing implementation of deliverables.
- Section E.11.g in conjunction with the upcoming Trash TMDL Assessment (PEAIP E.14) policy update. The City is anticipating an official RWQCB notice by the end of 2016 for implementation of the Trash Amendment as found at:

http://www.waterboards.ca.gov/water_issues/programs/trash_control/documentation.shtml

Once the City receives direction from the RWQCB on implementing Track 1, City staff will provide lead direction for commencing with the Consultant providing implementation.

- Section E.9.b.ii.c in support of local businesses potentially impacted by the Industrial General Permit. The Consultant will coordinate compliance measures with the local business owners and provide a summary of compliance for the Annual Report.
- Section 11.d and 11.e in support of Public Works staff for review and possible revisions to response plans along with annual inspection of Public Facilities.

Prospective Qualified Consultants are directed to conduct a detailed analysis of the PERMIT in order to develop a comprehensive proposal which clearly details how the successful Consultant shall effectively develop, implement and manage the program elements referenced above within the Permit for that Permit Year.

Task 2: Reports

Annual report sections specifically related to Public Education / Outreach (E.7), Public Involvement / Participation (E.8) deliverables, and all other sections related to and as specified and directed by the CITY in compliance with the existing PERMIT.

Task 3: Project Coordination Meetings and Project Management

- The Consultant shall provide effective Project Management throughout the entire project to ensure that quality programs are developed, implemented and managed, along with associated necessary quality documents on time and within budget. In addition, the Consultant shall participate at a minimum in monthly Program Meetings at locations, dates and times set by the CITY throughout the duration of the project as deemed necessary by the CITY.

6. DELIVERABLES

As Specified within the existing PERMIT. Applicant should identify all anticipated deliverables within the Proposal.

7. TIME LIMITS

Following issuance of the Notice to Proceed (*NTP*), the Consultant should include a proposed schedule as part of the proposal submitted to the CITY with a detailed analysis of the PERMIT program elements. Consultant should detail how Consultant plans to develop, implement and manage all Public Education / Outreach and Public Involvement and Participation tasks specified in the MS4 Phase II PERMIT. The intent of this RFP is to have it run with the NPDES PERMIT (*2013-0001-DWQ*).

8. SUBMISSION REQUIREMENTS

Qualified Applicants wishing to be considered for this project should submit the following:

A. TECHNICAL PROPOSAL (*3 COPIES: 1 original and 2 copies*)

1. Relevant experience of the Applicant and of the individuals who will be assigned to the project. Please include a brief resume of each individual who will participate on this assignment. Provide a summary of qualifications and experience in the storm water field. Also, include an organizational chart.
2. A time schedule for completion of the key tasks.
3. Please provide information on the qualifications of key staff members, of all subconsultants proposed for your project team (*if any*). Include the scope of services each subconsultant will provide.

4. The Applicant shall provide a detailed Scope of Work describing the procedures the Applicant will use in order to achieve compliance with the PERMIT to ensure that the requirements of the PERMIT will be satisfied and that the scope of work will be completed in a cost-effective and timely manner. Please address Applicant's ability to undertake the project for which you are requesting consideration, keeping in mind the other workload in your office.
5. Applicant shall provide a detailed Scope of Anticipated Deliverables based upon the MS4 Permit.
6. Please include specifics regarding qualifications and experience in completing similar projects over the past five (5) years. Please provide at least three (3) representative projects. Please include a list of previous clients and similar projects including contact names and telephone numbers.
7. A work sample of a project similar in nature to the scope of work described in this Request for Proposals. Please provide copies of prior Annual Stormwater Program reports, informational brochures and workshop materials developed and implemented by Applicant.
8. Please prepare and organize the fee proposal based on the requirements noted herein. Each proposal shall be no more than 20 pages in length, excluding the cover letter, dividers, and attached one-page resumes. Each proposal shall be single-sided and 8.5" x 11" with a minimum font size of 11 point.

B. FEE PROPOSAL *(1 Original and 1 copy clearly marked as the fee proposal for this solicitation, with Consultant name, due date and time)*

1. The fee for the project shall be proposed as a **NOT-TO-EXCEED FEE** broken out for each separate task item by PERMIT year. The fee is to be based upon the hourly wages to be included in Applicant's proposal.
2. The fee proposal shall include a detailed breakdown for all tasks to be performed in Permit Year 4 and 5 with a cost estimate for each of the remaining years of the Permit Term *(2 Permit Years, 2016/17 – 2017/18)*.
3. Unanticipated requirements: Provide an hourly rate for each category of employee *(i.e., principal, project manager, etc.)* and fee for related support costs *(mileage, blueprint, reproduction, etc.)*. Also include a breakdown showing a typical "per meeting cost", assuming a project manager for a half day, with meeting minutes and other associated costs, such as travel expenses.

4. The fees shall include all expenses other than duplication of documents. The City will not pay an extra amount for out-of-pocket costs for travel, lodging, telephones, etc.
5. The fee proposal shall be sealed in a separate appropriately marked envelope

9. PROCEDURES AND EVALUATION OF PROPOSALS

A. **MINIMUM QUALIFICATIONS:** The qualifications listed below are only representative of those necessary in order to effectively meet the minimum requirements.

1. Qualified Consultants must have at a minimum five (5) years prior Municipal Stormwater Program Public Education / Outreach and Public Involvement / Participation Program development, implementation and management experience.
2. Experience with Community Based Social Marketing,
3. Experience with working closely with non-profits,
4. Experience in working closely with various forms of media: print, radio and television,
5. Experience in working closely with the media: print publications, radio and television stations,
6. Experience in water quality monitoring and sampling programs, specifically in the areas of Public Education / Outreach and Public Involvement / Participation,
7. Experience in developing and managing an extensive array of volunteer based programs.
8. Experience and / or knowledge of the Brown Act and reporting to a Board,
9. Experience developing and implementing environmentally based surveys,
10. Working knowledge of storm water regulations, pollutants of concern, water quality monitoring and sampling programs,
11. Experience in the development, implementation and management of a public involvement and participation programs to encourage volunteerism, public comment and input on policy, and activism,
12. Experience in developing, implementing and managing a comprehensive storm water public education and outreach program that:
 - (1) measurably increases the knowledge of targeted communities regarding the municipal storm drain system, impacts of urban runoff and non-storm water discharges on receiving waters, and potential BMP solutions for the target audiences, and;

(2) measurably changes the behavior of target audiences, thereby reducing pollutant releases to the MS4 and the environment,

13. Experience in developing storm water training programs, workshops for both community members and City staff,
14. Experience with the Our Water Our World (*OWOW*) Program and establishing relationships with retailers of Fertilizers, Insecticides, Rodenticides, Fungicides and Herbicides,
15. Grant writing experience,
16. Local business and professional relationships a plus, but not required,
17. Experience in developing and implementing hands-on community based outreach programs.

B. EVALUATION CRITERIA: An evaluation committee of City staff will review and evaluate technical proposals against the following criteria:

1. Understanding of the City's Goals and Unique Nature: Based on the information provided by the City and past experience in Marina area, does the proposer understand the unique nature of many of Marina's environment and neighborhoods?
2. Staff: Do the qualifications of key personnel to be assigned to work on the City's permit understand the unique character of Marina? Do assigned personnel have requisite education, experience, and professional qualifications?
3. Familiarity with Locality: Does the firm have familiarity with the City and the area required for successfully completing projects? How close are the firm's permanent offices to the Monterey Peninsula?
4. Specific Management Approach: How does the proposer intend to achieve the City's budget and time goals for permit compliance? How will the firm apply its management techniques and resources? Has the firm provided sufficient assurance that work will be started and completed in a timely manner?
5. Experience: Has the proposer demonstrated the ability to successfully provide services for projects of a similar complexity and nature as described herein?

6. Organization: Are the qualifications of the firm’s personnel suitable for the anticipated work; and, does the firm’s organizational structure show sufficient depth for its present workload? Is the level of staffing sufficient to produce quality work in a timely manner?
7. Reputation: Are the firm’s references from past clients and associates favorable; and, does the firm show financial and operational stability?
8. Services Offered: Does the firm offer the breadth and quality of services required for projects?

Procedures

1. At the completion of the review process, proposers will be ranked based on the criteria described in this section and the City will select the highest ranked firms or, at City’s option, the most highly qualified ones will form a “shortlist”.
2. Should the City elect to establish a “short list”, firms on the short list will be asked to formally present their proposal in Monterey and respond to interviewer questions. The interview panel will be the evaluation committee. The presentation and interview session will not exceed one hour per proposer.
3. Following presentations/interviews, if needed, the evaluation committee will complete its ranking. The sealed fee schedule of the highest ranked technical proposers will be opened, and price negotiations will commence with those firms. If the fees are mutually agreed to after negotiations, then City staff will recommend that City Council award of contract. If no agreement can be reached as to price with a firm, then that firm will be excused, and the price proposal of the next ranked firm will be opened, evaluated, and negotiated.
4. Following successful negotiations, the contract will be referred to the City Council.
5. The City of Marina reserves the right to reject any and all proposals and to reissue its request for proposals.

GENERAL INFORMATION

- A. **FORM OF CONTRACT** – The successful Applicant will be required to execute a contract with the City. The standard contract form that the City uses for Consultant services is attached (*Attachment 4*) for reference. Please note requirements for insurance. The contract will call for deliverables as noted above.

- B. Consultant shall maintain in effect throughout the term of the Agreement a policy or policies of insurance with the following minimum limits of liability:
 - **See requirements stipulated in Attachment 4 “Professional Services Agreement.”**

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Coast Regional Water Quality Control Board

May 3, 2013

BY ELECTRONIC MAIL

Dear Phase II Municipal Storm Water Permittee (Distribution List Attached):

SUBJECT: COMMUNITY BASED SOCIAL MARKETING REQUIREMENT

On February 5, 2013, the State Water Resources Control Board (State Water Board) adopted Waste Discharge Requirements for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems General Permit - Water Quality Order No. 2013-0001-DWQ (Revised Phase II Permit). The Revised Phase II Permit supersedes Water Quality Order No. 2003-0005-DWQ (Previous Phase II Permit) and becomes effective on July 1, 2013. The Revised Phase II Permit contains new requirements for education and outreach.

Education and Outreach Program Requirement

In Section E.7 of the Revised Phase II Permit, the State Board provides each of the Regional Water Quality Control Boards with the option to require implementation of Community-Based Social Marketing (CBSM). The Revised Phase II Permit states:

“Traditional Small MS4 Permittees may be required to implement Community-Based Social Marketing (CBSM) requirements as detailed in Attachment E upon determination by a Regional Board Executive Officer. The Regional Board Executive Officer shall notify Permittees within three months of the permit adoption date of their determination to require CBSM.”

This letter serves as notification that the Central Coast Regional Water Quality Control Board (Central Coast Water Board) Executive Officer requires implementation of CBSM as described below to comply with Water Quality Order No. 2013-0001-DWQ.

Implementation of Community-Based Social Marketing

Section E.7 of the Revised Phase II Permit provides Regional Water Quality Control Boards with discretion in applying CBSM requirements. Section E.7 points to Attachment E of the Revised Phase II Permit, but does not specify that Attachment E must be implemented in its entirety. Rather than require implementation of all of the CBSM and other requirements in Attachment E, with this letter the Central Coast Water Board Executive Officer is requiring implementation of a reduced set of CBSM requirements, in order to start CBSM implementation in the Central Coast region in an efficient manner. Permittees shall implement CBSM as described below.

In addition to the requirements in Section E.7, each Permittee must implement one CBSM pilot project to address its highest priority water quality issue. A Permittee's highest priority water quality issue can be related to a specific type of pollutant, pollutant source, community behavior, or watershed. CBSM pilot project implementation must begin prior to permit year 3 of the Revised Phase II Permit at the latest. For those Permittees that have Stormwater Management Programs that require implementation prior to permit year 3, those Permittees must implement

JEFFREY S. YOUNG, CHAIR | KENNETH A. HARRIS JR., INTERIM EXECUTIVE OFFICER

the CBSM according to the schedule currently required pursuant to the existing Phase II Permit (and included in the Storm Water Management Plan schedule), unless the Permittee demonstrates that a delay in that CBSM implementation schedule is in compliance with the Revised Phase II Permit and the maximum extent practicable standard, and will not result in increased pollutant discharges (as required by Revised Phase II Permit section A.1.b.4).

The CBSM pilot project shall include the following Permittee actions:

- Research on barriers to desired behaviors and benefits of desired behaviors (ex. Literature review, observation, focus groups).
- Elicit commitment to implement desired behavior from target audience.
- Provide prompts reminding target audience of desired behavior.
- Use the concept of social norms/modeling of desired behavior.
- Use education messages that are specific, easy to remember, from a credible source, and appropriate for the target audience.
- Create incentives for the desired behavior.
- Remove barriers to the desired behavior.

CBSM techniques found to be effective at the pilot project level shall be implemented jurisdiction-wide, where applicable, prior to permit year 5.

Implementation of CBSM does not need to be overly burdensome. Limiting CBSM to a single pilot project serves to conserve resources and allows for effective strategies to be identified prior to wider application. The CBSM pilot projects can also serve to comply with the other education requirements of Section E.7. Further, they will likely serve to comply with the Public Involvement and Participation requirements of Section E.8 of the Revised Phase II Permit. In addition, Permittees can share resources to implement the pilot projects, provided the pilot projects are implemented within each Permittee's jurisdiction.

Permittees seeking further information and assistance with implementing CBSM should review the literature cited later in this letter, along with the United States Environmental Protection Agency Nonpoint Source Outreach Toolbox¹ which includes *Getting in Step, A Guide to, Conducting Watershed Outreach Campaigns*.²

Reporting

In addition to the reporting requirements of Section E.7 of the Revised Phase II Permit, the Permittee shall use the State Water Board SMARTS database to annually submit a summary of the past year CBSM activities and certify compliance with this letter. The Permittee summary of past year CBSM activities must describe:

- The pilot program,
- Research on barriers to desired behaviors and benefits of desired behaviors,
- Use of commitments from target audiences to implement desired behaviors,
- Use of prompts,
- Implementation of social norms/modeling,

¹ <http://cfpub.epa.gov/npstbx/index.html#features>

² <http://www.epa.gov/owow/watershed/outreach/documents/getnstep.pdf>

- Use of education messages,
- Use of incentives for desired behaviors, and
- Use of methods for removing barriers to behavior change.

Appropriateness and Effectiveness of Community-Based Social Marketing

The Central Coast Water Board Executive Officer finds that CBSM is a more appropriate approach to education and outreach than mass media advertising and other traditional stormwater public education methods. CBSM draws heavily on research in social psychology which indicates that initiatives to promote behavior change are often most effective when they are carried out at the community level and involve direct contact with people. The emergence of CBSM over the last several years can be traced to a growing understanding that conventional public education methods, which often rely heavily on media advertising, can be effective in creating public awareness and understanding of the issues related to sustainability, but are limited in their ability to foster behavior change.³ Mere awareness of a problem (such as environmental degradation) is often insufficient to prompt meaningful changes in behavior. Information based advertising can undermine what it seeks to accomplish - the encouragement of individuals to take an active role in altering their behavior.⁴ A diverse range of barriers to adoption of the desired behaviors may exist, which information based educative campaigns alone will do little to overcome.^{1,2}

CBSM takes a more results-based approach to public education by identifying barriers and incentives to change, then applying effective tools to remove barriers and enhance incentives to foster the desired behavioral change. The development of CBSM was born out of a desire to improve the effectiveness of environmental education campaigns which relied heavily upon information-based advertising.^{1,2} CBSM has been successful because it can transcend the gap between knowledge and action that has characterized many local environmental and sustainability-focused projects to date.²

The effectiveness of CBSM has been well demonstrated in the water quality and other environmental fields. A CBSM campaign, implemented by the City of San Diego to reduce non-stormwater discharges in La Jolla, resulted in a 67-85% reduction in non-stormwater discharge-related water in streets and gutters over control areas.⁵ Compared with the national average, home energy auditors who were trained to use behavior change tools [defined by CBSM] for Pacific Gas and Electric, persuaded three to four times as many households to weatherize their dwellings.⁶ Similarly, when [CBSM] techniques have been used to promote recycling, recycling rates increased one and half times above the program that did not incorporate [CBSM] techniques.⁷

³ McKenzie-Mohr, Doug, and William A. Smith. Preface. *Fostering Sustainable Behavior: An Introduction to Community-based Social Marketing*. Gabriola Island, BC: New Society, 1999. x-xi. Print

⁴ Johnston, C.E. Developing sustainable behaviors through community-based social marketing. In *Examining the Confluence of Environmental and Water Concerns: Proceedings of the World Environmental and Water Resources Congress 2006*, Omaha, NE, USA, 21–25 May 2006; Graham, R., Ed.; American Society of Civil Engineers: Reston, VA, USA, 2006.

⁵ McKenzie-Mohr referencing: Tabanico, J., & Nichols Kearns, J. *Behavior matters: Focused outreach to maximize behavior change*. Presented at the 2009 CASQA annual conference. 2009.

⁶ McKenzie-Mohr referencing: Gonzales, M.H., Aronson, E., & Costanzo, M.A. *Using social cognition and persuasion to promote energy conservation: A quasi-experiment*. *Journal of Applied Social Psychology*, 18, 1049-1066, 1988

⁷ Burn, S.M. *Social psychology and the stimulation of recycling behaviors: The block leader approach*.

(footnote continued on next page)

These findings of higher levels of effectiveness led Central Coast Water Board to require Permittees to incorporate CBSM into their Stormwater Management Programs during their enrollment under the Previous Phase II Permit. As such, the majority of Permittees in the Central Coast region have already committed to implementation of CBSM. Further, many of these Permittees are required to currently be implementing CBSM within their jurisdictions. As such, Central Coast Water Board Executive Officer's requirement to implement CBSM pursuant to the Revised Phase II Permit is appropriate since it builds upon this CBSM progress already achieved in the region.

The Central Coast Water Board staff recognizes and appreciates your efforts to protect water quality and is available to assist you with compliance of the requirements within this letter and the Revised Phase II Permit. Staff is able to provide review and feedback during development and implementation of your CBSM program to achieve a storm water program that is increasingly effective at protecting water quality. If you have any questions regarding this letter, please communicate with your Central Coast Water Board storm water staff contact, or Phil Hammer, at phammer@waterboards.ca.gov or (805) 549-3882.

Sincerely,

for
Kenneth A. Harris Jr.
Interim Executive Officer

Attachment 1: Distribution List

S:\Stormwater_Stormwater Program_Municipal Program\Phase II\State Board General Permit\Implementation\CBSM_May2013_rev5.doc

Attachment 1: Distribution List

City of Santa Maria	Richard	Sweet	rsweet@ci.santa-maria.ca.us
City of Arroyo Grande	Steven	Adams	sadams@arroyogrande.org
City of Atascadero	Wade	McKinney	wmckinney@atascadero.org
City of Buellton	Rose	Hess	roseh@cityofbuellton.com
City of Solvang	Matt	van der Linden	mattv@cityofsolvang.com
City of Capitola	Steven	Jesberg	sjesberg@ci.capitola.ca.us
City of Carpinteria	Charlie	Ebeling	pwd@ci.carpinteria.ca.us
City of Gilroy	Rick	Smelser	rick.smelser@ci.gilroy.ca.us
City of Goleta	Steve	Wagner	swagner@cityofgoleta.org
Greenfield City	Dale	Lipp	DLipp@ci.greenfield.ca.us
City of Gonzales	Carlos	Lopez	clopez@ci.gonzales.ca.us
City of Grover Beach	Gregory	Ray	gray@grover.org
City of King City	Michael	Powers	mpowers@kingcity.com
Guadalupe City	Andrew	Carter	ACarter@ci.guadalupe.ca.us
City of Lompoc	John	Linn	j_linn@ci.lompoc.ca.us
City of Morro Bay	Rob	Livick	rlivick@morro-bay.ca.us
City of Pismo Beach	Benjamin	Fine	bfine@pismo beach.org
County of Santa Clara	Darrell K. H.	Wong	darrell.wong@pln.sccgov.org
City of San Luis Obispo	Barbara	Lynch	blynch@slocity.org
City of Santa Barbara	Cameron	Benson	CBenson@SantaBarbaraCA.gov
County of Santa Cruz	Rachel	Fatoohi	dpw152@co.santa-cruz.ca.us
City of Santa Cruz	Suzanne	Healy	shealy@cityofsantacruz.com
City of Scotts Valley	Ken	Anderson	kanderson@scottsvally.org
City of Watsonville	Robert	Ketley	rketley@ci.watsonville.ca.us
City of Carmel	Heidi	Burch	hburch@ci.carmel.ca.us
City of Del Rey Oaks	Daniel	Dawson	citymanager@delreyoaks.org
City of Hollister	Clint	Quilter	clint.quilter@hollister.ca.gov
City of Marina	Douglas	Yount	dyount@ci.marina.ca.us
City of Monterey	Fred	Meurer	meurer@ci.monterey.ca.us
City of Morgan Hill	Tony	Eulo	Anthony.eulo@morganhill.ca.gov
City of Pacific Grove	Tom	Frutchey	tfrutchey@ci.pg.ca.us
City of El Paso de Robles	John	Falkenstein	jfalkenstien@prcity.com
County of Monterey	Robert	Murdoch	murdochr@co.monterey.ca.us
County of San Luis Obispo	John	Diodati	Diodati_jdiodati@co.slo.ca.us
City of Sand City	Steve	Matarazzo	steve@sandcity.org
County of Santa Barbara	Joy	Hufschmid	jhufsch@cosbpw.net
City of Seaside	Diana	Ingersoll	dingersoll@ci.seaside.ca.us
City of Soledad	Don	Wilcox	dwilcox@cityofsoledad.com
County of San Benito	Steve	Wittry	swittry@cosb.us

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)		Corresponding Permit Section										
		A.1.b.4.a: Overall Planning										
		A.1.b.4.b					A.1.b.4.c and d (Required for Renewal Permittees only)					
Element	PERMIT SECTION AND ELEMENT	Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
					Local MS4 Dept	SIE, Regional Organization or, Co-permittee						
E. PROVISIONS FOR ALL TRADITIONAL SMALL MS4 PERMITTEES												
E.1. RENEWAL TRADITIONAL SMALL MS4 PERMITTEES												
E.2. NEW TRADITIONAL SMALL MS4 PERMITTEES												
x												
E.3. NON-TRADITIONAL SMALL MS4S PERMITTEES												
x												
E.4. SMALL MS4 ASBS PERMITTEES												
E.4 (C-1.A)	Point & Non-Point Source Discharges—Discharges composed of storm water runoff shall not alter natural ocean water quality in an ASBS.	Within 6 years all dischargers must comply with the requirement that their discharges into the affected ASBS maintain natural ocean water quality.	Compliance by 2018	5	(Not Applicable to City of Marina)		*	no	*	*	*	*
E.4 (C-1.A.1.e)	The discharge of trash is prohibited.		Compliance by 2018	5	(Not Applicable to City of Marina)		*	no	*	*	*	*
E.4 (C-1.A.1.d)	Only discharges from existing storm water outfalls are allowed.	Any proposed or new storm water runoff discharge shall be routed to existing storm water discharge outfalls and shall not result in any new contribution of waste to an ASBS (i.e., no additional pollutant loading). "Existing storm water outfalls" are those that were constructed or under construction prior to January 1, 2005. "New contribution of waste" is defined as any addition of waste beyond what would have occurred as of January 1, 2005. A change to an existing storm water outfall, in terms of re-location or alteration, in order to comply with these special conditions, is allowed and does not constitute a new discharge.	2014	1	(Not Applicable to City of Marina)		*	no	*	*	*	*
E.4 (C-1.A.2.)	Point Source Compliance Plan	Discharger shall specifically address the prohibition of non-storm water runoff and the requirement to maintain natural water quality for storm water discharges to an ASBS in an ASBS Compliance Plan to be included in its SWMP or a SWPPP, as appropriate to permit type. If a statewide permit includes a SWMP, then the discharger shall prepare a stand-alone compliance plan for ASBS discharges. Draft written ASBS Compliance Plan written to the State Water Board Executive Director 18 months after effective date of exception; Final compliance plan, based on results of runoff and receiving water monitoring is submitted within 30 months from the effective date of the exception.	2015	2	(Not Applicable to City of Marina)		*	no	*	*	*	Compliance Plan deadline should be tied to ASBS RMP.
E.4 (C-1.A.2.a)	Compliance Plan Components—Map of drainage area	Prepare concurrent with updates to existing outfall maps—include (a) The surface drainage area of storm water runoff with sheet runoff, prioritize discharges and describe any structural BMPs currently in place or planned. (b) Storm water conveyance system including pipes, culverts, open channels and bridges; outfalls. (c) Should identify the location of treatment facilities, landslides potential, areas prone to erosion, and waste and hazardous materials location. (d) Include procedure for updating map	2015	2	(Not Applicable to City of Marina)		*	no	*	*	*	*
E.4 (C-1.A.2.a/b)	Compliance Plan Components—Describe measures to eliminate non-authorized, non-storm water runoff discharges (dry weather flows); how to maintain measures over time, and how measures should be monitored	This may include an inventory and characterization of dry weather flows that could also be include in the map.	2015	2	(Not Applicable to City of Marina)		*	no	*	*	*	*

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)		Corresponding Permit Section										
		A.1.b.4.a: Overall Planning										
		A.1.b.4.b					A.1.b.4.c and d (Required for Renewal Permittees only)					
Element	PERMIT SECTION AND ELEMENT	Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
					Local MS4 Dept	SIE, Regional Organization or, Co-permittee						
	E.4 (C-I.A.2.e)	Compliance Plan Components - Construction, Business and Industrial Facility Inspections	Minimum Frequency: Construction site: once per week during rainy season; Industrial facility: monthly during rainy season; Commercial facilities: twice during rainy season; Storm water outfall drains greater than 18 inches in diameter inspected once before and once during rainy season and maintained to remove trash and other debris.	2014	4	(Not Applicable to City of Marina)		x	no	x	x	x
	E.4 (C-I.A.2.d)	Compliance Plan Components - Address wet weather flows and pollution reduction strategy through BMPs.	Structural controls that are necessary for compliance will be operational within 6 years of the effective date of the Exception. Structural BMPs need not be installed if the discharger can document to the satisfaction of the State Water Board Executive Director (statewide permits) or Regional Water Board Executive Officer (Regional Water Board permits) that such installation would pose a threat to health or safety.	2018	5	(Not Applicable to City of Marina)		x	no	x	x	x
	E.4 (C-I.A.2.d)	Compliance Plan Components - BMPs to achieve Table B Instantaneous Maximum Water Quality Objectives in Chapter II of the Ocean Plan; or a 90% reduction in pollutant loading during storm events.	Baseline = effective date of the Exception	Baseline data year 2012	0	(Not Applicable to City of Marina)		x	no	x	x	x
	E.4 (C-I.A.2.e)	Compliance Plan Components - Erosion control and sedimentation prevention plan.	Natural habitat conditions will not be altered due to anthropogenic sedimentation	n/a	n/a	(Not Applicable to City of Marina)		x	no	x	x	x
	E.4 (C-I.A.2.f)	Compliance Plan Components - Describe non-structural BMPs including education and outreach efforts. Include structural BMPs and LID measures and implementation schedule.	Non-structural controls that are necessary for compliance will be implemented within 18 months of the effective date of the Exception. Applicants must consider and use where feasible LID practices to reduce pollutants from entering the ASBS.	2013	1	(Not Applicable to City of Marina)		x	no	x	x	x
	E.4 (C-I.A.3)	Demonstrate BMPs to reduce flows or reduce pollutant loading - if results of monitoring indicate an alteration of natural water quality in the ASBS, a report will be submitted to the State Water Board including constituents and sources of constituents altering storm water; describe BMPs currently in use; new or modified implementation schedule for BMPs.	If the initial results of post-storm receiving water quality testing indicate levels higher than the 85th percentile threshold of reference water quality data and the pre-storm receiving water levels, then the discharger must re-sample the receiving water, pre- and post-storm. If after re-sampling the post-storm levels are still higher than the 85th percentile threshold of reference water quality data, and the pre-storm receiving water levels, for any constituent, then natural ocean water quality is exceeded. If the results of the receiving water monitoring indicate that the storm water runoff or other nonpoint source pollution is causing or contributing to an alteration of natural ocean water quality in the ASBS, the discharger shall submit a report to the State Water Board and Regional Water Board within 30 days.	2018	5	(Not Applicable to City of Marina)		x	no	x	x	x
	E.4 (C-II)	Additional Requirements for Parks and Recreation Facilities - ASBS Compliance Plan or an ASBS Pollution Prevention Plan to address storm water runoff from parks and recreation facilities.	Pollutant sources include, but are not limited to, roadside rest areas and vistas, picnic areas, campgrounds, trash receptacles, maintenance facilities, park personnel housing, portable toilets, leach fields, fuel tanks, roads, piers, and boat launch facilities. Include signage at camping, picnicking, beach and roadside parking areas, and visitor centers, or other appropriate measures, which notify the public of any applicable requirements of these Special Protections and identify the ASBS boundaries.	2018	5	(Not Applicable to City of Marina)		x	no	x	x	x
	E.4 (C-III)	Additional Requirements for Parks and Recreation Facilities - Waterfront and Marine Operations Management Plan (Waterfront Plan)	Contain appropriate Management Measures/Practices to address nonpoint source pollutant discharges to the affected ASBS.	2018	5	(Not Applicable to City of Marina)		x	no	x	x	x
	E.4 (C-IV)	Monitoring Requirements - Monitoring is mandatory for all dischargers to assure compliance with the Ocean Plan. Monitoring requirements include both: (A) core discharge monitoring, and (B) ocean receiving water monitoring.	Central Coast ASBS RMP approved December 2012. To be implemented 13/14 and 14/15 wet seasons. State and Regional Water Boards must approve sampling site locations and any adjustments to the monitoring programs. All ocean receiving water and reference area monitoring must be comparable with the Water Boards' Surface Water Ambient Monitoring Program (SWAMP).	2015	3	(Not Applicable to City of Marina)	Regional (ASBS Regional Monitoring Program)	x	no	x	x	x

City of Marina - Phase II Small MS4 General Permit - Guidance Document

Corresponding Permit Section												
A.1.b.4.a: Overall Planning												
MRSWMP PERMIT COMPARABLE (DRAFT)	A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)					
	PERMIT SECTION AND ELEMENT	Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
E.5 SEPARATE IMPLEMENTING ENTITY												
Admin	E.5	SIE	Entities can develop a SIE to implement and manage all or various aspects of the Phase II Permit.	2014	1	Monterey Regional Storm Water Management Program (MRSWMP)	MOA or letter of Agreement required	equivalent (no)	x	x	x	Equivalent structure is in place - administrative in function
E.6 PROGRAM MANAGEMENT ELEMENT												
E.6 Program Management Element												
3-4.a	E.6.a.i	Review and Revise Local Ordinances	By year 2 Permittee to review and revise local ordinances to effectuate enforcement capability of control of pollutant discharges	2015	2	CDD - Planning Division	x	no	x	Enhance existing Ordinances	x	The elements of the new permit are more restrictive and protective of local water quality, i.e. the new post construction requirements.
3-4.b 3-4.c 3-5.a	E.6.a.ii	Authority to:	a. Prohibit non-stormwater discharges; b. Detect and eliminate illicit discharges and illegal connections. C. respond to discharges of spills. D. require parties to address excess "incidental runoff" per Discharge Prohibition B.4. (a-e) . f. Construction sites to employ BMPs. g. require information to assess compliance, h. enter private property. i. require dischargers cease and desist and cleanup (72 hours - high risk spills, 30 days uncontrolled pollutants, Permittee to clean up and abate spill and bill responsible party, cease and desist authority) notification to RWQCB in 5 days when cleanup can not be completed within time frame set. j. ability to levy fines, cost recovery mechanism. k. impose civil or criminal sanctions when warranted.	2015	2	CDD - Planning Division, Code Enforcement, Public Works	x	no	x	Cease	x	New permit is more prescriptive in nature and requires more collaboration amongst entities, thus leading to better protection of local water quality.
none	E.6.b	Legally Responsible Person to Certify Program	Legally Responsible Person (Duly Authorized Representative / Principal Executive Officer) to certify that permittee has and will maintain full legal authority to implement and enforce each of the requirements contained in this Order.	2014	1	CDD	x	no	x	Cease	x	It is assumed that requiring a City Leader to be the signatory authority for the program will lead to enhanced program awareness which should lead to greater involvement in the program.
none	E.6.b.i	Authorized rep to certify	Authorized rep to certify in annual report that agency has the legal authority to comply with the Permit	2014	2	CDD	x	no	x	Cease	x	The prescriptive nature of the new permit lends itself to being more protective of water quality.
none	E.6.b.ii	Implementation Level	Certification statement shall include: (a) Identification of all departments that conduct storm water-related activities and their roles and responsibilities. (b) Citation of storm water runoff related ordinances, identification of the topics each ordinance addresses; (c) Identification of the local administrative and legal procedures and ordinances available to mandate compliance. (d) A description of how storm water related-ordinances are reviewed and implemented. (e) A statement that the municipality will implement enforcement actions consistent with its Enforcement Response Plan developed pursuant to Section E.6.c.	2014	2	CDD	x	no	x	x	x	The prescriptive nature of the new permit lends itself to being more protective of water quality.
none	E.6.b.iii	Implementation Level	Reporting – Submit in first year, a statement signed certifying the Permittee has adequate legal authority to comply with all Order requirements.	2014	1	CDD	x	no	x	Cease	x	Having buy-in from decision making personnel and personal accountability should lead to the implementation of BMPs that will be more protective of local water quality.
none	E.6.c.i, ii, (a,b,c)	Develop & Implement ERP	By year 3 Permittee shall develop and implement an Enforcement Response Plan to include:	2016	3	CDD	x	no	x	Cease	x	Although the existing approach is successful, it may be beneficial to transition over to new permit to create regional consistency and uniformity.
none	E.6.c.ii.d.1	Determine & Refer non-filers	When discovered "report" all non-filers of facilities requiring a CGP and / or IGP to the State Water Board	2016	3	CDD	x	no	x	x	x	No equivalent BMP exist, thus this BMP will be an improvement in the area of local water quality protection.
none	E.6.c.ii.d.2	Determine & Refer non-filers	Report recalcitrant violators of CGP and / or IGP to the State Water Board	2016	3	CDD	x	no	x	x	x	No equivalent BMP exist, thus this BMP will be an improvement in the area of local water quality protection.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)		Corresponding Permit Section												
		A.1.b.4.a: Overall Planning												
		A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)						
Element	PERMIT SECTION AND ELEMENT		Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))		
	Detail & / or Existing				Local MS4 Dept	SIE, Regional Organization or Co-permittee								
none	E.6.c.ii.e	Tracking System	Track and monitor recalcitrant violators	2016	3	CDD		x	no	x	x	x	No equivalent BMP exist, thus this BMP will be an improvement in the area of local water quality protection.	
none	E.6.c.ii.f	Enforcement Response Plan	This would coincide with the Enforcement Response Plan to include reporting chronic violators to reduce the rate of recidivism.	2016	3	CDD		x	no	x	Cease	x	Since the new requirement is similar to the existing it is proposed that the existing requirement be discontinued and that the Group transition over to the new permit format for regional consistency purposes.	
throughout	E.6.c.iii	Program Effectiveness Assessment and Improvement Plan (EA IP)	Submit summary of last years activities to include a summary to address the relationship between these activities and the EA IP.	2016	3	CDD		x	no	x	Cease	x	The new permit requires the implementation of the Effectiveness Assessment Improvement Plan element which will ensure that local water quality will be protected to the maximum extent practical by employing the latest and greatest technologies and approaches	
E.7 EDUCATION AND OUTREACH PROGRAM														
E.7.a Public Outreach and Education														
none	E.7.	Community Based Social Marketing	RWQCB to notify permittee within 3 months of permit adoption date if CBSM will be required.	2014	1		(Regional Water Quality Control Board)	x	similar (no)	x	Expand	x	The implementation of a CBSM will be an expansion of current program requirements, thus leading to enhanced water quality protection.	
1-1.a	E.7.a	Program Development / Implementation	Determine, develop and implement program structure:	2014	1		Regional (MRSWMP)	x	similar (no)	x	Expand	x	The implementation of a CBSM will be an expansion of current program requirements, thus leading to enhanced water quality protection.	
1-1.a	E.7.a	Reporting Requirements to Maintain	Report on which approach to PE / PO program Permittee will do. If collaborative, include copy of signed agreement in Annual Report	2014	1		Regional (MRSWMP)	x	no	x	no equivalent	x	Documenting which approach Permittees will employ will likely lead to more ownership, thus increased water quality protection.	
1-1.a	E.7.a.i	Program Development / Implementation	Develop and implement a comprehensive PE / PO program to measurably increase the knowledge and awareness of the target audience.	2015	2		Regional (MRSWMP)	x	no	x	Expand	x	Most, if not all of the existing BMP task are covered in the very prescriptive new permit, thus most will just be assimilated into the new program requirements.	
1-1.a	E.7.a.ii.a	Program Development / Implementation	PE / PO Program to include: task schedule, who handles what, how the BMP's address specific water quality issues, target audiences in the community (i.e. POC) and anticipated task effectiveness.	2015	2		Regional (MRSWMP)	x	no	x	Cease	The existing permit structure is not as prescriptive.	The more prescriptive nature of the new permit will foster more program ownership since it will identify who handles which task, thus leading to better protection of local water quality.	
1-1.a	E.7.a.ii.b	Program Development / Implementation	At least 2 surveys during permit term to gauge awareness and effectiveness of PE / PO tasks	2 times	2x		Regional (MRSWMP)	x	no	x	Cease	x	Since the new requirement is similar to the existing it is proposed that the existing requirement be discontinued and that the Group transition over to the new permit format for regional consistency purposes.	
2-1.a - 2-3.a	E.7.a.ii.c	Focused PE / PO	PE / PO Message to focus on: 1. Local POC, 2. Target audience, 3. Regional WQ issues	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	Since the new requirement is similar to the existing it is proposed that the existing requirement be discontinued and that the Group transition over to the new permit format for regional consistency purposes.	
2-1.a - 2-3.a	E.7.a.ii.d	TV, Radio, Print	PE / PO Message to be multi-pronged (Print, air, storm drain stenciling) and in applicable languages.	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	Since the new requirement is similar to the existing it is proposed that the existing requirement be discontinued and that the Group transition over to the new permit format for regional consistency purposes.	

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)	Corresponding Permit Section												
	A.1.b.4.a: Overall Planning												
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		Local MS4 Dept				SIE, Regional Organization or Co-permittee							
Element													
2-1.a - 2-3.a	E.7.a.ii.e	Public Involvement & Participation Program	Public input must be utilized when developing the PE / PO Program.	2014	1		Regional (MRSWMP)	x	no	x	Cease	x	The existing permit required some public involvement, but not to the detail specified within the new permit. Thus it is likely that the new permit's approach will create greater community buy in, thus leading to greater water quality protection.
	E.7.a.ii.f	Program Development / Implementation	PE / PO Message to be multi-pronged based upon public input phase.	2014	1		Regional (MRSWMP)	x	no	x	Cease	x	The existing permit required some public involvement, but not to the detail specified within the new permit. Thus it is likely that the new permit's approach will create greater community buy in, thus leading to greater water quality protection.
1-1.a, 2-1.a - 2-3.a	E.7.a.ii.g	Program Development / Implementation	PE / PO Messaging to include benefits of water-efficient and stormwater friendly landscaping.	2014	1		Regional (MRSWMP)	x	no	x	Cease	x	The new requirement is more prescriptive, thus it will likely lead to greater protection of local water quality.
	E.7.a.ii.h	Program Development / Implementation	PE / PO Messaging to include how to report illicit discharges, spills, to authorities through a central contact. If 911 is selected then a list of non-emergency contacts must be developed and voice mail must be checked daily	2014	1		Regional (MRSWMP)	x	no	x	Cease	x	Since the new requirement is similar to the existing it is proposed that the existing requirement be discontinued and that the Group transition over to the new permit format for regional consistency purposes.
3-1.a 3-1.b 2-1.a - 2-3.a	E.7.a.ii.i	Schools & Experiential Learning	Permittee shall implement environmental place-based learning or equivalent in local schools (public & private).	2014	1		Regional (MRSWMP)	x	no	x	Cease	x	The proposed methodology for school based training has proven to be very successful in other areas (i.e. Sacramento), thus it is likely that it will foster greater interest amongst the youth in water quality protection.
	E.7.a.ii.k	Pressure Washing, Car Washing, Irrigation Practices	PE PO messages to include specifics on reducing discharges from organized car washes, mobile & pressure washing cleaning activities and landscape irrigation.	2014	1		Regional (MRSWMP)	x	no	x	Cease	x	The new requirement is more prescriptive, thus it will likely lead to greater protection of local water quality.
3-6.a	E.7.a.ii.l	Pressure Washing, Car Washing, Irrigation Practices	PE PO regarding organized car washes to follow Sacramento SW Quality Partnership's River Friendly Carwash Program.	2014	1		Regional (MRSWMP)	x	no	x	Cease	x	The new requirement is more prescriptive, thus it will likely lead to greater protection of local water quality.
	E.7.a.ii.m	Pressure Washing, Car Washing, Irrigation Practices	PE PO specific messages pertaining to mobile cleaning and pressure wash businesses.	2014	1		Regional (MRSWMP)	x	no	x	Cease	x	The new requirement is more prescriptive, thus it will likely lead to greater protection of local water quality.
throughout	E.7.a.iii	General	Submit summary of last years activities to include a summary to address the relationship between these activities and the EA IP.	2014	1		Regional (MRSWMP)	x	no	x	Cease	x	The new permit requires the implementation of the Effectiveness Assessment Improvement Plan element which will ensure that local water quality will be protected to the maximum extent practical by employing the latest and greatest technologies and approaches
	E.7.b	Staff & Site Operator Training / Edu.											
3-3.a, 4-2.a, 4-3.a, 4-4.b	E.7.b.1.i	Staff & Site Operator Training / Edu.	Training Program - all permittee staff who, as part of their normal job responsibilities, may be notified of, come into contact with, or otherwise observe an illicit discharge or illegal connection to the storm drain system.	2016	3	CDD - Public Works	Regional (MRSWMP)	x	no	x	Cease	x	The new requirement is more prescriptive, thus it will likely lead to greater protection of local water quality.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

Corresponding Permit Section													
A.1.b.4.a: Overall Planning													
MRSWMP PERMIT COMPARABLE (DRAFT)	A.1.b.4.b							A.1.b.4.c and d (Required for Renewal Permittees only)					
	PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
						Local MS4 Dept	SIE, Regional Organization or, Co-permittee						
Element													
3-3.a, 4-2.a, 4-3.a, 4-4.b	E.7.b.1.ii	Staff & Site Operator Training / Edu.	Training Program to include: a. Identifying Illicit Discharges (ID) & Illicit Connections (IC); b. proper ID & IC reporting and response criteria, c. follow-up training as needed, d. annual assessment of staff knowledge, e. training of new hires who jobs necessitate ID & IC training, f. fleet vehicles to include how to guide on ID & IC., g. focused training on identified ID & IC locations	2016	3	CDD - Public Works	Regional (MRSWMP)	x	no	x	Cease	x	The new requirement is more prescriptive, thus it will likely lead to greater protection of local water quality.
	E.7.b.1.iii	Program Effectiveness Assessment and Improvement Plan (EA IP)	Submit summary of last years activities to include a summary to address the relationship between these activities and the EA IP.	2016	3	CDD - Public Works	Regional (MRSWMP)	x	no	x	Cease	x	The implementation of the EAIP approach will create opportunities for program modifications to increase water quality protection.
	E.7.b.2 Construction Outreach & Education												
3-3.a, 4-2.a, 4-3.a, 4-4.b	E.7.b.2.a.i	Implementation Level	Ensure that all staff implementing the construction site SW runoff control program are adequately trained.	2015	2	CDD		x	no	x	Cease	x	The new permit's training requirements are more prescriptive, thus ideally leading to staff with more skills, knowledge and abilities, thus leading to consistency in program implementation and greater water quality protection.
	E.7.b.2.a.ii	Certifications	Staff to be trained: Plan reviewers and permitting staff (QSD or supervised by QSD), Erosion Sediment Control Inspectors (QSD or QSP or supervised by same) or Third party plan reviewers are QSD.	2015	2	CDD		x	no	x	Cease	x	The new permit's training requirements are more prescriptive, thus ideally leading to staff with more skills, knowledge and abilities, thus leading to consistency in program implementation and greater water quality protection.
none	E.7.b.2.a.iii	Program Effectiveness Assessment and Improvement Plan (EA IP)	Submit summary of last years activities to include a summary to address the relationship between these activities and the EA IP.	2015	2	CDD	Regional (MRSWMP)	x	no	x	Cease	x	The implementation of the EAIP approach will create opportunities for program modifications to increase water quality protection.
	E.7.b.2.b.i	Informational Materials	Develop and distribute educational materials to construction site operators.	2016	3	CDD	Regional (MRSWMP)	x	no	x	Cease	x	The new permits educational and outreach requirements are much more prescriptive and require community involvement in the development of the program and related materials, thus likely creating more buy-in. Coupled with the use of the EA IP the end result should be enhanced water quality protection.
4-4.b	E.7.b.2.b.ii	Informational Materials	(a) Each year, provide information on training opportunities for construction operators on BMP selection, installation, implementation, and maintenance as well as overall program compliance. (b) Develop or utilize existing outreach tools (i.e. brochures, posters, etc.). (c) Distribute to all construction operators disturbing land within the MS4 boundary. The Permittee's contact information and website shall be included in these materials. (d) Update existing storm water website, as necessary, to include information on appropriate selection, installation, implementation, and maintenance of BMPs.	All	All		Regional (MRSWMP)	x	no	x	Cease	x	Providing additional information sources to contractors outside of just two training events should provide more opportunities for them to develop the necessary skills, knowledge and abilities to adequately protect local water quality. The new permit is more prescriptive, thus lending itself to more program consistency regionally which should lead to more effective water quality protection.
	E.7.b.2.b.iii	Program Effectiveness Assessment and Improvement Plan (EA IP)	Submit summary of last years activities to include a summary to address the relationship between these activities and the EA IP.	All	All		Regional (MRSWMP)	x	no	x	Cease	x	The implementation of the EAIP approach will create opportunities for program modifications to increase water quality protection.
E.7.b.3 Pollution Prevention													
3-3.a, 4-3.a, 6-1.a, 6-4.a, 6-7.g, 6-8.a	E.7.b.3.i	Program Development / Implementation	Biennial training, evaluation of employees P3 alternate years, train new hires whose jobs will involve P3 / GH practices within 1 year of hire date.	2015	2	CDD	Regional (MRSWMP)	x	no	x	Cease	x	The new permit requirements are more prescriptive and enhanced, thus likely resulting in greater staff knowledge and abilities which should equate to greater water quality protection.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)		Corresponding Permit Section												
		A.1.b.4.a: Overall Planning												
		A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)						
Element	PERMIT SECTION AND ELEMENT	Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))		
					Local MS4 Dept	SIE, Regional Organization or Co-permittee								
None	E.7.b.3.i	Skills Knowledge and Abilities Assessment	Determine staffs knowledge annually	2015	2	CDD	Regional (MRSWMP)	x	no	x	Cease	x	Annual staff knowledge assessments should lead to increased knowledge, skills and abilities resulting in greater water quality protection.	
	E.7.b.3.ii	Skills Knowledge and Abilities Assessment	Municipal Operations (MO) Good Housekeeping (GH) training shall include: a biennial training to include clear guidance on BMPs to employ / use; general SW education, new technologies, operations or responsibilities that evolve and permit requirements that apply to staff being trained. (b) Annual assessment of trained staff's knowledge of P2 & GH and implement EA IP if necessary, (c) Hired contractors must to perform O&M activities shall be contractually required to comply with all of the storm water BMPs, good housekeeping practices, and standard operating procedures described above. (d) The Permittee shall provide oversight of contractor activities.	2015	2	CDD	Regional (MRSWMP)	x	no	x	Cease	x	The new permit requirements are more prescriptive and enhanced, thus likely resulting in greater staff knowledge and abilities which should equate to greater water quality protection. Also, the annual staff knowledge assessments should lead to increased knowledge, skills and abilities resulting in greater water quality protection.	
	E.7.b.3.iii	Program Effectiveness Assessment and Improvement Plan (EA IP)	Submit summary of last years activities to include a summary to address the relationship between these activities and the EA IP.	All	All	CDD	Regional (MRSWMP)	x	no	x	Cease	x	The implementation of the EAIP approach will create opportunities for program modifications to increase water quality protection.	
E.8 PUBLIC INVOLVEMENT AND PARTICIPATION PROGRAM														
Public Involvement & Participation Program														
2-1.a, 2-3.a	E.8.i	Public Involvement & Participation Program	Involve public in program development & implementation; encourage volunteerism, public comment and input on policy, and activism.	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The proposed permit will create more buy-in by the public which should lead to a more successful program.	
	E.8.i	IRWMP	Agency to be involved in IRWMP or equivalent watershed level planning effort	2015	2		Regional (MRSWMP)	x	equivalent (no)	x	Equivalent standard in place	x	Since the group already is involved in the IRWMP, the switch over to the new permit for regional consistency should not result in a reduction in water quality protection.	
Mostly no equivalent	E.8.ii	Program Development / Implementation	Program Element To: (a) PP & PI program establishes who is responsible for specific tasks and goals, (b) Consider development of a citizen advisory group, (c) Create opportunities for citizens to participate in the implementation of BMPs through sponsoring activities, (d) Ensure the public can easily find information about the Permittee's storm water program. and (e) Actively engage in the agency's IRWMP or equivalent watershed level planning effort.	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The proposed permit will create more buy-in not only by staff, but by the public which should lead to a more successful program.	
	E.8.iii	Program Effectiveness Assessment and Improvement Plan (EA IP)	Submit summary of last years activities to include a summary to address the relationship between these activities and the EA IP.	All	All		Regional (MRSWMP)	x	no	x	Cease	x	The implementation of the EAIP approach will create opportunities for program modifications to increase water quality protection.	
E.9 ILLICIT DISCHARGE DETECTION AND ELIMINATION														
3-2.a	E.9.a	Outfall Mapping—Create and maintain accurate outfall map including a site visit to each outfall.	Implementation includes combining land use maps with outfall maps, and identifying priority areas.	2015	2	(Not Applicable to City of Marina)		x	no	3-2.a—Complete preparation of the storm drainage system maps, showing the location of all outfalls discharging to waters of the state and other MS4s that receive discharges from those outfalls.	Cease	x	Outfall mapping completed for MRSWMP and not required for renewal permittees. However, maps should be updated in Year-2 to incorporate additional information.	
	E.9.b	Illicit Discharge Source/Facility Inventory												
3-3.b	E.9.b	Create inventory of all industrial/commercial facilities and update annually	Implementation requires additional information about each facility than existing documentation in MRSWMP, and expands types of facilities to be included in the inventory.	2015	2	(Not Applicable to City of Marina)		x	no	3-3.b—Using the "Inventory of businesses to be inspected" and the "Business inspection checklists contained in Appendix E, prioritize the businesses to be inspected, and perform compliance inspections on these businesses to identify illicit connections and illegal discharges and take action to correct any observed violations of the storm water ordinance. Discharges to Environmentally Sensitive Areas, discharges to Areas of Special Biological Significance, restaurants/fast food chains, auto repair shops, and gas stations will receive top prioritization in scheduling these inspections.	Cease	x	Recommend updating inventory in Year-2 per new permit	

City of Marina - Phase II Small MS4 General Permit - Guidance Document

Corresponding Permit Section												
A.1.b.4.a: Overall Planning												
MRSWMP PERMIT COMPARABLE (DRAFT)	A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)					
	PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.
Element		Local MS4 Dept				SIE, Regional Organization or Co-permittee						
3-5.a	E.9.b		2015	2	(Not Applicable to City of Marina)		*	yes	3-5.a. Using the "Inventory of Campgrounds, RV Parks and Boat Marinas" and the Business Inspection Checklists for these facilities contained in Appendix E, inspect each RV park, campground, and boat marina annually, and take action to correct any observed violations of the discharge ordinance	Cease	No demonstrable water quality improvement from business inspections once per permit cycle	Discuss with Regional Board; few such facilities within MRSWMP-permittees, not a type of facility required under new permit.
3-3.a 3-3.b	E.9.b	Business inspections not required except for ASBS dischargers	2015	2	(Not Applicable to City of Marina)		*	yes	3-3.a., 3-3.b. Using the training materials contained on pages F-2 through F-7 of Appendix F, train inspection personnel and other municipal staff, and obtain resources necessary to inspect businesses.	Cease for non-ASBS-permittees	No demonstrable water quality improvement from business inspections once per permit cycle	*
3-3.c	E.9.b		2015	2	(Not Applicable to City of Marina)	Regional (MRSWMP)	*	yes	3-3.c. Create hotline for public reporting of illicit connections	Maintain	*	*
2-2.e		Assess priority areas once during Permit term	2017	4	(Not Applicable to City of Marina)		*	yes	2-2.e. Within the MRSWMP area, the First Flush and Urban Watch monitoring programs will be expanded to include the following: Outfalls which receive drainage from commercial, industrial, or residential areas which meet the following criteria: (1) Are over 18" in diameter, and (2) are safe for volunteers/staff to access, including those that discharge to a 303(d) listed water body.	Maintain	*	See comment under monitoring
	E.9.c	Field Sampling to Detect Illicit Discharges										
	E.9.c	Sample ANY flowing outfalls while conducting E.9.a.	2015 (Summer 2014)	2	(Not Applicable to City of Marina)		*	yes		Cease	Task complete	*
2-2.d	E.9.c	Annually sample PRIORITY area outfalls determined in E.9.a.	Summer 2015	3	(Not Applicable to City of Marina)	Regional (MRSWMP)	*	no	2-2.d. Based on existing scientific studies and data, the MRSWMP Group will implement a pollution reduction component that identifies with specificity the geographic areas within the jurisdiction of each municipality that are sources of pollution, including T. Gondii and other pathogens, impacting California sea otters. Once the geographic areas are identified the MRSWMP group will create and implement a program to reduce and eliminate the sources of pollution identified as impacting sea otters.	Cease	ASBS monitoring studies to be implemented for majority of MRSWMP monitored outfalls, will provide more extensive data	Study complete.
3-3.e	E.9.e				(Not Applicable to City of Marina)		*	no	3-3.e. Perform source tracking of manholes in the "Designated Hot Spot areas" listed in Appendix E to determine source of pollutants	Reduce	Revise based on PRIORITY outfalls	Limited outcomes in identifying source of pollutants through this BMP
	E.9.c	Conduct follow up investigation within 72 hours if action levels exceeded	2015 (Summer 2014)	2	(Not Applicable to City of Marina)		*	no		*	*	NEW - partially implemented by PG and Monterey through Urban Watch programs

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)		Corresponding Permit Section											
		A.1.b.4.a: Overall Planning											
		A.1.b.4.b					A.1.b.4.c and d (Required for Renewal Permittees only)						
Element	PERMIT SECTION AND ELEMENT	Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))	
					Local MS4 Dept	SIE, Regional Organization or Co-permittee							
E.9.d Illicit Discharge Detection and Elimination Source Investigations and Corrective Actions													
3-1.c	E.9.d	Develop written procedures for investigations and corrective actions	2015 (Summer 2014)	2	CDD - Public Works		x	yes	3-1.c. Using the "Protocol for responding to reports of illegal discharges and illicit connections" and the "Protocol for taking action against violators" contained in Appendix E and the enforcement provisions of the appropriate MS4 storm water ordinance, investigate and take appropriate action on each report of illicit discharge that is received.	Maintain	Update if appropriate	x	
	E.9.d	Once source of discharge is identified, require responsible party to correct within 72 hours of notification and verify with follow-up investigation	2015 (Summer 2014)	2	CDD - Public Works		x	yes		Maintain	Update if appropriate	NEW - but also partially provided for in existing stormwater ordinances	
	E.9.d	Conduct follow up investigation within 72 hours if action levels exceeded	2015 (Summer 2014)	2	CDD - Public Works		x	yes		Maintain	Update if appropriate	NEW	
3-1.a	E.9.d		2015 (Summer 2014)	2		Regional (MRSWMP)	x	yes	3-1.a., 3-1.b: Create and maintain a unified place for public to call to report potential illicit discharges	Cease	x	x	
3-1.b	E.9.d		2015 (Summer 2014)	2	CDD - Public Works		x	yes	3-4.a. Using the guidance document pertaining to illicit connections and illegal discharges and model stormwater ordinance in Appendix E, each Participating Entity will adopt a storm water ordinance revised to be specific to each entity's needs through appropriate governing body procedures.	Maintain	Update if appropriate		
3-4.a	E.9.d		2015 (Summer 2014)	2	CDD - Public Works		x	yes					
	E.9.e	Spill Response Plan	Develop plan	2014	1	CDD - Public Works		x	no		x	x	NEW
E.10 CONSTRUCTION SITE STORM WATER RUNOFF CONTROL PROGRAM													
E.10.a Construction Site Inventory													
	E.10.a.i	Task Description	By year 1 the permittee shall maintain an inventory of all projects subject to local stormwater ordinance	2014	1	CDD - Public Works		x	no		x	x	Inventory requirements under the new permit are much more detailed than the existing system. Thus, this should result in better protection of local water quality.
	E.10.a.ii	Implementation Level	The inventory shall contain, at a minimum: a. contact information for each project b.basic site information c. location of project with respect to all waterbodies d. project threat to water quality e. current construction phase f. required inspection frequency per local storm water ordinance g. project start and anticipated completion dates h. date the permittee approved the erosion and sediment control plan	2014	1	CDD - Public Works		x	no		x	x	The new permit requires much more detailed information with respect to each construction site, including the site's threat to water quality, and data for sites covered by the CGP. Thus, this should result in better protection of local water quality.
	E.10.a.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2014	1	CDD - Public Works		x	no		x	x	Certification from decision making personnel makes them accountable and will lead to buy-in of the new permit requirements. This should result in better protection of local water quality.
E.10.b Construction Plan Review and Approval Procedures													
4-2.b	E.10.b.i	Task Description	By year 1 the Permittee shall develop procedures to review and approve relevant construction plan documents.	2014	1	CDD - Public Works, Building		x	no		x	x	The new permit requires much more detailed information with respect to each construction site's ESC plan, including relevant permits. Thus, this should result in better protection of local water quality.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

Corresponding Permit Section													
A.1.b.4.a: Overall Planning													
MRSWMP PERMIT COMPARABLE (DRAFT)	A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)						
	PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
						Local MS4 Dept	SIE, Regional Organization or Co-permittee						
Element													
4-3.b	E.10.b.ii	Implementation Level	The review procedures shall meet the following: a. Prior to issuing a permit the Permittee shall require each operator of a construction site to prepare and submit an erosion and sediment control plan with site-specific BMPs that meet minimum requirements of local storm water ordinance b. Require that Erosion & Sediment Control (ESC) plan include rationale for selected BMPs including soil loss calculations c. Require that ESC plan list applicable permits directly associated with grading activity and evidence that these permits have been obtained prior to commencing the soil disturbing activities authorized by the grading permit d. Conduct and document review of each ESC plan using a checklist or similar process e. A SWPPP developed pursuant to the CGP may substitute for the ESC plan, but Permittee is responsible for reviewing applicable portions of the SWPPP for compliance with local storm water ordinance.	2014	1	CDD - Public Works, Building		x	no	x	x	x	The new permit requires site specific BMPs and their rationale for use, including soil loss calculations., which should result in better site erosion and sediment control. Sites covered by the CGP must also be reviewed. Taken together, this should result in better protection of local water quality.
	E.10.b.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2014	1	CDD - Public Works, Building		x	no	x	x	x	Certification from decision making personnel makes them accountable and will lead to buy-in of the new permit requirements. This should result in better protection of local water quality.
	E.10.c Construction Site Inspection and Enforcement												
4-4.a	E.10.c.i	Task Description	By year 2 the Permittee shall use legal authority to implement procedures for inspecting public and private construction projects and conducting enforcement if necessary.	2015	2	CDD - Public Works		x	no	x	x	x	Increased legal authority to perform inspections and enforcement should result in better protection of local water quality.
	E.10.c.ii	Implementation Level	Permittee shall conduct, at minimum, inspections at priority construction sites prior to land disturbance (during the rainy season), during and after active construction. Inspections shall include assessment of compliance with storm water ordinance. 1. pre-construction E&S BMP inspection; 2. active construction inspection; 3. post-construction inspection Inspect 100% of applicable construction sites in accordance with project priority: High: weekly during rainy season; Medium: at least twice during rainy season; Low: at least once during rainy season. Prioritization criteria shall be based on project threat to water quality. At conclusion of the project, Permittee must inspect site to ensure that all disturbed areas have been stabilized and temporary ESC measures are no longer needed.	2015	2	CDD - Public Works		x	no	x	x	x	The new permit determines prioritization of construction sites by project threat to water quality, a corresponding schedule for inspection, and a more detailed list of items to inspect, thus leading to better protection of local water quality
	E.10.c.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2015	2	CDD - Public Works, Building		x	no	x	x	x	Certification from decision making personnel makes them accountable and will lead to buy-in of the new permit requirements. This should result in better protection of local water quality.
E.11 POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR PERMITTEE													
E.11.a Inventory of Permittee-Owned and Operated Facilities													
4-4.a	E.11.a.i	Task Description	By year 2 the Permittee shall develop and maintain an inventory of Permittee-owned or operated facilities that are a threat to water quality, if applicable.	2015	2	CDD		x	no	x	x	x	No equivalent BMP exists, thus the new BMP should result in better protection of local water quality.
	E.11.a.ii	Implementation Level	Extensive list of Permittee-owned or operated facilities that are potential significant sources of pollution in storm water (see permit for list)	2015	2	CDD		x	no	x	x	x	No equivalent BMP exists, thus the new BMP should result in better protection of local water quality.
	E.11.a.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2015	2	CDD - Public Works		x	no	x	x	x	Certification from decision making personnel makes them accountable and will lead to a more concerted effort to meet the new permit requirements. This should result in better protection of local water quality.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)	Corresponding Permit Section											
	A.1.b.4.a: Overall Planning											
	A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)					
	PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.
		Local MS4 Dept				SIE, Regional Organization or, Co-permittee						
Element												
E.11.b Map of Permittee-owned or Operated Facilities												
E.11.b.i	Task Description	By year 2 submit a map of the area within the permit boundary and identify where the inventoried Permittee-owned or operated facilities are located.	2015	2	CDD - Building, Public Works		x	no	x	x	x	No equivalent BMP exists, thus the new BMP should result in better protection of local water quality.
E.11.b.ii	Implementation Level	The map identifying the location of Permittee-owned or operated facilities shall identify the storm water drainage system (e.g. storm water outfalls or other mechanisms in which storm water leaves the site) corresponding to each facility as well as the receiving waters to which these facilities discharge. The map shall also show the facility and the manager of each facility, including contact information .	2015	2	CDD - Building, Public Works		x	no	x	x	x	No equivalent BMP exists, thus the new BMP should result in better protection of local water quality.
E.11.b.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2015	2	CDD - Building, Public Works		x	no	x	x	x	Certification from decision making personnel makes them accountable and will lead to a more concerted effort to meet the new permit requirements. This should result in better protection of local water quality.
E.11.c Facility Assessment												
E.11.c.i	Task Description	By year 3, for all inventoried Permittee-owned or operated facilities, the Permittee shall conduct a comprehensive inspection and assessment of pollutant discharge potential and identification of pollutant hotspots using the Center for Watershed Protections' (CWP) guide on Urban Subwatershed and Site Reconnaissance, or equivalent.	2016	3	(Not Applicable to City of Marina)		x	no	x	x	x	Since the new permit requires a much more detailed inspection and assessment, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
E.11.c.ii	Implementation Level	Conduct an annual review and assessment of all municipally owned or operated facilities to determine their potential to impact surface waters. The assessment shall include a. Identification of hotspots (see permit for factors, prioritization, minimum hotspot facilities) b. Documentation of the comprehensive assessment procedures and results, including copies of any site evaluation checklists. <i>Note: "Hotspots" are specific operations in a subwatershed that may generate high storm water pollution.</i>	2016	3	(Not Applicable to City of Marina)		x	no	x	x	x	Since the new permit requires a much more detailed review and assessment, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
E.11.c.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2016	3	(Not Applicable to City of Marina)		x	no	x	x	x	Certification from decision making personnel makes them accountable and will lead to a more concerted effort to meet the new permit requirements. This should result in better protection of local water quality.
E.11.d Stormwater Pollution Prevention Plans												
E11.d.i	Task Description	By year 4 the Permittee shall develop and implement SWPPPs for pollutant hotspots. If permittee has an existing hazardous materials business plan, spill prevention plan, or other equivalent document, the Permittee is not required to develop a SWPPP.	2017	4	(Not Applicable to City of Marina)		x	no	x	x	x	Since the new permit re-defines "hotspot", no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
E11.d.ii	Implementation Level	a. Develop and implement a site-specific SWPPP b. SWPPP shall be kept on site at each owned or operated facility and updated as necessary c. SWPPP shall address the minimum elements listed in the permit	2017	4	(Not Applicable to City of Marina)		x	no	x	x	x	Since the new permit re-defines "hotspot", no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
E11.d.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2017	4	(Not Applicable to City of Marina)		x	no	x	x	x	Certification from decision making personnel makes them accountable and will lead to a more concerted effort to meet the new permit requirements. This should result in better protection of local water quality.
E11.e Inspections, Visual Monitoring and Remedial Action												

City of Marina - Phase II Small MS4 General Permit - Guidance Document

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		A.1.b.4.a: Overall Planning										
		A.1.b.4.b					A.1.b.4.c and d (Required for Renewal Permittees only)					
Element	PERMIT SECTION AND ELEMENT		Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
	Detail & / or Existing				Local MS4 Dept	SIE, Regional Organization or, Co-permittee						
E.11.e.i	Task Description	By year 5 the Permittee shall conduct regular inspections of Permittee-owned and operated facilities.	2018	5	(Not Applicable to City of Marina)		x	no	x	x	x	Since the new permit requires a much more detailed inspection and assessment, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
E.11.e.ii	Implementation Level	a. Quarterly visual inspections in accordance with inspection procedures and checklists developed by each Permittee, results shall be kept with the SWPPP including any noted deficiencies and corrective actions b. Annual hotspot comprehensive inspection, results shall be kept with the SWPPP including any noted deficiencies and corrective actions c. Quarterly hotspot visual observations, results shall be kept with the SWPPP including any noted deficiencies and corrective actions d. Inspect each non-hotspot inventoried facilities at least once per permit term.	2018	5	(Not Applicable to City of Marina)		x	no	x	x	x	Since the new permit re-defines "hotspot", no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
E.11.e.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2018	5	(Not Applicable to City of Marina)		x	no	x	x	x	Certification from decision making personnel makes them accountable and will lead to a more concerted effort to meet the new permit requirements. This should result in better protection of local water quality.
E.11.f Storm Drain System Assessment and Prioritization												
E.11.f.i	Task Description	By year 2 the Permittee shall develop and implement procedures to assess and prioritize MS4 storm drain system maintenance, including receiving water bodies within the Permittee's urbanized area and detention basins. If flood control maintenance is undertaken by another entity, the Permittee shall coordinate with the flood conveyance management entity by year 3 to assess and prioritize maintenance of MS4 storm drain system.	2015	2	CDD - Public Works		x	no	x	x	x	Since the new permit requires a higher level of detail for assessment and prioritization for system maintenance, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
E.11.f.ii	Implementation Level	A. Assess/prioritize MS4 storm drain system facilities within the Permittee's urbanized area based on criteria found in the permit	2015	2	CDD - Public Works		x	no	x	x	x	Since the new permit requires a higher level of detail for assessment and prioritization for system maintenance, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
E.11.f.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2015	2	CDD - Public Works		x	no	x	x	x	Certification from decision making personnel makes them accountable and will lead to a more concerted effort to meet the new permit requirements. This should result in better protection of local water quality.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)	Corresponding Permit Section												
	A.1.b.4.a: Overall Planning												
	A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)						
	PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
		Local MS4 Dept				SIE, Regional Organization or, Co-permittee							
Element													
E.11.g Maintenance of Storm Drain System													
6-11.a	E.11.g.i	Task Description	By year 3 the Permittee shall begin maintenance of all high priority storm drain systems on an ongoing schedule.	2016	3	CDD - Public Works		x	no	x	x	x	Since the new permit requires a higher level of detail for assessment and prioritization for system maintenance, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
6-11.b	E.11.g.ii	Implementation Level	a. Inspect storm drain systems based on priorities assigned in Section E.11.f.ii(a), at minimum inspect all high priority catch basins and systems annually b. Clean storm drain systems c. Label catch basins d. Maintain surface drainage structures e. Dispose of waste materials (refer to permit for additional information)	2016	3	CDD - Public Works		x	no	x	x	x	Since the new permit requires a higher level of detail for assessment and prioritization for system maintenance, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
E-191	E.11.g.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2016	3	CDD - Public Works		x	no	x	x	x	Certification from decision making personnel makes them accountable and will lead to a more concerted effort to meet the new permit requirements. This should result in better protection of local water quality.
E.11.h Permittee Operations and Maintenance Activities (O&M)													
6-10.b	E.11.h.i	Task Description	By year 3 the Permittee shall assess their O&M activities for potential to discharge pollutants in storm water and inspect all O&M BMPs on a quarterly basis.	2016	3	CDD - Public Works		x	no	x	x	x	x
6-10.b	E.11.h.ii	Implementation Level	a. Develop and implement a program to assess O&M activities and subsequently develop applicable BMPs (see permit for list of activities to included in assessment) b. Identify all materials that could be discharged from O&M activities and which materials contain pollutants c. Develop and implement a set of BMPs that when applied during O&M activities will reduce pollutants in storm water and non-storm water discharges, permittee shall use CASQA Municipal Handbook or equivalent d. Evaluate BMPs on a quarterly basis. (refer to permit for additional information)	2016	3	CDD - Public Works		x	no	x	x	x	Since the new permit requires a higher level of detail for assessment, including site specific BMPs and reference to CASQA Municipal Handbook, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
6-10.a	E.11.b.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2016	3	CDD - Public Works		x	no	x	x	x	Certification from decision making personnel makes them accountable and will lead to a more concerted effort to meet the new permit requirements. This should result in better protection of local water quality.
6-10.c E.11.i Incorporation of Water Quality and Habitat Enhancement Features in Flood Management Facilities													
	E.11.i.i	Task Description	By year 3 the Permittee shall develop and implement a process for incorporating water quality habitat enhancement features into new and rehabilitated flood management facilities.	2016	3	CDD - Public Works		x	no	x	x	x	Since the new permit requires a higher level of detail for water quality and habitat enhancement features, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.
6-10.d	E.11.i.ii	Implementation Level	The permittee shall develop and implement a process to incorporate water quality and habitat enhancement features in the design of all new and rehabilitated flood management projects that are associated with the MS4 or that discharge to the MS4.	2016	3	CDD - Public Works		x	no	x	x	x	Since the new permit requires a higher level of detail for water quality and habitat enhancement features, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)		Corresponding Permit Section												
		A.1.b.4.a: Overall Planning												
		A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)						
PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))		
					Local MS4 Dept	SIE, Regional Organization or, Co-permittee								
Element														
6-10.e	E.11.i.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2016	3	CDD - Public Works	x	no	x	x			Certification from decision making personnel makes them accountable and will lead to a more concerted effort to meet the new permit requirements. This should result in better protection of local water quality.	
6-10.f			Perform a chemical analysis of material removed by catch basin cleanings (in 2008, 2010 only)			CDD - Public Works	x	no	Perform a chemical analysis of material removed by catch basin cleanings (in 2008, 2010 only)	cease	x		Additional (new) monitoring requirements will provide equivalent information. Results of these tests proved to be of little value in making real Water Quality improvements.	
E.11.j Landscape Design and Maintenance														
6-2.a	E.11.j.i	Task Description	By year 2 the Permittee shall implement a landscape design and maintenance program to reduce the amount of water, pesticides, herbicides and fertilizers used during Permittee operations and activities	2015	2	CDD - Public Works	x	no	x	x	x		Since the new permit requires a higher level of detail for evaluation, including limits based on federal regulations, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.	
6-3.a	E.11.j.ii	Implementation Tasks	At minimum, Permittee shall: a. Evaluate pesticides, herbicides and fertilizers used and application activities performed and identify pollution prevention and source control opportunities b. Implement practices that reduce the discharge of pesticides, herbicides, and fertilizers c. Record the types and amounts of pesticides, herbicides, and fertilizers used in the permit area (refer to permit for additional detail).	2015	2	CDD - Public Works	x	no	x	x	x		Since the new permit requires a higher level of detail for evaluation, including limits based on federal regulations, no equivalent BMP exists. Thus, the new BMP should result in better protection of local water quality.	
6-5.a	E.11.j.iii	Reporting	Permittee shall submit a summary of past year's activities to SMARTS and certify compliance with all requirements of this program element. The summary shall also address the relationship to the Permittee's Program Effectiveness Assessment and Improvement Plan.	2015	2	CDD - Public Works	x	no	x	x	x		Certification from decision making personnel makes them accountable and will lead to a more concerted effort to meet the new permit requirements. This should result in better protection of local water quality.	
6-6.a			Conduct street sweeping in accordance with Permit-specified frequencies (twice per year prior to and after the last rains of the season)				x	yes	Sweeping performed in each MS4 in accordance with the schedules presented in the current SWMP prepared in 2006.	Maintain, modify		Modify sweeping schedules and routes to perform more efficiently and respond to changed conditions since the original routes and frequencies were proposed in 2003.	Allowing sweeping routes and schedules to be modified based on actual need will provide more effective removal of sediment by focusing on areas of higher priority than in meeting a less effective (or inaccurate) standard.	
6-6.b			Perform a chemical analysis of material removed by street sweeping (in 2008, 2010 only)				x	no	Perform a chemical analysis of material removed by street sweeping (in 2008, 2010 only)	cease	x		Additional (new) monitoring requirements will provide equivalent information. Results of these tests proved to be of little value in making real Water Quality improvements.	
6-7.e			Inspect the vehicle maintenance facility annually using the provided checklist and correct 100% of deficiencies				x	no	Correct 100% of noted deficiencies	cease	x		These inspections duplicate the requirements of E-11.d and the existing CUPA program; past inspections have discovered few (if any) problems that needed correction.	
6-7.f			Store 100% of materials and wastes under cover whenever possible				x	yes	100% of materials stored under cover whenever possible	maintain	x		This more-specific requirement is duplicative of and will be completed under E.11.c and E.11.d	
6-8.b			Inspect vehicle washing facilities annually using provided checklist and correct any deficiencies noted				x	yes	100% of noted deficiencies corrected.	maintain	x		This more-specific requirement is duplicative of and will be completed under E.11.c and E.11.d	

City of Marina - Phase II Small MS4 General Permit - Guidance Document

Corresponding Permit Section													
A.1.b.4.a: Overall Planning													
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	PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
Element							Local MS4 Dept						
6-9.a			Require the use of proper measures to minimize sediment, debris, paint, and construction materials out of the storm drain system. Modify third-party contracts; perform street sweeping on a frequent basis					x	yes	100% of projects and project contracts to include these requirements	maintain	x	This more-specific requirement is duplicative of Construction General Permit requirements and will be implemented under E.11.h
6-4.a			Minimize irrigation runoff at 80% of Permittee's facilities; 90% of sprinklers in operational condition					x	yes	Minimize irrigation runoff to 80% of irrigation sites and to 90% of sprinkler inventory	maintain	x	This more-specific requirement is duplicative of and will be completed under E.11.h and E.11.j
6-4.b			Perform spraying only when there is < 20% chance of rainfall predicted within 24 hours					x	similar (no)	No pesticide use will occur within 24 hours of a predicted rainfall with greater than 20% probability as determined by NOAA website.	cease	x	This requirement is arguably equivalent to the 48-hour, 50% probability requirement of E.11.j.ii.b.2.f
E.12 POST CONSTRUCTION STORMWATER MANAGEMENT PROGRAM													
E.12.a Post Construction Measures													
			Regulate development to comply with the following sections, E.12.b through E.12.l	2015	2	CDD - Public Works							
E.12.b Site Design Measures													
5-2.b	E.12.b.i	Require implementation:	Require implementation of site design measures on projects that create or replace 2,500-5,000 SF impervious area (includes single family homes).	2015	2	CDD - Planning Division, Public Works		x	no	Using the "Development projects plan review and inspection procedures" contained in Appendix E, review 100% of project plans subject to the post-construction requirements of the storm water ordinance for compliance with this ordinance during design and construction	x	x	New design measures include porous pavement, green roofs and soil quality improvement & maintenance;
5-5.a	E.12.b.ii	Reporting Requirements:	Require use of the SMARTS Post-Construction Calculator or equivalent to quantify runoff reduction resulting from site design measures	2015	2	CDD - Planning Division, Public Works	Summarize relationship between the program element activities and the Permittee's Program Effectiveness Assessment & Improvement Plan that tracks annual and long-term effectiveness of the storm water program		no		x	x	x
5-6.a			Select Applicability Thresholds for application of hydromod control criteria					x	no	Select Applicability Thresholds for application of hydromod control criteria	x	x	Region-wide applicability thresholds are set forth in the new PCRs for the Central Coast
E.12.c Regulated Projects													
5-2.b	E.12.c.i	Implement standards:	Projects that create or replace >5,000 SF impervious area, aka Regulated Projects	2015	2	CDD - Planning Division, Public Works	Road and Utility Projects creating 5,000 sf or more that are public or fall under planning authority of a city shall comply with LID except 85th % can follow EPA Guidance on green infrastructure		no	Using the "Development projects plan review and inspection procedures" contained in Appendix E, review 100% of project plans subject to the post-construction requirements of the storm water ordinance for compliance with this ordinance during design and construction	x	x	x
5-5.a			Develop municipality specific hydromodification control criteria					x	no	Develop municipality specific hydromodification control criteria	x	x	Region-wide hydromodification control criteria are set forth in the new PCRs for the Central Coast
5-6.a			Select Applicability Thresholds for application of hydromod control criteria					x	no	Select Applicability Thresholds for application of hydromod control criteria	x	x	Region-wide applicability thresholds are set forth in the new PCRs for the Central Coast
5-2.b	E.12.c.ii	Shall Require:	Regulated Projects to implement measures for site design, source control, runoff reduction, storm water treatment and baseline hydromodification management as defined in this Order.	2015	2	CDD - Planning Division, Public Works	Where a redevelopment projects results in an increase of more than 50% of the impervious surface of a previously existing development, runoff from the entire project, consisting of all existing, new, and/or replaced impervious surfaces, must be included to the extent feasible		no	Using the "Development projects plan review and inspection procedures" contained in Appendix E, review 100% of project plans subject to the post-construction requirements of the storm water ordinance for compliance with this ordinance during design and construction	x	x	x

City of Marina - Phase II Small MS4 General Permit - Guidance Document

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		Local MS4 Dept				SIE, Regional Organization or Co-permittee							
Element													
5-5.a			Develop municipality specific hydromodification control criteria					x	no	Develop municipality specific hydromodification control criteria	x	x	Region-wide hydromodification control criteria are set forth in the new PCRs for the Central Coast
5-6.a			Select Applicability Thresholds for application of hydromod control criteria					x	no	Select Applicability Thresholds for application of hydromod control criteria	x	x	Region-wide applicability thresholds are set forth in the new PCRs for the Central Coast
E.12.d. Source Control Measures -													
5-3.a	E.12.d.i	Required to implement:	Standard permanent and/or operation source control measures as applicable on Regulated Projects with pollutant-generating activities and sources	2015	2	CDD - Planning Division, Public Works		x	no	Use the "Post-Construction BMPs for New development and Redevelopment and the "Post-construction site inspection checklist" contained in Appendix E to inspect projects and/or require self certification by owner following completion of construction.	x	x	x
5-3.b			Using the "Protocol for taking action against violators of Municipal Stormwater Ordinance." and the enforcement provisions of the each Permittee's storm water ordinance, MS4 will enforce post construction compliance with its storm water ordinance.					x	no	Using the "Protocol for taking action against violators of Municipal Stormwater Ordinance." and the enforcement provisions of the each Permittee's storm water ordinance, MS4 will enforce post construction compliance with its storm water ordinance.	x	x	This more-specific requirement is duplicative of and will be addressed by implementation of E.6.c
5-4.c	E.12.d.ii	Measures shall be designed:	Consistent with recommendations from the CASQA Stormwater BMP Handbook for New Development & Redevelopment or equivalent manual	2015	2	CDD - Planning Division, Public Works	Both- (MRWPCA)	x	no	Implement hydromodification controls and LID for all applicable new and redevelopment projects.	x	x	Existing Interim LID measures are less restrictive than the new PCRs for the Central Coast
5-5.a			Develop municipality specific hydromodification control criteria					x	no	Develop municipality specific hydromodification control criteria	x	x	Region-wide hydromodification control criteria are set forth in the new PCRs for the Central Coast
5-6.a			Select Applicability Thresholds for application of hydromod control criteria					x	no	Select Applicability Thresholds for application of hydromod control criteria	x	x	Region-wide applicability thresholds are set forth in the new PCRs for the Central Coast
5-7.a			Make LID BMP Design Guidance available for all stakeholders.					x	yes	Make LID BMP Design Guidance available for all stakeholders.	maintain		This requirement is available on the Central Coast Regional Water Board's web page for the PCRs
5-7.b			Develop guidance for achieving compliance with hydromod control criteria and LID requirements for project applicants.					x	no	Develop guidance for achieving compliance with hydromod control criteria and LID requirements for project applicants.	x	x	Detailed design information is available in the new PCRs for the Central Coast
5-7.e			Implement procedures for the permit application review process to ensure LID applied to 100% of all applicable new development and redevelopment projects.					x	no	Implement procedures for the permit application review process to ensure LID applied to 100% of all applicable new development and redevelopment projects.	(maintain)	x	Equivalent to requirements proposed in the PCRs for the Central Coast
E.12.e LID Standards													
5-3.a	E.12.e.i.	Regulated Projects to Implement:	LID standards to treat stormwater and provide baseline hydromod mgmt to meet numeric sizing criteria under E.12.e(ii)c	2015	2	CDD - Planning Division, Public Works		x	no	Use the "Post-Construction BMPs for New development and Redevelopment and the "Post-construction site inspection checklist" contained in Appendix E to inspect projects and/or require self certification by owner following completion of construction.	x	x	x
5-3.b	E.12.e.ii	Adopt & Implement:	Requirements & standards to ensure design and construction of development projects achieve LID Design Standards detailed in this section	2015	2	CDD - Planning Division, Public Works			no	Implement Interim LID requirements on all discretionary new development and redevelopment projects	x	x	New permit and Post-Construction Requirements are more detailed for hydrologic sizing design criteria for water retention & treatment; Hydromodification management measures treats runoff not treated by site design measures
5-4.c	E.12.e.iii	Reporting through SMARTS to include:	Summarize relationship between the program element activities and the Permittee's Program Effectiveness Assessment & Improvement Plan that tracks annual and long-term effectiveness of the storm water program	2015	2	CDD - Planning Division, Public Works		x	no	Implement hydromodification controls and LID for all applicable new and redevelopment projects.	x	x	x

City of Marina - Phase II Small MS4 General Permit - Guidance Document

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5-5.a		Develop municipality specific hydromodification control criteria					x	no	Develop municipality specific hydromodification control criteria	x	x	Region-wide hydromodification control criteria are set forth in the new PCRs for the Central Coast
5-6.a		Select Applicability Thresholds for application of hydromod control criteria					x	no	Select Applicability Thresholds for application of hydromod control criteria	x	x	Region-wide applicability thresholds are set forth in the new PCRs for the Central Coast
5-7.a		Make LID BMP Design Guidance available for all stakeholders.					x	yes	Make LID BMP Design Guidance available for all stakeholders.	maintain	There is no requirement to make this information available in the new Permit	This requirement is available on the Central Coast Regional Water Board's web page for the PCRs
5-7.b		Develop guidance for achieving compliance with hydromod control criteria and LID requirements for project applicants.					x	no	Develop guidance for achieving compliance with hydromod control criteria and LID requirements for project applicants.	x	x	Detailed design information is available in the new PCRs for the Central Coast
5-7.e		Implement procedures for the permit application review process to ensure LID applied to 100% of all applicable new development and redevelopment projects.					x	equivalent (no)	Implement procedures for the permit application review process to ensure LID applied to 100% of all applicable new development and redevelopment projects.	(maintain)	x	Equivalent to requirements proposed in the PCRs for the Central Coast
E.12.f Hydromodification Management												
5-3.a	E.12.f.i	Hydromodification Management procedures shall apply to:	All regulated projects that create and/or replace 1 acre or more of impervious area	2016	3	CDD - Planning Division, Public Works	x	no	Use the "Post-Construction BMPs for New development and Redevelopment and the "Post-construction site inspection checklist" contained in Appendix E to inspect projects and/or require self certification by owner following completion of construction.	x	x	x
5-3.b	E.12.f.ii	Implement Hydromodification Standards that limit:	Post-project runoff not to exceed estimated pre-project flow rate subject to the project location's geomorphic province shown on Figure 1	2016	3	CDD - Planning Division, Public Works		no	Using the "Protocol for taking action against violators of Municipal Stormwater Ordinance." and the enforcement provisions of the each Permittee's storm water ordinance, MS4 will enforce post construction compliance with its storm water ordinance.	x	x	x
5-4.c	E.12.f.iii	Reporting through SMARTS to include:	Summarize relationship between the program element activities and the Permittee's Program Effectiveness Assessment & Improvement Plan that tracks annual and long-term effectiveness of the storm water program	2016	3	CDD - Planning Division, Public Works	x	no	Implement hydromodification controls and LID for all applicable new and redevelopment projects.	x	x	x
5-5.a		Develop municipality specific hydromodification control criteria					x	no	Develop municipality specific hydromodification control criteria	x	x	Region-wide hydromodification control criteria are set forth in the new PCRs for the Central Coast
5-6.a		Select Applicability Thresholds for application of hydromod control criteria					x	no	Select Applicability Thresholds for application of hydromod control criteria	x	x	Region-wide applicability thresholds are set forth in the new PCRs for the Central Coast
5-7.a		Make LID BMP Design Guidance available for all stakeholders.					x	yes	Make LID BMP Design Guidance available for all stakeholders.	maintain	There is no requirement to make this information available in the new Permit	This requirement is available on the Central Coast Regional Water Board's web page for the PCRs
5-7.b		Develop guidance for achieving compliance with hydromod control criteria and LID requirements for project applicants.					x	no	Develop guidance for achieving compliance with hydromod control criteria and LID requirements for project applicants.	x	x	Detailed design information is available in the new PCRs for the Central Coast
5-7.e		Implement procedures for the permit application review process to ensure LID applied to 100% of all applicable new development and redevelopment projects.					x	equivalent (no)	Implement procedures for the permit application review process to ensure LID applied to 100% of all applicable new development and redevelopment projects.	(maintain)	x	Equivalent to requirements proposed in the PCRs for the Central Coast
E.12.g Enforceable Mechanisms												
5-1.a	E.12.g.i	Develop or modify:	Enforceable mechanisms to implement E.12.b - E.12.f	2016	3	CDD - Planning Division, Public Works	x	no	Using the guidance document and model ordinance contained on pages E-84 through E-98 and E-137 through E-143 of Appendix E, each Participating Entity will adopt a storm water ordinance revised to be specific to each entity's needs through appropriate governing body procedures.	x	x	x

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)		Corresponding Permit Section											
		A.1.b.4.a: Overall Planning											
		A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)					
PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))	
					Local MS4 Dept	SIE, Regional Organization or, Co-permittee							
Element													
5-2.a	E.12.g.ii	Review municipal codes, regulations, standards and specifications to:	Identify modifications and/or additions necessary to fill gaps, remove impediments, and resolve regulatory conflicts to effectively implement project-scale development requirements	2016	3	CDD - Planning Division, Public Works	Complete a tracking report indicating the Permittee's accomplishments in education and outreach supporting implementation of LID requirements for new and redevelopment projects	no	Train appropriate staff on the "Development projects plan review and inspection procedures" contained in Appendix E	x	x	x	
5-7.c			Provide appropriate education and outreach for all applicable target audiences, including specific guidance for LID BMP design and compliance with hydromod control criteria.				x	yes	Provide appropriate education and outreach for all applicable target audiences, including specific guidance for LID BMP design and compliance with hydromod control criteria.	maintain	There is no requirement to make this information available in the new Permit	This requirement is available on the Central Coast Regional Water Board's web page for the PCRs	
5-7.d			Create and maintain a tracking report indicating education and outreach program activities addressing LID and hydromod control implementation.				x	yes	Create and maintain a tracking report indicating education and outreach program activities addressing LID and hydromod control implementation.	cease	x	This one-time summary of Interim LID projects is due in Quarter 9 (fall 2013)	
Operation and Maintenance of Post-Construction Stormwater Management Measures													
	E.12.h												
5-7.f	E.12.h.i	Implementation of:	O&M verification program for stormwater treatment and baseline hydromod (defined in E.12.e.ii.f) on all regulated projects	2015	2	CDD - Planning Division, Public Works	Local vector agency is not a regional entity.	equivalent (no)	Develop and maintain tracking report for use during the permit application review process that lists LID design principles and features that are incorporated into each applicable new and redevelopment project.	Maintain program element as detailed in Appendix E	x	x	
	E.12.h.ii	Minimum O&M Verification Program shall include:	Documentation defining responsible maintenance parties, written implementation plan & database of all Regulated Projects that have installed treatment systems	2015	2	CDD - Planning Division, Public Works	Develop Legal enforceable agreement or mechanism to grant Permittee site access to perform O&M inspections	equivalent (no)	Develop and maintain tracking report for use during the permit application review process that lists LID design principles and features that are incorporated into each applicable new and redevelopment project.	Maintain program element as detailed in Appendix E	x	x	
	E.12.h.iii	Reporting through SMARTS to include:	Summarize relationship between the program element activities and the Permittee's Program Effectiveness Assessment & Improvement Plan that tracks annual and long-term effectiveness of the storm water program	2015	2	CDD - Planning Division, Public Works	x	no	Implement hydromodification controls and LID for all applicable new and redevelopment projects.	x	x	x	
Post-Construction BMP Condition Assessment													
	E.12.i												
5-7.f	E.12.i.i	Inventory and assess:	The maintenance condition of structural post-construction BMPs within permittees jurisdiction	2016	3	CDD - Planning Division, Public Works	x	no	Develop and maintain tracking report for use during the permit application review process that lists LID design principles and features that are incorporated into each applicable new and redevelopment project.	x	x	x	
	E.12.i.ii	Implement a plan:	To inventory, map, and determine the relative maintenance condition of structural post-construction BMPs. Maintenance condition shall be determined through a self-certification program where Permittees require annual reports from authorized parties demonstrating proper maintenance and operations	2016	3	CDD - Planning Division, Public Works	Appropriate escalating enforcement based on the Permittee Enforcement Response Plan to ensure proper maintenance of BMPs and <u>submittal of self-certification annual reports</u>	no	x	x	x	x	
	E.12.i.iii	Reporting through SMARTS to include:	Summarize relationship between the program element activities and the Permittee's Program Effectiveness Assessment & Improvement Plan that tracks annual and long-term effectiveness of the storm water program	2016	3	CDD - Planning Division, Public Works	x	no	Implement hydromodification controls and LID for all applicable new and redevelopment projects.	x	x	x	
Planning and Development Review Process													
	E.12.j												
5-1.a	E.12.j.i	Review planning & permitting process:	To assess any gaps or impediments impacting effective implementation of these post-construction requirements specified in Section E.12, and where these are found to exist, seek solutions to promote implementation of these requirements within the context of public safety and community goals for land use.	2016	1-3	CDD - Planning Division, Public Works	x	no	Using the guidance document and model ordinance contained on pages E-84 through E-98 and E-137 through E-143 of Appendix E, each Participating Entity will adopt a storm water ordinance revised to be specific to each entity's needs through appropriate governing body procedures.	x	x	x	

City of Marina - Phase II Small MS4 General Permit - Guidance Document

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	A.1.b.4.a: Overall Planning												
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		Local MS4 Dept				SIE, Regional Organization or, Co-permittee							
Element													
5-2.a	E.12.j.ii	Conduct Review:	Using existing guide or template already developed	2016	1-3	CDD - Planning Division, Public Works	Prioritize review of landscape code to correct gaps and impediments impacting effective implementation of post-construction requirements (Review by Year 1, Complete by Year 2)	no	Train appropriate staff on the "Development projects plan review and inspection procedures" contained in Appendix E	x	x	x	
5-7.c	E.12.j.iii	Conduct Review:	Summarize review process and any proposed or completed changes to the Permittee's program	2016	2-5	CDD - Planning Division, Public Works	Prioritize review of landscape code to correct gaps and impediments impacting effective implementation of post-construction requirements (Review by Year 1, Complete by Year 2)	no	Provide appropriate education and outreach for all applicable target audiences, including specific guidance for LID BMP design and compliance with hydromod control criteria.	x	x	x	
5-7.d							x	no	Create and maintain a tracking report indicating education and outreach program activities addressing LID and hydromod control implementation.	x	x	x	
5-1.a							x	no	Using the guidance document and model ordinance contained on pages E-84 through E-98 and E-137 through E-143 of Appendix E, each Participating Entity will adopt a storm water ordinance revised to be specific to each entity's needs through appropriate governing body procedures.	x	x	x	
5-2.a							x	no	Train appropriate staff on the "Development projects plan review and inspection procedures" contained in Appendix E	x	x	x	
5-7.c							x	no	Provide appropriate education and outreach for all applicable target audiences, including specific guidance for LID BMP design and compliance with hydromod control criteria.	x	x	x	
5-7.d							x	no	Create and maintain a tracking report indicating education and outreach program activities addressing LID and hydromod control implementation.	x	x	x	
5-1.a							x	no	Using the guidance document and model ordinance contained on pages E-84 through E-98 and E-137 through E-143 of Appendix E, each Participating Entity will adopt a storm water ordinance revised to be specific to each entity's needs through appropriate governing body procedures.	x	x	x	
5-2.a							x	no	Train appropriate staff on the "Development projects plan review and inspection procedures" contained in Appendix E	x	x	x	
5-7.c							x	no	Provide appropriate education and outreach for all applicable target audiences, including specific guidance for LID BMP design and compliance with hydromod control criteria.	x	x	x	
5-7.d							x	no	Create and maintain a tracking report indicating education and outreach program activities addressing LID and hydromod control implementation.	x	x	x	

City of Marina - Phase II Small MS4 General Permit - Guidance Document

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					Local MS4 Dept	SIE, Regional Organization or Co-permittee							
E.12.k Post Construction Storm Water Management Requirements Based on Assessment and Maintenance of Watershed Processes													
-none-		All applicable MS4s to comply with post-construction storm water management requirements based on a watershed-process approach	Not specified		CDD - Planning Division, Public Works		x	no	x	x	x	x	
E.12.l Alternative Post-Construction Storm Water Management Program													
-none-		For multiple benefit projects a permittee may propose alternative Post Const. Requirements (ones that address water quality, supply, flood control, habitat enhancement, open space preserve, recreation, climate change)	No date provided - permittee may propose if desired		CDD - Planning Division, Public Works	Both Regional (MRSWMP)	x	no	x	x	x	x	
E.13 WATER QUALITY MONITORING													
2-2.d. Encourage general public participation in programs and activities designed to promote understanding and awareness of storm water pollution, such as cleanup events and restoration activities.													
3-7.a	E.13.a.	ASBS Monitoring – MS4s that discharge to ASBS and are covered by an Ocean Plan exception comply with Attachment C	ASBS Scope of Work approved by State Water Board December 2012. Six receiving water sites to be monitored in MRSWMP area through Central Coast ASBS regional monitoring program.	2014	1	(Not Applicable to City of Marina)	Regional (ASBS-RMP)	x	no	x	x	x	
	E.13.b.	TMDL Monitoring – MS4s w TMDLs must comply with Attachment C and consult with Regional Board within 1 year of effective date to determine monitoring requirements and schedule. And shall implement TMDL monitoring as specified by RB Executive Officer	Required only for Monterey County at this time; may be incorporated into Monterey Bay Regional Monitoring Program (tbd).	2014	1	(Not Applicable to City of Marina)		x	no	3-7.a – Develop a watershed-specific Wasteload Allocation Attainment program to control fecal coliform concentrations in urban runoff due to stormwater, domestic animal waste and/or human fecal material discharges that enter the Pajaro River.	x	x	
	E.13.c.	303(d) Monitoring – MS4s discharging to 303(d) listed waterbodies shall consult with Regional Board within 1 year of effective date to determine whether monitoring is necessary.	Required only for Monterey County and City of Monterey at this time; may be incorporated into Monterey Bay Regional Monitoring Program (tbd).	2014	1	(Not Applicable to City of Marina)		x	no	2-2.d – Conduct monitoring on these additional outfalls for a similar set of constituents as are monitored under the Urban Watch and First Flush Programs.	x	x	
	E.13.d.	Receiving Water Monitoring and Special Studies (Select either Receiving Water Monitoring or Special Studies)		2014	1	(Not Applicable to City of Marina)	Regional (MRSWMP)	x	yes	2-2.e – Within the MRSWMP area, the First Flush and Urban Watch monitoring programs will be expanded to include the following: Outfalls which receive drainage from commercial, industrial, or residential areas which meet the following criteria: (1) Are over 18" in diameter, and (2) are safe for volunteers/staff to access, including those that discharge to a 303(d) listed water body.	Reduce	Recommend continuing to monitor non-ASBS sites within MRSWMP area until development of a regional program for long term data trends assessment	Discussion with Regional Board required
	E.13.d.1	Receiving Water Monitoring	Would Apply only to Monterey County (population >50,000), but Not Applicable due to its ASBS and TMDL monitoring requirements.	2014	1	(Not Applicable to City of Marina)	n/a	x	no	x	x	x	
E.13.d		Select one urban/rural site and one urban area site to monitor		2014	1	(Not Applicable to City of Marina)		x	no	x	x	To be achieved through ASBS monitoring for the MRSWMP group	

City of Marina - Phase II Small MS4 General Permit - Guidance Document

Corresponding Permit Section													
A.1.b.4.a: Overall Planning													
MRSWMP PERMIT COMPARABLE (DRAFT)	A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)						
	PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
Element						Local MS4 Dept	SIE, Regional Organization or, Co-permittee						
2-3.a	E.13.d	Complete and have available a report that includes a summary of baseline data collections and discussion of monitoring program results		2015	2	(Not Applicable to City of Marina)		x	no	(ASBS) Reports to be prepared for rain years 13/14 and 14/15.	x	x	To be achieved through ASBS monitoring for the MRSWMP group
	E.13.d	Complete and have available a report that includes a comparison of data collection to baseline data and discussion of monitoring program results	Non-ASBS parties have less than 50,000 in population per entity not required.	2018	5	(Not Applicable to City of Marina)		x	no	x	x	x	To be achieved through ASBS monitoring for the MRSWMP group
	E.13.d.2	Special Studies	Non-ASBS parties have less than 50,000 in population per entity not required.	n/a	n/a	(Not Applicable to City of Marina)		x	yes	2-3.a. A representative from the MRSWMP group will become an active participant in the Citizen Watershed Monitoring Network.	Cease	x	Not an active group/ meetings are infrequent
	E.13.d			n/a	n/a	(Not Applicable to City of Marina)		x	no	2-2.d. Prioritize Pollutants of Concern (see under the heading titled "Selection of BMPs and Measurable Goals" of Section 4 of the MRSWMP monitoring) data; conduct source tracking using upstream monitoring for the highest priority pollutants and use this to identify probable sources under Minimum Control Measure No. 3 and take appropriate corrective actions in accordance with BMPs 3-3.d and 3-4.a.	Reduce	x	Covered by IDDE program
	E.13.d			n/a	n/a	(Not Applicable to City of Marina)	Regional (MRSWMP)	x	yes	2-2.d. Provide financial support for, or assistance with, volunteer monitoring programs and public participation events such as: Urban Watch, First Flush, Snapshot Day, and Walk N' Talk Days. This Measurable Goal has been fulfilled by the co-permittees through a contract with the Monterey Bay Sanctuary Foundation Citizen Watershed Monitoring Network, and financial contributions to the Monterey Bay Sanctuary Foundation and PE/PO Program.	Reduce	x	Pending further discussions and input from Monterey Bay National Marine Sanctuary Water Quality Division and Regional Board.
	E.13.d			n/a	n/a	(Not Applicable to City of Marina)	Regional (MRSWMP)	x	yes	2-2.d. Volunteer (Outfall) Monitoring Program: This Measurable Goal has been fulfilled by the co-permittees through a contract with the Monterey Bay Sanctuary Foundation Citizen Watershed Monitoring Network. Under that contract, Urban Watch (dry weather) and First Flush (rain event) monitoring was performed on 23 outfalls throughout the MRSWMP area.	Reduce	x	Extensive monitoring to be implemented through ASBS RMP; hence, modified/reduced MRSWMP volunteer monitoring program is proposed for Permit Year 1, while other monitoring req's for TMDL/303(d)/IDDE will offer new opportunities for volunteer monitoring going forward in subsequent years.
	E.13.d	Develop and implement special study monitoring program and submit to Regional Board for review and approval	Non-ASBS parties have less than 50,000 in population per entity not required.	2014	4	(Not Applicable to City of Marina)	n/a	x	no	MRSWMP monitoring during first permit term should cover this.	x	x	Discuss baseline data from first permit term with MBNMS and CC-RWB
	E.13.d	Complete and have available a report that includes a summary of baseline data collections and discussion of monitoring program results	Non-ASBS parties have less than 50,000 in population per entity not required.	2015	2	(Not Applicable to City of Marina)	n/a	x	no	MRSWMP monitoring during first permit term should cover this.	x	x	x
	E.13.d	Complete and have available a report that includes a comparison of data collection to baseline data and discussion of monitoring program results	Non-ASBS parties have less than 50,000 in population per entity not required.	2018	5	(Not Applicable to City of Marina)	n/a	x	no	MRSWMP monitoring during first permit term should cover this.	x	x	x

City of Marina - Phase II Small MS4 General Permit - Guidance Document

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E.14 PROGRAM EFFECTIVENESS ASSESSMENT													
throughout	E.14.A.i	Program Effectiveness and Improvement Plan	Develop and implement a Program Effectiveness Assessment and Improvement Plan that tracks annual and long-term effectiveness of the storm water program. The goal is to improve program effectiveness at reducing targeted pollutants of concern, achieving the MEP standard, and protecting water quality. Permittees to identify a strategy used to gauge the effectiveness of prioritized BMPs and program implementation as a whole.	2015	2	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, requires an EA IP assessment over the Permit Term, thus leading to more consistency and continuity in program development and implementation.
throughout	E.14.a.ii.a	Program Effectiveness and Improvement Plan	EA IP to include: 1) Identification of overall program goals including POC and prioritized BMPs 2) Documentation of the level of implementation of storm water program elements 3) Identification and targeting of target audience(s) 4) Assessment of BMP performance at achieving outcome levels 5) Assessment of pollutant source reductions achieved by individual BMPs 6) Quantification of pollutant loads and pollutant load reductions achieved by the program as a whole 7) MS4 discharge quality, where available, including analysis of the data 8) Receiving water quality data, including analysis of the data 9) Identification of long-term effectiveness assessment, to be implemented beyond the permit term	2015	2	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.
throughout	E.14.a.ii.b	Program Effectiveness and Improvement Plan	Outcome Levels: 1) Storm water program activities 2) Awareness 3) Behavior 4) Pollutant load reductions 5) MS4 discharge quality (where assessment is supported by MS4 discharge quality data) 6) Receiving water conditions	2015	2	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.
throughout	E.14.a.ii.c	Program Effectiveness and Improvement Plan	The Program Effectiveness Assessment and Improvement Plan shall identify assessment methods for privately owned BMPs.	2015	2	Both CDD		x	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.
throughout	E.14.a.ii.d	Program Effectiveness and Improvement Plan	(d) The Program Effectiveness Assessment and Improvement Plan shall identify assessment methods the Permittee will use to quantitatively assess BMP performance at reducing pollutant loads wherever feasible, using the following or equivalent methods: 1) Direct quantitative measurement of pollutant load removal for BMPs that lend themselves to such measurement (e.g., measuring sediment collected through street-sweeping activities); 2) Science-based estimates of pollutant load removal for BMPs where direct measurement of pollutant removal is overly challenging (e.g., removal of heavy metals through a bioswale); 3) Direct quantitative measurement of behaviors that serve as proxies of pollutant removal or reduction (e.g., the percentage of construction sites demonstrated by inspection to be in compliance with permit conditions); or 4) Visual comparison (e.g., using photographs to compare the amount of trash in a creek between one year and the next).	2015	2	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

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					Local MS4 Dept	SIE, Regional Organization or Co-permittee						
throughout	E.14.a.ii.e	Program Effectiveness and Improvement Plan	2015	2	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.
throughout	E.14.a.ii.f	Program Effectiveness and Improvement Plan	2015	2		Regional (MRSWMP)	Needs to be based on regionally available data	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.
throughout	E.14.a.iii	Program Effectiveness and Improvement Plan	2015	2	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.
throughout	E.14.a.iii	Program Effectiveness and Improvement Plan	2016	3	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)	Corresponding Permit Section												
	A.1.b.4.a: Overall Planning												
	PERMIT SECTION AND ELEMENT	A.1.b.4.b				A.1.b.4.c and d (Required for Renewal Permittees only)							
		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))	
Local MS4 Dept	SIE, Regional Organization or Co-permittee												
Element													
throughout	E.14.a.iii	Program Effectiveness and Improvement Plan	EA IP (Part III) By the fifth year annual report, complete and submit an analysis of the effectiveness of modifications made at improving BMP and/or program effectiveness. Coordinate with RWQCB on expectations, timing and frequency of BMP modifications.	2018	5	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.
throughout	E.14.b.i	Program Effectiveness and Improvement Plan	Assess effectiveness of: removing pollutant loads, achieving MEP standard, and protecting water quality. Identify priority areas for program improvement, make changes as necessary per RWQCB approval	2015	2	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.
throughout	E.14.b.ii	Program Effectiveness and Improvement Plan	(ii) Implementation Level – Within the fifth year of the effective date of the permit, the Permittee shall identify and summarize BMP and/or program modifications identified in priority program areas. Modifications shall include: (a) Improving upon BMPs that are underperforming (b) Continuing and expanding upon BMPs that proved to be effective, including identifying new BMPs or modifications to existing BMPs designed to increase pollutant load reductions; (c) Discontinuing BMPs that may no longer be productive and replacing with more effective BMPs; and (d) Shifting priorities to make more effective use of resources	2018	5	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	The proposed BMP is more effective of protecting water quality protection then existing comparable BMP.
throughout	E.14.b.iii	Program Effectiveness and Improvement Plan	Submit list of BMP and/or program modifications (E.14.c(ii)) for priority program areas, including identification of priority program areas and the schedule the Permittee will follow to complete identified modifications during the next permit term. The modifications shall be aimed at the goal of reducing pollutant loads, achieving the MEP standard and protecting water quality.	2018	5	Both CDD	Both (MRSWMP)	Prepare for both Regional Programs and for local implementation programs	no	x	Cease	x	The proposed BMP is more effective of protecting water quality protection then existing comparable BMP.
E.15 TOTAL MAXIMUM DAILY LOADS COMPLIANCE REQUIREMENTS													
3-7.a	E.15.a	Comply with all approved TMDLs (Attachment G)		2014	4	(Not Applicable to City of Marina)		x	no	x	Cease	x	The new requirement will provide greater protection of local water quality.
3-7.a	E.15.b	Waste load allocations are incorporated herein by reference as enforceable parts of this Order		2014	4	(Not Applicable to City of Marina)		x	no	x	Cease	x	The new requirement will provide greater protection of local water quality.
3-7.a	E.15.e	Regional Board reviews TMDLs within one year of effective date and may propose modifications to requirements		2014	4	(Not Applicable to City of Marina)		x	no	x	Cease	x	The new requirement will provide greater protection of local water quality.
3-7.a	E.15.d	Report status of implementation via SMARTS		2014	4	(Not Applicable to City of Marina)		x	no	x	Cease	x	The new requirement will provide greater protection of local water quality.
3-7.a	E.15.e	Comply with Clean Water Act Sections 303d, 306b and 314		2014	4	(Not Applicable to City of Marina)		x	no	x	Cease	x	The new requirement will provide greater protection of local water quality.
E.16 ANNUAL REPORTING PROGRAM													
	E.16.a	Use SMARTS to report and certify		2014-2018	All	CDD - Public Works		x	no	x	x	x	new requirement
	E.16.b	Complete and retain annual reports and make available to RWQCB during working hours		2014-2018	All	CDD - Public Works		x	no	x	x	x	x
	E.16.c	Submit detailed written or oral report to RWQCB if directed.		2014-2018	All	CDD - Public Works		x	no	x	x	x	x

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)		Corresponding Permit Section											
		A.1.b.4.a: Overall Planning											
		A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)					
PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))	
					Local MS4 Dept	SIE, Regional Organization or, Co-permittee							
E.16.d		May coordinate reporting if regional programs	2014-2018	All	CDD - Public Works		x	no	x	x	x	x	
A ATTACHMENT A - COMMUNITY BASED SOCIAL MARKETING													
1-1.a 1-1.b etal		A.1.i-iv	Program Development / Implementation	PE PO program options: (1) Countywide, (2) Regional, (3) Jurisdictional effort, or (4) Combination of 1 - 3.	2014	1	Regional (MRSWMP)	x	no	x	Cease	x	The MRSWMP's PE / PO program is equivalent to the proposed program, thus we can switch over to the new requirements in order to bring continuity and uniformity to the region.
1-1.a 1-1.b etal		A.1.i-iv	Program Development / Implementation	Report on option chose 1 - 4 above and submit copy of region wide document supporting program chosen.	2014	1	Regional (MRSWMP)	x	no	x	Cease	x	This requirement just documents program participant obligations.
1-1.a 1-1.b etal		A.2.a.i	Comprehensive program	Develop and implement a comprehensive storm water public education and outreach program that shall (1) measurably increase the knowledge of targeted communities regarding the municipal storm drain system, impacts of urban runoff and non-storm water discharges on receiving waters, and potential BMP solutions for the target audiences and (2) measurably change the behavior of target audiences, thereby reducing pollutant releases to the MS4 and the environment.	2015	2	Regional (MRSWMP)	x	no	x	Cease	x	The MRSWMP's PE / PO program is equivalent to the proposed program, thus we can switch over to the new requirements in order to bring continuity and uniformity to the region.
1-1.a 1-1.b etal		A.2.a.ii.a	Comprehensive program	Permittee shall (a) Develop and implement strategy based on water quality problems, target audiences, and anticipated task effectiveness. Identify responsible parties per task(s), identify task implementation schedule, and identify the budget. The strategy must demonstrate how specific high priority storm water quality issues in the community or local pollutants of concern are addressed. The Permittee shall use CBSM 1strategies or equivalent.	2015	2	Regional (MRSWMP)	x	no	x	Cease	x	The MRSWMP's PE / PO program is equivalent to the proposed program, thus we can switch over to the new requirements in order to bring continuity and uniformity to the region.
1-1.a 1-1.b etal		A.2.a.ii.b	Survey	Permittee shall (b) Implement two surveys during the permit term to gauge the level of awareness and behavior change in target audiences and effectiveness of education tasks.	2 x	2 x	Regional (MRSWMP)	x	no	x	Cease	x	The MRSWMP's PE / PO program is equivalent to the proposed program, thus we can switch over to the new requirements in order to bring continuity and uniformity to the region.
1-1.a 1-1.b etal		A.2.a.ii.c	Research and Development	Permittee shall (c) Use CBSM strategies or equivalent to include: (1) Research on barriers to desired behaviors and benefits of desired behaviors (ex. Literature review, observation, focus groups). (2) Elicit commitment to implement desired behavior from target audience. (3) Provide prompts reminding target audience of desired behavior. (4) Use the concept of social norms/modeling of desired behavior. (5) Use education messages that are specific, easy to remember, from a credible source, and appropriate for the target audience. (6) Create incentives for the desired behavior. (7) Remove barriers to the desired behavior.	2015	2	Regional (MRSWMP)	x	no	x	Cease	x	Simply CBSM is the preferred strategy of the State Water Board.
1-1.a 1-1.b etal		A.2.a.ii.d		Permittee shall (d) Develop and convey a specific storm water message that focuses on: (1) Local pollutants of concern (2) Target audience (3) Behavior of concern (4) Regional water quality issues	2015	2	Regional (MRSWMP)	x	no	x	Cease	x	The MRSWMP's PE / PO program is equivalent to the proposed program, thus we can switch over to the new requirements in order to bring continuity and uniformity to the region.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

Corresponding Permit Section													
A.1.b.4.a: Overall Planning													
MRSWMP PERMIT COMPARABLE (DRAFT)	A.1.b.4.b							A.1.b.4.c and d (Required for Renewal Permittees only)					
	PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
						Local MS4 Dept	SIE, Regional Organization or, Co-permittee						
Element													
1-1.a 1-1.b etal	A.2.a.ii.e	Multi-media	Permittee shall: (e) Develop and disseminate appropriate educational materials to target audiences and translate into applicable languages when appropriate (utilize various media);	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The MRSWMP's PE / PO program is equivalent to the proposed program, thus we can switch over to the new requirements in order to bring continuity and uniformity to the region.
1-1.a 1-1.b etal	A.2.a.ii.f	PP / PI	Permittee shall: (f) Utilization of public input in the development of the program;	2015	2		Regional (MRSWMP)	x	no	x	Cease	New permit requirements will illicit more public involvement from the on-set thus likely leading to a more effective program.	The existing and new requirements are very similar thus a change will not result in additional water quality impairments.
1-1.a 1-1.b etal	A.2.a.ii.g	Objectives	Permittee shall: (g) Distribute educational materials to convey the program's message to 20% of the target audience each year;	2015	2		Regional (MRSWMP)	x	no	x	Cease	The requirement will ensure program consistency and continuity throughout the region which should improve the publics knowledge concerning water quality.	New permit sets measurable goals, thus it will likely result in greater water quality protection.
1-1.a 1-1.b etal	A.2.a.ii.h	Water Efficient Landscape Ordinance	Permittee shall: (h) Coordinate outreach programs with the Water Efficient Landscape Ordinance to explain the benefits of storm water-friendly landscaping;	2015	2		Regional (MRSWMP)	x	no	x	Cease	This requirement will bring two worthwhile elements together to enhance the protection of local water quality.	Existing permit doesn't specifically address the concept of "water efficient landscapes", but does address the concept of drought tolerant landscapes. Thus, the new requirement will likely result in a reduction in the use of herbicides, pesticides and fertilizers resulting in less discharge. Also, the new permit sets measurable goals, thus it will likely result in greater water quality protection.
1-1.a 1-1.b etal	A.2.a.ii.i	Water Efficient Landscape Ordinance	Permittee shall offer: (i) Technical and financial assistance and implementation guidance related to storm water-friendly landscaping;	2015	2		Regional (MRSWMP)	x	no	x	Cease	Water conservation programs have a direct impact on water quality.	Existing permit doesn't specifically address the concept of providing technical guidance and financial assistance to storm water-friendly landscaping, thus this BMP will likely result in a reduction of various pollutants long term.
3 IDDE 3-1.a 3-1.b	A.2.a.ii.j	Water Efficient Landscape Ordinance	Permittee shall: (j) Develop and convey messages specific to reduce illicit discharges with information about how the public can report incidents to the appropriate authorities;	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The MRSWMP's PE / PO program is equivalent to the proposed program, thus we can switch over to the new requirements in order to bring continuity and uniformity to the region.
IPM 1-1.a 1-1.b	A.2.a.ii.k	FIFRA	Permittee shall: (k) Develop and convey messages specific to proper application of pesticides, herbicides, and fertilizers;	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The MRSWMP's PE / PO program is equivalent to the proposed program, thus we can switch over to the new requirements in order to bring continuity and uniformity to the region.
IPM 1-1.a 1-1.b	A.2.a.ii.l	Schools & Experiential Learning	Permittee shall implement a: (l) Storm water education for school-age children. The Permittee may use California's Education and Environment Initiative Curriculum or equivalent.	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The MRSWMP's PE / PO program is equivalent to the proposed program, thus we can switch over to the new requirements in order to bring continuity and uniformity to the region.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

Corresponding Permit Section													
A.1.b.4.a: Overall Planning													
MRSWMP PERMIT COMPARABLE (DRAFT)	A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)						
	PERMIT SECTION AND ELEMENT		Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))	
	Element	Detail & / or Existing			Local MS4 Dept	SIE, Regional Organization or, Co-permittee							
3-6.a	A.2.a.ii.m	Charity car washes, pressure washers, mobile cleaning, etc	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The proposed section is more prescriptive in regards to the target audience thus ensuring that businesses of a similar water quality risk factor are treated equally creating uniformity and consistency in the program.	
1-1.a 1-1.b etal	A.2.a.iii	Reporting Requirements to Maintain	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The MRSWMP's PE / PO program is equivalent to the proposed program, thus we can switch over to the new requirements in order to bring continuity and uniformity to the region.	
1-1.a 1-1.b etal	A.2.a.iii	Reporting Requirements to Maintain	2015	5		Regional (MRSWMP)	x	no	x	Cease	x	Overall moving to the EA IP approach will lead to a greater level of local water quality protection. The new permit follows a more well defined approach to EA and IP development, thus leading to more consistency and continuity in program development and implementation.	
A.2.b PE PO training													
4-4.b	A.2.b.i	Program Development / Implementation	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The new requirement is more prescriptive and requires inclusion of CBSM, thus likely leading to better water quality protection.	
Attachment E	A.2.b.ii.a.	Program Development / Implementation	2015	2	CDD		x	no	x	Cease	x	The new permit is more prescriptive, thus likely to result in greater water quality protection long term.	
4-4.b	A.2.b.ii.b.	Program Development / Implementation	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The new permit is more prescriptive, thus likely to result in greater water quality protection long term.	

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)		Corresponding Permit Section											
		A.1.b.4.a: Overall Planning											
		A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)					
Element	PERMIT SECTION AND ELEMENT		Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))	
	Detail & / or Existing				Local MS4 Dept	SIE, Regional Organization or, Co-permittee							
no	A.2.b.ii.c.	Program Development / Implementation	Implementation of CBSM to address the MS4's highest priority water quality problems on a pilot project level. CBSM techniques found to be effective at the pilot project level shall be implemented jurisdiction-wide by permit year four. Pilot project and jurisdiction level CBSM shall include the following Permittee actions: (1) Research on barriers to desired behaviors and benefits of desired behaviors (ex. Literature review, observation, focus groups). (2) Elicit commitment to implement desired behavior from construction community. (3) Provide prompts reminding construction community of desired behavior. (4) Use the concept of social norms/modeling of desired behavior. (5) Use education messages that are specific, easy to remember, from a credible source, and appropriate for the target audience. (6) Create incentives for the desired behavior. (7) Remove barriers to the desired behavior.	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The new permit is more prescriptive, thus likely to result in greater water quality protection long term.
no	A.2.b.ii.d.	Annual Report	Report program progress and mechanisms used for outreach and education including measureable increases in the knowledge of the construction community and measureable changes in the construction community's behavior. This includes a watershed-based inventory of high priority residential and commercial construction sites, outreach and education strategy and implementation, implementation of CBSM, pilot project, research on barriers to desired behaviors and benefits of desired behaviors, commitments from target audience to implement desired behavior, prompts, implementation of the social norms/modeling, education messages, incentives for desired behaviors, methods for removing barriers to behavior change.	2015	2		Regional (MRSWMP)	x	no	x	Cease	x	The new permit in addition to being more prescriptive, also employs the EA IP (iterative process) that is likely to result in greater water quality protection.
6-1.a 6-3.a 6-4.a 6-7.g 6-8.a	A.3.	Permittee staff training	Permittee staff training	2016	3		Regional (MRSWMP)	x	no	x	Cease	x	The new BMP is much more prescriptive thus resulting in greater water quality protection.
6-1.a 6-3.a 6-4.a 6-7.g 6-8.a	A.3.a.i	Program Development / Implementation	Permittee staff training	2016	3		Regional (MRSWMP)	x	no	x	Cease	x	The new BMP requires annual assessment of staff knowledge regarding Illicit Discharges which will ensure that staff are knowledgeable at detecting and addressing illicit discharges, thus resulting in greater water quality protection.
6-1 6-11	A.3.a.ii	Program Development / Implementation	Permittee staff training (ii) Implementation Level – The training program shall include at a minimum: (a) Identification of an illicit discharge or illegal connection. (b) Proper procedures for reporting and responding to the illicit discharge or illegal connection. (c) Follow-up training shall be provided as needed to address changes in procedures, techniques, or staffing. (d) The Permittee shall annually perform an assessment of their trained staff's knowledge of illicit discharge response and shall provide refresher training as needed. (e) New staff that, as part of their normal job responsibilities may be notified of, come into contact with, or otherwise observe an illicit discharge or illegal connection shall be trained no later than six months after the start of employment. (f) Contact information, including the procedure for reporting an illicit discharge, shall be included in each of the Permittee's fleet vehicles that are used by field staff. (g) The Permittee shall conduct focused education in identified illicit discharge flow areas based on identified illicit discharge(s).	2016	3		Regional (MRSWMP)	x	no	x	Cease	x	The new BMP is much more prescriptive thus resulting in greater water quality protection.
4-2.a 4-3.a 4-3.c	A.3.a.iii	Annual Report	Annual reports to include training rosters and staff IDDE knowledge evaluations	2016	3		Regional (MRSWMP)	x	no	x	Cease	x	The new BMP is much more prescriptive thus resulting in greater water quality protection.
	A.3.b	Staff training											
	A.3.b.1.i	Staff training	All staff must be adequately trained	2015	2	CDD	Regional (MRSWMP)	x	no	x	Cease	x	The new BMP is much more prescriptive thus resulting in greater water quality protection.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

MRSWMP PERMIT COMPARABLE (DRAFT)		Corresponding Permit Section											
		A.1.b.4.a: Overall Planning											
		A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)					
Element	PERMIT SECTION AND ELEMENT		Detail & / or Existing	Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))
	Local MS4 Dept	SIE, Regional Organization or, Co-permittee											
no	A.3.b.1.ii	Certifications	All staff must be adequately trained (a) Plan Reviewers and Permitting Staff - Qualified SWPPP Developer (QSD), or working under a QSD (b) Erosion & sediment control inspectors - QSD or QSP, or working under same © Contract consultants performing plan review or site inspection must have appropriate certifications	2015	2	CDD	Possibly	x	no	x	Cease	x	The new BMP is much more prescriptive thus resulting in greater water quality protection.
no	A.3.b.1.iii	Annual Report	Annual report to include; (a) Training topics covered. (b) Dates of training. (c) Number and percentage of Permittee's staff, as identified in Sections a-c above, attending each training. (d) Results of any surveys conducted to demonstrate the awareness and potential behavioral changes in the attendees.	2015	2	CDD	Possibly	x	no	x	Cease	x	The new permit requires assessing staffs knowledge which will lead to a more involved participant in a training event, thus leading to greater water quality protection.
4-4.b	A.3.b.2.i / ii	Con Site Operator Training	Develop & Distribute Public Education Materials (a) Each year, provide information on training opportunities for construction operators on BMP selection, installation, implementation, and maintenance as well as overall program compliance. (b) Develop or utilize existing outreach tools (i.e. brochures, posters, etc.) aimed at educating construction operators on appropriate selection, installation, implementation, and maintenance of storm water BMPs, as well as overall program compliance. (c) Distribute appropriate outreach materials to all construction operators who will be disturbing land within the MS4 boundary. The Permittee's contact information and website shall be included in these materials. (d) Update the existing storm water website to include information on appropriate selection, installation, implementation, and maintenance of BMPs.	2016	3		Regional (MRSWMP)	x	no	x	Cease	x	The new requirements will ensure that adequate information is provided to contractors, builders and developers covering all aspects of construction site water quality protection measures.
no	A.3.b.2.iii	Annual Report	Annual report to include; include the following information: (a) Training topics covered; (b) Dates of training; (c) Number and percentage of Permittee's operators, inspectors, and number of Contractors attending each training; (d) Results of any surveys conducted to demonstrate the awareness and potential behavioral changes in the attendees. a	2016	3	CDD	Regional (MRSWMP)	x	no	x	Cease	x	The new permit requires assessing staffs knowledge which will lead to a more involved participant in a training event, thus leading to greater water quality protection.
no	A.3.c.i	Staff training	Train appropriate staff on pollution prevention and good housekeeping measures Permittee shall determine the need for interim training during alternate years when training is not conducted, through an evaluation of employee Pollution Prevention/Good Housekeeping knowledge. All new hires whose jobs include implementation of pollution prevention and good housekeeping practices must receive this training within the first year of their hire date.	2015	2	CDD	Regional (MRSWMP)	x	no	x	Cease	x	The new permit requires assessing staffs knowledge which will lead to a more involved participant in a training event, thus leading to greater water quality protection.

City of Marina - Phase II Small MS4 General Permit - Guidance Document

Corresponding Permit Section													
A.1.b.4.a: Overall Planning													
MRSWMP PERMIT COMPARABLE (DRAFT)	A.1.b.4.b						A.1.b.4.c and d (Required for Renewal Permittees only)						
	PERMIT SECTION AND ELEMENT		Permit Compliance Year (June 30th unless otherwise noted)	Permit Year	Responsible Implementing Party		Additional implementation notes (i.e., goals, milestones, etc.)	A Is/are existing locally specific SWMP BMP(s) more protective of water quality than minimum requirements of this order? [Y/N] If yes, complete column B. (Or Not Applicable)	Previous SWMP Measurable Goal. Complete this column only if Column A is Yes.	B If Column A is "Yes", indicate if you will Maintain, Reduce or Cease BMP(s) and complete Column C. If Reduce or Cease, also complete column D.	C Provide brief description of locally specific SWMP BMP(s) that is more protective of water quality, including measurable goal(s). Include specific reference to location in existing SWMP.	D Demonstrate that Reduction or Cessation of more protective BMP(s) is in compliance with this Order and the maximum extent practicable standard, and will not result in increased pollutant discharges (Justification for Reduction or Cessation of BMP(s))	
	Detail & / or Existing				Local MS4 Dept	SIE, Regional Organization or, Co-permittee							
Element													
6-1.a 6-3.a 6-4.a 6-7.g 6-8.a 6-1.a 6-3.a 6-4.a 6-7.g 6-8.a	A.3.c.ii.a/d	Staff training	Bi-Annual PP / GH training to include: (a) Bi-annual training for all employees implementing this program element. This bi-annual training shall include a general storm water education component, any new technologies, operations, or responsibilities that arise during the year, and the permit requirements that apply to the staff being trained. Employees shall receive clear guidance on appropriate storm water BMPs to use at municipal facilities and during typical O&M activities. (b) A bi-annual assessment, occurring on alternate years between training, of trained staff's knowledge of pollution prevention and good housekeeping and shall revise the training as needed. (c) A requirement that any contractors hired by the Permittee to perform O&M activities shall be contractually required to comply with all of the storm water BMPs, good housekeeping practices, and standard operating procedures described above. (d) The Permittee shall provide oversight of contractor activities to ensure that contractors are using appropriate BMPs, good housekeeping practices and following standard operating procedures.	2015	2	CDD	Regional (MRSWMP)	x	no	x	Cease	x	The new permit requires assessing staffs knowledge which will lead to a more involved participant in a training event, thus leading to greater water quality protection.
	A.3.c.iii	Annual Report	Summarize oversight procedures and identify and track all personnel requiring training and assessment and records.	2015	2	CDD	Regional (MRSWMP)	x	no	x	Cease	x	The program element is more prescriptive in form, thus leading to increased program continuity and consistency
			Note: An "x" simply denotes that no information was required.										

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Coast Regional Water Quality Control Board

June 13, 2016

Layne Long
City of Marina
211 Hillcrest Ave.
Marina, CA 93933
Email: LLong@ci.marina.ca.us

VIA ELECTRONIC MAIL AND CERTIFIED MAIL
Certified Mail No. 7015 0640 0001 9856 0846

Dear Mr. Layne Long:

WATER CODE SECTION 13267 TECHNICAL REPORT ORDER, ACTIVITIES TO DETERMINE STORMWATER PROGRAM MODIFICATIONS, PHASE II MUNICIPAL STORMWATER MANAGEMENT PROGRAM

This letter requires traditional Central Coast Municipal Separate Storm Sewer Systems (MS4s), enrolled under the Phase II Municipal Stormwater Permit (Permit),¹ to provide reports to the Central Coast Regional Water Quality Control Board.

The Permit required Permittees to submit Program Effectiveness Assessment and Improvement Plans (PEAIPs) by October 15, 2015. Central Coast Water Board staff reviewed the submitted PEAIPs. In order to find Permittees in compliance with the requirement to submit adequate PEAIPs that sufficiently assess stormwater pollutant load reductions, and to ensure Permittees can develop a meaningful Stormwater Program Modifications Fifth Year Report (pursuant to Permit Provision E.14.b), Central Coast Water Board staff issues this letter requiring Permittees to report on implementation progress of completing key activities relating to spatially-based stormwater volume and pollutant loading estimates.

Spatially-based Stormwater Volume and Pollutant Loading Estimates

Provision E.14 of the Permit makes clear that the Stormwater Program Modifications Fifth Year Report must include: 1) an assessment of Best Management Practice (BMP) performance, 2) an estimation of stormwater volume and pollutant loading, and 3) a prioritization process for allocating program resources. These three elements are most effectively completed at the urban subwatershed, or catchment scale. In July of 2014, Central Coast Water Board staff provided minimum expectations to Permittees on preparing PEAIPs to achieve compliance with Permit Section E.14. Those expectations included these three elements and communicated the imperative of completing them on a catchment scale.

Upon review of the Central Coast Permittees' PEAIPs, Central Coast Water Board staff concluded the wide range of Permittees' commitments to conducting effectiveness assessment

¹ State Water Resources Control Board Water Quality Order No. 2013-0001-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. Cas000004, Waste Discharge Requirements for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (Permit).

necessitated both additional guidance and clarification to support Permittees' compliance with Permit Section E.14.

In coordination with Central Coast Water Board staff, the Central Coast Low Impact Development Initiative developed guidance, included in a Technical Memo, outlining a framework for Catchment Scale Stormwater Volume and Pollutant Loading Analyses. The Technical Memo articulates how pollutant loading information plays an essential role informing stormwater program modifications. On May 6, 2016, via email, Central Coast Water Board staff informed Central Coast stormwater program interested parties of the Technical Memo posted to the Central Coast Low Impact Development Initiative's website: <http://www.centralcoastlidi.org/mspap.php>.

To further clarify Central Coast Water Board expectations for completing the Stormwater Program Modifications Fifth Year Report (due October 15, 2018), this letter requires Permittees to submit information documenting progress on key activities relating to completing spatially-based stormwater volume and pollutant loading estimates.

Permittees shall submit Technical Reports outlined in Table 1 documenting progress on these activities. Pursuant to Water Code Section **13267²**, **the Permittee is hereby required to provide Technical Reports by the due dates identified in Table 1.**

Table 1 – Reporting Requirements for Activities to Support Development of Stormwater Program Modifications Fifth Year Report:

Activity	Description	Due Date
Report #1		
Catchment Delineation and Relevant Attributes	Catchment delineation, of the Permittee's entire Permit coverage area, to sufficiently support catchment scale stormwater volume and pollutant loading analysis. The map(s) shall at a minimum include the attributes specified in Component No. 1 [The Spatial Framework] of Attachment 1 [Fundamental Components of a Municipal Catchment Scale Stormwater Volume and Pollutant Loading Analysis].	August 12, 2016
Report #2		
BMP Inventory	At a minimum, choose one of the below options for creating and populating an inventory of structural BMPs located within the Permittee's Permit coverage area. 1. <u>Inventory Option 1</u> – a. Create an inventory of the following structural BMPs, whose pollutant reduction capacity can be reasonably quantified and that contribute to reductions of stormwater volume and pollutant loading: i. Centralized BMPs ³ (including publically and privately owned); and	June 30, 2017

² Water Code section 13267, subdivision (b), allows the Water Boards to conduct investigations and to require technical or monitoring reports from any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste in accordance with the conditions in the section.

³ Centralized BMPs – One of two structural BMP categories designed to reduce urban stormwater volumes and/or pollutant concentrations generated from a mixed land use (e.g., residential, commercial, industrial, roads) catchment.
(footnote continued on next page)

	<ul style="list-style-type: none"> ii. Decentralized BMPs⁴ (including, at a minimum, publically owned). Catch basin assessment is optional. <p>b. At a minimum, the Permittee shall populate the following attributes for each inventoried BMP:</p> <ul style="list-style-type: none"> i. Location ii. Identifier iii. Type iv. Catchment name v. Public or privately owned vi. Land use(s) of contributing drainage area vii. Tributary area of contributing drainage area viii. Relevant treatment and/or retention capacity information. <p>2. <u>Inventory Option 2</u> – The Permittee may conduct an alternate approach for inventorying BMPs, so long as the Permittee can demonstrate its approach yields equivalent or more meaningful data for informing the Stormwater Program Modifications Fifth Year Report than Option 1 above. The Permittee shall obtain Central Coast Water Board Executive Officer approval prior to pursuing Option 2.</p> <p>Data Management: Permittee shall manage BMP inventory within an information management system/database. Provide Central Coast Water Board staff access to the Permittee's information management system/database.</p>	
<p>Stormwater Volume and Pollutant Loading – Unmitigated Condition</p>	<p>Stormwater volume⁵ and pollutant loading estimates for all catchments under an unmitigated scenario (i.e., pollutant loading estimates assuming no BMPs) that provides a starting point for comparing loading estimates once BMPs (both existing and future) are included. Permittee shall use a catchment scale load modeling approach for quantifying average annual stormwater discharge and pollutant loading from all municipal catchments to the designated receiving waters. The approach shall be technically defensible and</p>	

(footnote continued from previous page)

The contributing drainage areas typically exceed one acre of impervious area. Examples of centralized BMPs include dry basins, detention basins, wet basins, infiltration basins, treatment vaults, media filters, and bed filters.

⁴ Decentralized BMPs – One of two structural BMP categories designed to reduce urban stormwater volumes and/or pollutant concentrations generated from a single land use. The contributing drainage areas are typically less than one acre of impervious area. Examples of decentralized BMPs include infiltration features, bioretention, bioswales, biofiltration, porous pavement, and trash capture devices. Catch basins designed to capture material through variable flow modifications or passive settling, that result in vertical accumulation of material at base of BMP reservoir, are also decentralized BMPs.

⁵ This letter requires Permittees to obtain stormwater volume estimates because, in addition to volume being a relevant proxy for the range of urban pollutants, stormwater volume estimates are necessary to calculate pollutant loading estimates.

	<p>sufficiently accurate to produce a credible relative ranking to inform program priorities and decisions. At a minimum, Permittee shall incorporate the necessary components of a catchment scale pollutant loading analysis identified in Component No. 2 [Runoff Characteristics], Component No. 3 [Computational Requirements], and Component No. 4 [Standardized Protocols] of Attachment 1. The Permittee may use an alternate approach to conducting a catchment scale stormwater volume and pollutant loading analysis for the unmitigated condition, so long as the Permittee can demonstrate its approach will result in outputs that are equally defensible to the approach identified in Attachment 1. The Permittee shall obtain Central Coast Water Board Executive Officer approval prior to pursuing an alternate approach.</p>	
<p>Catchment Ranking – Unmitigated Condition</p>	<p>At a minimum, for the unmitigated condition, the Permittee shall submit the following relative rankings of all municipal catchments:</p> <ol style="list-style-type: none"> 1. Ranking based on stormwater volume – ranked from greatest potential annual stormwater volume generation to least potential annual stormwater volume generation; and 2. Ranking based on pollutant loading estimates – ranked from greatest potential annual pollutant loading to least potential annual pollutant loading. The Permittee shall conduct a separate ranking for each pollutant it has collected data for. 	
<p>Report #3</p>		
<p>BMP Assessment</p>	<p>Central Coast Water Board staff acknowledges that a comprehensive BMP assessment is a significant task; therefore, the following options are available: At a minimum, choose one of the below options for obtaining BMP performance data, based on field assessments, to inform current load reductions.</p> <ol style="list-style-type: none"> 1. <u>Assessment Option 1</u> – For all inventoried BMPs, using an effective approach for assessing structural BMP performance, estimate stormwater volume and pollutant load reduction based on: 1) intended BMP function; and 2) current BMP condition based on empirical data (i.e., BMPs ability to function relative to intended design). 2. <u>Assessment Option 2</u> – The Permittee may conduct an alternate approach for obtaining empirical BMP condition data, based on field assessments, so long as the Permittee can demonstrate its option yields equivalent or more meaningful data for informing the Stormwater Program Modifications Fifth Year Report than Option 1 above. The Permittee shall obtain Central Coast Water Board staff approval prior to pursuing Option 2. 	<p>June 30, 2018</p>

	Data Management: Permittee shall manage BMP performance data within an information management system/database. Provide Central Coast Water Board staff access to the Permittee’s information management system/database.	
Stormwater Volume and Pollutant Loading – Loading Reductions Based on BMP Assessment	Stormwater volume and pollutant loading estimates for selected catchments based on BMP performance assessment. Permittee shall use a catchment scale load modeling approach for quantifying average annual stormwater discharge and pollutant loading from all municipal catchments to the designated receiving waters. The approach shall be technically defensible and sufficiently accurate to produce a credible relative ranking to inform program priorities and decisions. At a minimum, Permittees shall incorporate the necessary components of a catchment scale pollutant loading analysis identified in Component No. 2, Component No. 3, and Component No. 4 of Attachment 1. The Permittee may use an alternate approach to conducting a catchment scale stormwater volume and pollutant loading analysis based on BMP performance assessment, so long as the Permittee can demonstrate its approach will result in outputs that are equally defensible to the approach identified in Attachment 1. The Permittee shall obtain Central Coast Water Board Executive Officer approval prior to pursuing an alternate approach.	
Catchment Ranking – Loading Reductions Based on BMP Assessment	At a minimum, after accounting for reductions from implemented BMPs, the Permittee shall submit the following relative rankings of all municipal catchments: <ol style="list-style-type: none"> 1. Ranking based on stormwater volume – ranked from greatest potential stormwater volume generation to least potential stormwater volume generation; and 2. Ranking based on pollutant loading estimates – ranked from greatest potential pollutant loading to least potential pollutant loading. The Permittee shall conduct a separate ranking for each pollutant for which it has collected data. 	
Report #4		
Stormwater Program Modifications Fifth Year Report	Using the information gained from the above activities, as well as other data and information that informs program priorities, the Permittee shall submit a report including the following components: <ol style="list-style-type: none"> 1. Summary of BMPs and/or program modifications to improve compliance with permit conditions and improve program effectiveness at reducing pollutant loads, achieving the maximum extent practicable, and protecting beneficial uses. The summary shall identify the following: <ol style="list-style-type: none"> a. Improvements to underperforming BMPs, b. Continuation of effective BMPs, and 	October 15, 2018

	<ul style="list-style-type: none"> c. Discontinuation of ineffective BMPs. 2. Priority areas for program improvements; 3. Modifications to shift priorities to make more effective use of resources; and 4. Time schedule, scope, and frequency of BMP modifications. 	
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Annual Reporting

Complete the Stormwater Volume and Pollutant Loading Annual Report form found in SMARTS. Starting in October 2016, Permittees must complete this form every year for the remainder of the Permit term.

The Central Coast Water Board requires the Permittee to submit the information described in this letter pursuant to Provision 9 in Attachment F of the Permit. The Central Coast Water Board reserves the right to take any enforcement action authorized by law.

The Technical Reports are necessary for the Central Coast Water Board to determine the state of compliance with the Permit. The Technical Reports are also necessary to determine the potential or actual harm to human health or the environment from non-compliance. The burden, including costs of the reports, bears a reasonable relationship to the need for the reports and the benefits to be obtained from them. Failure to comply with the requirement to submit the Technical Reports required in this letter and made pursuant to Water Code section 13267, subdivision (b), may result in administrative civil liability pursuant to Water Code section 13268 up to \$1,000 per day.

Central Coast Water Board staff is available to work with Permittees to achieve stormwater management programs that are increasingly effective at reducing the discharge of pollutants to the maximum extent practicable and protecting water quality.

If you have any questions regarding this letter, please contact **Tamara Anderson** at (805) 549-3334 or at Tamara.Anderson@waterboards.ca.gov, or **Dominic Roques** at (805) 542-4780.

Sincerely,

John M. Robertson
Executive Officer

Attachment 1: Fundamental Components of a Municipal Catchment Scale Stormwater Volume
and Pollutant Loading Analysis

cc:

Edrie Delos Santos, edelossantos@ci.marina.ca.us

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Effectiveness\June2016_13267_Order\June2016_13267_Order_final_1.docx

<p>1. The Spatial Framework</p>	<p><i>Catchment delineations and relevant catchment attributes create the spatial framework for estimating stormwater volume and pollutant loads.</i></p>
	<p>a. Catchment delineations and associated areas (e.g., acres).</p> <p>To conduct catchment scale pollutant loading analyses, the municipality needs to be divided into spatially explicit units defined by municipal drainage catchments. The catchments are reasonable representations of actual drainage areas where stormwater discharges through an identified outfall. In the instance where many outfalls exist within a small area, drainage areas can be combined to minimize the total number of catchments mapped within the municipality. Delineating catchments of relatively similar size will be helpful when ranking and comparing catchments. A good target size for a catchment is approximately 100 acres. A catchment can possess either a single discrete discharge point (i.e., discharges either to another catchment or to a receiving water via a single outfall), or distributed discharge points to the receiving water (e.g., several small outfalls and/or sheet flow). The municipality should assign identifiers (e.g., name/label) to each catchment. Field verification of delineated catchments is encouraged.</p> <p>b. Catchment outfalls and determination of receiving waters to which each catchment discharges.</p> <p>The United State Geological Survey’s National Hydrography Dataset (USGS NHD) contains publically available surface water designations and should be used to identify receiving waters accepting stormwater from the municipal outfall. (http://nhd.usgs.gov/). The municipality should assign identifiers (e.g., name/label) to each catchment outfall. Use of more accurate local information and field verification is encouraged.</p> <p>c. Hydrologic connectivity for each catchment.</p> <p>For this analysis, hydrologic connectivity is the percentage of rainfall within a catchment that becomes stormwater runoff, and is then delivered to the receiving water. Catchments with high hydrologic connectivity are those where most of the stormwater generated within the catchment reaches the receiving water as opposed to catchments with low hydrologic connectivity where much of the stormwater runoff generated in the catchment does not reach the receiving water. Two aspects of hydrologic connectivity are used to understand the overall connectivity of the catchment to the receiving water: 1) hydrologic connectivity within the catchment to the catchment discharge point (e.g., outfall), and 2) hydrologic connectivity from the catchment discharge point to the actual receiving water. Clear guidance on how to determine hydrologic connectivity is a critical element in providing reasonable estimates of pollutant loads delivered to the receiving water from each catchment.</p>
	<p>d. Land use designations should include the following categories within each catchment and the associated impervious area (in acres):</p>

	<ul style="list-style-type: none"> • Single family residential • Multi-family residential • Industrial • Commercial • Cultivated • Paved Roads (high traffic density, moderate traffic density, low traffic density) • Unpaved Roads • Other (typically open space)
<p>2. Runoff Characteristics</p>	<p><i>Runoff characteristics of each catchment are used with the spatial framework to calculate stormwater volume and associated pollutant loading.</i></p>
	<p>Catchment precipitation, imperviousness, and soil permeability are all critical elements in estimating stormwater volume and pollutant loads.</p> <p style="padding-left: 40px;">a. Precipitation.</p> <p>Precipitation characterization should be based on a reasonable representation of the historic range of precipitation conditions for the catchment that includes both small (common) and very large (infrequent) precipitation events to generate average annual runoff estimates.</p> <p style="padding-left: 40px;">b. Imperviousness and soil permeability.</p> <p>The National Land Cover Database (2011; http://www.mrlc.gov/nlcd2011.php) can be used to estimate the percent of imperviousness of each land use (e.g., commercial, residential) within each catchment. Use of generic runoff coefficients based on land use type, is generally insufficient to adequately estimate stormwater runoff volumes. In addition to impervious coverage by land use, incorporation of the relative permeability and native soil retention coefficients should be used to adjust runoff generation from each land use type.</p> <p style="padding-left: 40px;">c. Pollutant types for evaluation.</p> <p>Pollutant types selected for the loading analyses should be relevant and serve as a reasonable proxy for the range of urban pollutants. The effort should be made to base pollutant selection on characteristics including, but not limited to, primary land uses, source of pollutants, fate and transport of pollutants in stormwater, and data availability. Pollutants such as Total Suspended Solids (TSS) and stormwater volume are examples of proxies for the broader suite of pollutants in urban runoff. Alternatively, a suite of representative urban pollutants of concern (e.g., trace metals, nutrients, hydrocarbons, etc.) may be modeled.</p>

	<p>d. Urban runoff pollutant data.</p> <p>Pollutant concentrations associated with various land use types are often used to calculate pollutant loads. Existing urban pollutant models employ a wide array of approaches to generate these pollutant concentrations. The objective in selecting land use pollutant concentrations is to choose values that adequately reflect the conditions being modeled without being overly concerned with the need for absolute accuracy. There is an abundance of credible urban stormwater quality data available online that can be used to estimate pollutant concentrations by urban land use type. The analysis should consistently apply the selected data to all catchments and BMP performance estimates to ensure results are directly comparable among catchments.</p> <p>e. Pollutant reduction estimates resulting from stormwater program actions.</p> <p>Pollutant reduction estimates should be based on BMPs whose pollutant reduction capacity can be reasonably quantified. Additionally, reduction estimates should be based on an assessment of actual BMP performance. Methods to assess and quantify actual BMP performance include <u>direct measurements</u> of pollutant removal such as conventional water quality input/output monitoring of a BMP or weighing of sediment collected from street sweeping activities; and, <u>indirect measurements</u> such as field observations that serve as credible proxies for BMP performance and pollutant load reduction effectiveness. “Desktop” quantification of pollutant reduction that assumes structural BMPs are performing as designed may not be accurate since the actual constructed project and/or the maintenance condition of the BMP affects actual water quality performance.</p>
<p>3. Computational Requirements</p>	<p><i>The computational tool (i.e., model) provides the ability to generate loading estimates and other required outputs. Selection or development of the model requires consideration of all desired outputs including data, tables, figures, and reports.</i></p>
	<p>a. Ability to estimate average annual stormwater volume and pollutant loads delivered from each catchment to the receiving water in a manner that is reliable, repeatable, and allows for comparison of results among catchments and over time.</p> <p>b. Ability to estimate average annual stormwater volume and pollutant load reductions as a result of BMP implementation and performance by catchment in a manner that is reliable, repeatable and comparable among catchments and over time.</p> <p>c. Ability to track and compare data on a spatial (single or multiple catchments) and temporal (year to year) basis.</p> <p>d. Ability to generate output in the desired reporting format(s).</p>

<p>4. Standardized Protocols</p>	<p><i>Development and implementation of standardized protocols is, in some respects, one of the most important elements of the analytic approach as these protocols lend credibility to the overall analyses.</i></p>
	<p>a. Consistent methodology within and across each catchment. Use of a consistent methodology to estimate annual volume and pollutant load reductions should be employed to ensure the results are indicative of structural and non-structural BMP performance and not due to variation in methodology. For example, precipitation inputs driving the hydrologic analysis must be held constant between the Unmitigated Catchment scenario and any subsequent scenarios based on load reduction estimates.</p>
	<p>b. Normalization to allow comparisons among catchments. Converting stormwater volume and pollutant load into volume and load <u>per unit</u> area per time allows for comparison among catchments. By ranking catchments within the municipality by loading rates, (e.g., high to low), catchments with the greatest risk to receiving waters can be identified.</p>

**CITY OF MARINA
AGREEMENT FOR PROFESSIONAL SERVICES FOR
THE CITY OF MARINA'S STORM WATER PROGRAM**

THIS AGREEMENT is made and entered into on _____, 2016, by and between the City of Marina, a California charter city, hereinafter referred to as the "City," and _____, a California corporation, hereinafter referred to as the "Contractor." City and Contractor are sometimes individually referred to as "party" and collectively as "parties" in this Agreement.

Recitals

- A. City desires to retain Contractor for professional services associated with the City of Marina's Storm Water Permit Program (Program) – Contractor shall provide general assistance as requested on issues pertaining to City Program and shall perform other support services for City as determined by the City Engineer, to assist the City in complying with State Water Resources Control Board Water Quality Order No. 2013-0001-DWQ National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004 (hereafter, "Phase II Permit"), or any Waste Discharge Requirements (WDRs) as may be obtained by the City from the Central Coast Regional Water Quality Control Board (RWQCB) in connection with surface water runoff from the City's municipal separate storm sewer system.
- B. Contractor represents and warrants that it has the qualifications, experience and personnel necessary to properly perform the services as set forth herein.
- C. City desires to retain Contractor to provide such services.

Terms and Conditions

For of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and in consideration of the mutual promises contained herein, City and Contractor agree to the following terms and conditions:

1. Scope of Work.

(a) Contractor is hereby hired and retained by the City to work in a cooperative manner with the City to fully and adequately perform those services set forth in Exhibit "A" attached hereto ("Scope of Work") and by this reference made a part hereof. With prior written notice to Contractor, City may elect to delete certain tasks of the Scope of Work at its sole discretion.

(b) Contractor shall perform all such work with skill and diligence and pursuant to generally accepted standards of practice in effect at the time of performance. Contractor shall provide corrective services without charge to the City for work which fails to meet these standards and which is reported to Contractor in writing within sixty days of discovery. Should Contractor fail or refuse to perform promptly its obligations under this Agreement, the City may render or undertake the performance thereof and the Contractor shall be liable for any expenses thereby incurred.

(c) If services under this Agreement are to be performed by a design professional, as that term is defined in California Civil Code §2782.8(b)(2), design professional certifies that all design professional services shall be provided by a person or persons duly licensed by the State of California to provide the type of services described in Section 1(a). By delivery of completed work, design professional certifies that the work conforms to the requirements of this Agreement and all applicable federal, state and local laws, and the professional standard of care in California.

(d) Contractor is responsible for making an independent evaluation and judgment of all relevant conditions affecting performance of the work, including without limitation site conditions, existing facilities, seismic, geologic, soils, hydrologic, geographic, climatic conditions, applicable federal, state and local laws and regulations and all other contingencies or considerations.

(e) City shall cooperate with Contractor and will furnish all information data, records and reports existing and available to City to enable Contractor to carry out work outlined in Exhibit "A." Contractor shall be entitled to reasonably rely on information, data, records and reports furnished by the City, however, the City makes no warranty as to the accuracy or completeness of any such information, data, records or reports available to it and provided to Contractor which were furnished to the City by a third party. Contractor shall have a duty to bring to the City's attention any deficiency or error it may discover in any information provided to the Contractor by the City or a third party.

2. Term of Agreement & Commencement of Work.

(a) Unless otherwise provided, the term of this Agreement shall begin on the date of its full execution and shall expire on October 31, 2018, unless extended by amendment or terminated earlier as provided herein. The date of full execution is defined as the date when all of the following events have occurred:

(i) This Agreement has been approved by the City's Council or by the board, officer or employee authorized to give such approval, and;

(ii) The office of the City Attorney has indicated in writing its approval of this Agreement as to form, and;

(iii) This Agreement has been signed on behalf of Contractor by the person or persons authorized to bind the Contractor hereto, and;

(iv) This Agreement has been signed on behalf of the City by the person designated to so sign by the City's Council or by the officer or employee authorized to enter into this Contract and is attested to by the Marina City Clerk.

(b) Contractor shall commence work on the Project on or by June 20, 2014. This Agreement may be extended upon written agreement of both parties. Contractor may be required to prepare a written schedule for the work to be performed, which schedule shall be approved by the City and made a part of Exhibit A, and to perform the work in accordance with the approved schedule.

3. Compensation.

(a) City liability for compensation to Contractor under this Agreement shall only be to the extent of the present appropriation to fund this Agreement. For services to be provided under this Agreement City shall compensate Contractor in an amount not to exceed _____ (\$____.00) in accordance with the provisions of this Section and the Cost Estimate attached hereto as Exhibit B and incorporated herein by this reference

(b) Invoice(s) in a format and on a schedule acceptable to the City shall be submitted to and be reviewed and verified by the Project Administrator (see Section 5(a)) and forwarded to the City's Finance Department for payment. City shall notify Contractor of exceptions or disputed items and their dollar value within fifteen days of receipt. Payment of the undisputed amount of the invoice will typically be made approximately thirty days after the invoice is submitted to the Finance Department.

(c) Contractor will maintain clearly identifiable, complete and accurate records with respect to all costs incurred under this Agreement on an industry recognized accounting basis. Contractor shall make available to the representative of City all such books and records related to this Agreement, and the right to examine, copy and audit the same during regular business hours upon 24-hour's notice for a period of four years from the date of final payment under this Agreement.

(d) Contractor shall not receive any compensation for Extra Work without the prior written authorization of City. As used herein, "Extra Work" means any work that is determined by the City to be necessary for the proper completion of the Project but which is not included within the Scope of Work and which the parties did not reasonably anticipate would be necessary at the execution of this Agreement.

(e) Expenses not otherwise addressed in the Scope of Services or the Fee Schedule incurred by Contractor in performing services under this Agreement shall be reviewed and approved in advance by the Project Administrator (Section 5(a)) and reimbursed to Contractor.

4. Termination or Suspension.

(a) This Agreement may be terminated in whole or in part in writing by either party in the event of a substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party, provided that no termination may be effected unless the other party is given (1) not less than ten days written notice of intent to terminate, and (2) provided an opportunity for consultation with the terminating party prior to termination.

(b) If termination for default is effected by the City, an equitable adjustment in the price provided for in this Agreement shall be made, but (1) no amount shall be allowed for anticipated profit on unperformed services or other work, and (2) any payment due the Contractor at the time of termination may be adjusted to cover any additional costs to the City because of the Contractor's default. If after the termination for failure of Contractor to fulfill its contractual obligations, it is determined that the Contractor had not failed to fulfill contractual obligations, the termination shall be deemed to have been for the convenience of the City.

(c) The City may terminate or suspend this Agreement at any time for its convenience upon not less than thirty days prior written notice to Contractor. Not later than the effective date of such termination or suspension, Contractor shall discontinue all affected work and deliver all work product and other documents, whether completed or in progress, to the City.

(d) If termination for default is effected by the Contractor or if termination for convenience is effected by the City, the equitable adjustment shall include a reasonable profit for services or other work performed. The equitable adjustment for termination shall provide for payment to the Contractor for services rendered and expenses incurred prior to the termination, in addition to termination settlement costs reasonably incurred by Contractor relating to written commitments that were executed prior to the termination.

5. Project Administrator, Project Manager & Key Personnel.

(a) City designates as its Project Administrator Public Works Director/City Engineer Brian McMinn who shall have the authority to act for the City under this Agreement. The Project Administrator or his/her authorized representative shall represent the City in all matters pertaining to the work to be performed pursuant to this Agreement.

(b) Contractor designates _____, as its Project Manager who shall coordinate all phases of the Project. The Project manager shall be available to City at all reasonable times during the Agreement term.

(c) Contractor warrants that it will continuously furnish the necessary personnel to complete the Project on a timely basis as contemplated by this Agreement. Contractor, at the sole discretion of City, shall remove from the Project any of its personnel assigned to the performance of services upon written request of City. Contractor has represented to City that certain key personnel will perform and coordinate the work under this Agreement. Should one or more of such personnel become unavailable, Contractor may substitute other personnel of at least equal competence upon written approval of the City. In the event that City and Contractor cannot agree as to the substitution of key personnel, City shall be entitled to terminate this Agreement for cause. The key personnel for performance of this Agreement are as follows: _____

6. Delegation of Work.

(a) If Contractor utilizes any subcontractors, consultants, persons, employees or firms having applicable expertise to assist Contractor in performing the services under this Agreement, Contractor shall obtain City's prior written approval to such employment. Contractor's contract with any subcontractor shall contain a provision making the subcontract subject to all provisions of this Agreement. Contractor will be fully responsible and liable for the administration, completion, presentation and quality of all work performed. City reserves its right to employ other contractors in connection with this Project.

(b) If the work hereunder is performed by a design professional, design professional shall be directly involved with performing the work or shall work through his, her or its employees. The design professional's responsibilities under this Agreement shall not be delegated. The design professional shall be responsible to the City for acts, errors or omissions of his, her or its subcontractors. Negligence of subcontractors or agents retained by the design professional is conclusively deemed to be the negligence of the design professional if not adequately corrected by the design professional. Use of the term subcontractor in any other provision of this Agreement shall not be construed to imply authorization for a design professional to use subcontractors for performance of any professional service under this Agreement.

(c) The City is an intended beneficiary of any work performed by a subcontractor for purposes of establishing a duty of care between the subcontractor and the City.

7. **Skill of Employees.** Contractor shall ensure that any employees or agents providing services under this Agreement possess the requisite skill, training and experience to properly perform such services.

8. **Confidential and Proprietary Information.** In the course of performing services under this Agreement Contractor may obtain, receive, and review confidential or proprietary documents, information or materials that are and shall remain the exclusive property of the City. Should Contractor undertake the work on behalf of other agencies, entities, firms or persons relating to the matters described in the Scope of Work, it is expressly agreed by Contractor that any such confidential or proprietary information or materials shall not be provided or disclosed in any manner to any of Contractor's other clients, or to any other third party, without the City's prior express written consent.

9. **Ownership of Data.** Unless otherwise provided for herein, all documents, material, data, drawings, plans, specifications, computer data files, basis for design calculations, engineering notes, and reports originated and prepared by Contractor, or any subcontractor of any tier, under this Agreement shall be and remain the property of the City for its use in any manner it deems appropriate. Contractor agrees that all copyrights which arise from creation of the work pursuant to this Agreement shall be vested in the City and waives and relinquishes all claims to copyright or intellectual property rights in favor of the City. Contractor shall provide two (2) sets of reproducible of the above-cited items, except for the computer data files which shall consist of one (1) set. Contractor shall use all reasonable efforts to ensure that any electronic files provided to the City will be compatible with the City's computer hardware and software. Contractor makes no representation as to long-term compatibility, usability or readability of the format resulting from the use of software application packages, operating systems or computer hardware differing from those in use by the City at the commencement of this Agreement. Contractor shall be permitted to maintain copies of all such data for its files. City acknowledges that its use of the work product is limited to the purposes contemplated by the Scope of Work and, should City use these products or data in connection with additions to the work required under this Agreement or for new work without consultation with and without additional compensation to Contractor, Contractor makes no representation as to the suitability of the work product for use in or application to circumstances not contemplated by the Scope of Work and shall have no liability or responsibility whatsoever in connection with such use which shall be at the City's sole risk. Any and all liability arising out of changes made by the City to Contractor's deliverables is waived against Contractor unless City has given Contractor prior written notice of the changes and has received Contractor's written consent to such changes.

10. **Conflict of Interest.**

(a) Contractor covenants that neither it, nor any officer or principal of its firm has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of the City or which would in any way hinder Contractor's performance of services under this Agreement. Contractor further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent or subcontractor without the express written consent of the City Manager. Contractor agrees to at all times avoid conflicts of interest or the appearance of any conflicts of interest with the interests of the City in the performance of this Agreement. Contractor shall represent the interest of the City in any discussion or negotiation.

(b) City understands and acknowledges that Contractor may be, as of the date of commencement of services under this Agreement, independently involved in the performance of non-related services for other governmental agencies and private parties. Contractor is unaware of any stated position of the City relative to such projects. Any future position of the City on such projects may result in a conflict of interest for purposes of this section.

(c) No official or employee of the City who is authorized in such capacity on behalf of the City to negotiate, make, accept, or approve, or take part in negotiating, making accepting or approving this Agreement, during the term of his or her tenure or service with City and for one year thereafter, shall have any interest, direct or indirect, in this Agreement or the proceeds thereof or obtain any present or anticipated material benefit arising there from.

11. Disclosure. Contractor may be subject to the appropriate disclosure requirements of the California Fair Political Practices Act, as determined by the City Manager.

12. Non-Discrimination.

(a) During the performance of this Agreement the Contractor shall comply with the applicable nondiscrimination and affirmative action provisions of the laws of the United States of America, the State of California and the City. In performing this Agreement, Contractor shall not discriminate, harass, or allow harassment, against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), medical condition (including cancer), age, marital status, denial of family and medical care leave and denial of pregnancy disability leave. Contractor shall give written notice of its obligations under this clause to labor organizations with which it has a collective bargaining or other agreement.

(b) Contractor shall include the nondiscrimination and compliance provisions of this Section in all subcontracts.

13. Indemnification & Hold Harmless.

(a) Other than in the performance of professional services by a design professional, which shall be solely as addressed by subsection (b) below, and to the full extent permitted by law, Contractor shall indemnify, defend (with independent counsel reasonably acceptable to the City) and hold harmless City, its Council, boards, commissions, employees, officials and agents ("Indemnified Parties" or in the singular "Indemnified Party") from and against any claims, losses, damages, penalties, fines and judgments, associated investigation and administrative expenses, and defense costs including but not limited to reasonable attorney's fees, court costs, expert witness fees and costs of alternate dispute resolution (collectively "Liabilities"), where same arise out of the performance of this Agreement by Contractor, its officers, employees, agents and sub-contractors. The Contractor's obligation to indemnify applies unless it is adjudicated that the liability was caused by the sole active negligence or sole willful misconduct of an indemnified party. If it is finally adjudicated that liability is caused by the comparative active negligence or willful misconduct of an indemnified party, the Contractor's indemnification obligation shall be reduced in proportion to the established comparative liability of the indemnified party.

(b) To the fullest extent permitted by law (including without limitation California Civil Code Sections 2782.8), when the services to be provided under this Agreement are design professional services to be performed by a design professional, as that term is defined under said section 2782.8, Contractor shall indemnify, protect, defend (with independent counsel reasonably acceptable to the City) and hold harmless City and any Indemnified Party for all Liabilities regardless of nature or type that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of design professional, or the acts or omissions of an officer, employee, agent or subcontractor of the design professional. The design professional's obligation to indemnify applies unless it is adjudicated that the liability was caused by the sole active negligence or sole willful misconduct of an indemnified party. If it is finally adjudicated that liability was caused by the comparative active negligence or willful misconduct of an indemnified party the design professional's indemnification obligation shall be reduced in proportion to the established comparative liability.

(c) All obligations under this section are to be paid by Contractor as incurred by City. The provisions of this Section are not limited by the provisions of sections relating to insurance including provisions of any worker's compensation act or similar act. Contractor expressly waives its statutory immunity under such statues or laws as to City, its employees and officials. Contractor agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this section from each and every subcontractor, sub tier contractor or any other person or entity involved by, for, with or on behalf of Contractor in the performance or subject matter of this Agreement. In the event Contractor fails to obtain such indemnity obligations from others as required here, Contractor agrees to be fully responsible according to the terms of this section. Failure of City to monitor compliance with these requirements imposes no additional obligations on City and will in no way act as a waiver of any rights hereunder.

(d) If any action or proceeding is brought against any Indemnified Party by reason of any of the matters against which the Contractor has agreed to defend the Indemnified Party, as provided above, Contractor, upon notice from the City, shall defend any Indemnified Party at Contractor's expense by counsel reasonably acceptable to the City. An Indemnified Party need not have first paid for any of the matters to which it is entitled to indemnification in order to be so defended. If it is finally adjudicated that liability was caused by the sole active negligence or sole willful misconduct of an indemnified party, Contractor may submit a claim to the City for reimbursement of reasonable attorney's fees and defense costs.

(e) This obligation to indemnify and defend City, as set forth herein, is binding on the successors, assigns, or heirs of Contractor and shall survive the termination of this Agreement or this Section.

14. Insurance.

(a) As a condition precedent to the effectiveness of this Agreement and without limiting Contractor's indemnification of the City, Contractor agrees to obtain and maintain in full force and effect at its own expense the insurance policies set forth in Exhibit "C" "Insurance" attached hereto and made a part hereof. Contractor shall furnish the City with original certificates of insurance, manually autographed in ink by a person authorized by that insurer to bind coverage on its behalf, along with copies of all required endorsements. All certificates and endorsements must be received and approved by the City before any work commences. All insurance policies shall be subject to approval by the City Attorney and Risk Manager as to form and content. Specifically, such insurance shall: (1) protect City as an additional insured for commercial general and business auto liability; (2) provide City at least thirty days written notice of cancellation, material reduction in coverage or reduction in limits and ten days written notice for non-payment of premium; and (3) be primary with respect to City's insurance program. Contractor's insurance is not expected to respond to claims that may arise from the acts or omissions of the City.

(b) City reserves the right at any time during the term of this Agreement to change the amounts and types of insurance required herein by giving Contractor ninety days advance written notice of such change. If such change should result in substantial additional cost of the Contractor, City agrees to negotiate additional compensation proportional to the increased benefit to City.

(c) All required insurance must be submitted and approved the City Attorney and Risk Manager prior to the inception of any operations by Contractor.

(d) The required coverage and limits are subject to availability on the open market at reasonable cost as determined by the City. Non availability or non affordability must be documented by a letter from Contractor's insurance broker or agency indicating a good faith effort to place the required insurance and showing as a minimum the names of the insurance carriers and the declinations or quotations received from each. Within the foregoing constraints, Contractor's failure to procure or maintain required insurance during the entire term of this Agreement shall constitute a material breach of this Agreement under which City may immediately suspend or terminate this Agreement or, at its discretion, procure or renew such insurance to protect City's interests and pay any and all premium in connection therewith and recover all monies so paid from Contractor.

(e) By signing this Agreement, Contractor hereby certifies that it is aware of the provisions of Section 3700 *et seq.*, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provision of that Code, and that it will comply with such provisions at all such times as they may apply during the performance of the work pursuant to this Contract. Unless otherwise agreed, a waiver of subrogation in favor of the City is required.

15. Independent Contractor. The parties agree that Contractor, its officers, employees and agents, if any, shall be independent contractors with regard to the providing of services under this Agreement, and that Contractor's employees or agents shall not be considered to be employees or agents of the City for any purpose and will not be entitled to any of the benefits City provides for its employees. City shall make no deductions for payroll taxes or Social Security from amounts due Contractor for work or services provided under this Agreement.

16. Claims for Labor and Materials. Contractor shall promptly pay when due all amounts payable for labor and materials furnished in the performance of this Agreement, so as to prevent any lien or other claim under any provision of law from arising against any City property (including reports, documents, and other tangible matter produced by the Contractor hereunder), against the Contractor's rights to payments hereunder, or against the City, and shall pay all amounts due under the Unemployment Insurance Act with respect to such labor.

17. Discounts. Contractor agrees to offer the City any discount terms that are offered to its best customers for the goods and services to be provided herein, and apply such discounts to payment made under this Agreement which meet the discount terms.

18. Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate or convenient to attain the purposes of this Agreement.

19. Dispute Resolution. If any dispute arises between the parties as to proper interpretation or application of this Agreement, the parties shall first meet and confer in a good faith attempt to resolve the matter between themselves. If the dispute is not resolved by meeting and conferring, the matter shall be submitted for formal mediation to a mediator selected mutually by the parties. The expenses of such mediation shall be shared equally between the parties. If the dispute is not or cannot be resolved by mediation, the parties may mutually agree (but only as to those issues of the matter not resolved by mediation) to submit their dispute to arbitration. Before commencement of the arbitration, the parties may elect to have the arbitration proceed on an informal basis; however, if the parties are unable so to agree, then the arbitration shall be conducted in accordance with the rules of the American Arbitration Association. The decision of the arbitrator shall be binding, unless within thirty days after issuance of the arbitrator's written decision, any party files an action in court. Venue and jurisdiction for any such action between the parties shall lie in the Superior Court for the County of Monterey.

20. Compliance With Laws.

(a) Each party's performance hereunder shall comply with all applicable laws of the United States of America, the State of California and the City including but not limited to laws regarding health and safety, labor and employment, wage and hours and licensing laws which affect employees. This Agreement shall be governed by, enforced and interpreted under the laws of the State of California. Contractor shall comply with new, amended or revised laws, regulations or procedures that apply to the performance of this Agreement.

(b) If the Project is a "public work," or prevailing wages are otherwise required, Contractor shall comply with all provision of California Labor Code section 1720 *et seq.*, as applicable, and laws dealing with prevailing wages, apprentices and hours of work.

(c) Contractor represents that it has obtained and presently holds all permits and licenses necessary for performance hereunder, including a Business License required by the City's Business License Ordinance. For the term covered by this Agreement, the Contractor shall maintain or obtain as necessary, such permits and licenses and shall not allow them to lapse, be revoked or suspended.

21. Assignment or Transfer. This Agreement or any interest herein may not be assigned, hypothecated or transferred, either directly or by operation of law, without the prior written consent of the City. Any attempt to do so shall be null and void, and any assignees, hypothecates or transferees shall acquire no right or interest by reason of such attempted assignment, hypothecation or transfer.

22. Notices. All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered, sent by facsimile ("fax") or certified mail, postage prepaid with return receipt requested, addressed as follows:

To City: City Manager
City of Marina City Hall
211 Hillcrest Avenue
Marina, California 93933
Fax: (831) 384-9148

To Contractor: _____

Fax (831) _____

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile or, if mailed, three days after deposit in the custody of the U.S. Postal Service. A copy of any notice sent as provided herein shall also be delivered to the Project Administrator and Project Manager.

23. Amendments, Changes or Modifications. This Agreement is not subject to amendment, change or modification except by a writing signed by the authorized representatives of City and Contractor.

24. Force Majeure. Notwithstanding any other provisions hereof, neither Contractor nor City shall be held responsible or liable for failure to meet their respective obligations under this Agreement if such failure shall be due to causes beyond Contractor's or the City's control. Such causes include but are not limited to: strike, fire, flood, civil disorder, act of God or of the public enemy, act of the federal government, or any unit of state or local government in either sovereign or contractual capacity, epidemic, quarantine restriction, or delay in transportation to the extent that they are not caused by the party's willful or negligent acts or omissions, and to the extent that they are beyond the party's reasonable control.

25. Attorney's Fees. In the event of any controversy, claim or dispute relating to this Agreement, or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees and costs.

26. Successors and Assigns. All of the terms, conditions and provisions of this Agreement shall apply to and bind the respective heirs, executors, administrators, successors, and assigns of the parties. Nothing in this paragraph is intended to affect the limitation on assignment.

27. **Authority to Enter Agreement.** Contractor has all requisite power and authority to conduct its business and to execute, deliver and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right and authority to make this Agreement and bind each respective party.

28. **Waiver.** A waiver of a default of any term of this Agreement shall not be construed as a waiver of any succeeding default or as a waiver of the provision itself. A party's performance after the other party's default shall not be construed as a waiver of that default.

29. **Severability.** Should any portion of this Agreement be determined to be void or unenforceable, such shall be severed from the whole and the Agreement will continue as modified.

30. **Construction, References, Captions.** Since the parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any party. Any term referencing time, days or period for performance shall be deemed calendar days and not workdays. The captions of the various sections are for convenience and ease of reference only, and do not define, limit, augment or describe the scope, content or intent of this Agreement.

31. **Advice of Counsel.** The parties agree that they are aware that they have the right to be advised by counsel with respect to the negotiations, terms and conditions of this Agreement, and that the decision of whether or not to seek the advice of counsel with respect to this Agreement is a decision which is the sole responsibility of each of the parties hereto. This Agreement shall not be construed in favor or against either party by reason of the extent to which each party participated in the drafting of this Agreement.

32. **Counterparts.** This Agreement may be signed in counterparts, each of which shall constitute an original.

33. **Time.** Time is of the essence in this contract.

34. **Entire Agreement.** This Agreement contains the entire agreement of the parties with respect to the matters as set forth in this Agreement, and no other agreement, statement or promise made by or to any party or by or to any employee, officer or agent of any party, which is not contained in this Agreement shall be binding or valid. . The exhibits attached hereto are incorporated into this Agreement. In the event of a conflict between the terms of this Agreement and any exhibit, the terms of this Agreement shall control.

IN WITNESS WHEREOF, Contractor and the City by their duly authorized representatives, have executed this Agreement, on the date first set forth above, at Marina, California.

CITY OF MARINA

CONTRACTOR

By: _____
Name: Layne P. Long
Its: City Manager
Date: _____

By: _____
Name: _____
Its: _____
Date: _____

Approved as to form:

By: _____
City Attorney

DRAFT

EXHIBIT A

SCOPE OF SERVICES

DRAFT

**EXHIBIT B
COST ESTIMATE**

DRAFT

Exhibit C - Insurance

Contractor agrees to provide insurance in accordance with the requirements set forth herein. If Contractor uses existing coverage to comply with these requirements and that coverage does not meet the requirements set forth herein, Contractor agrees to amend, supplement or endorse the existing coverage to do so. Contractor shall furnish the City with original certificates of insurance, manually autographed in ink by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements must be received and approved by the City before any work commences. The City reserves its right to require complete, certified copies of all required insurance policies at any time. The following coverage will be provided by Contractor and maintained on behalf of the City and in accordance with the requirements set forth herein.

Commercial General Liability (primary). Commercial general liability insurance covering Contractor's operations (and products where applicable) is required whenever the City is at risk of third party claims which may arise out of Contractor's work or presence on City premises. Contractual liability coverage is a required inclusion in this insurance.

Primary insurance shall be provided on ISO-CGL form No. CG 00 01 11 85 or 88 or on an ISO or ACORD form providing coverage at least as broad as ISO form CG 00 01 10 01 and approved in advance by the City Attorney and Risk Manager. Total limits shall be no less than one million dollars (\$1,000,000) combined single limit per occurrence for all coverages. If commercial general liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this Project or the general aggregate limit shall be two million dollars (\$2,000,000). Contractor must give written notice to the City of any pending claim, action or lawsuit which has or may diminish the aggregate. If any such claim or lawsuit exists, Contractor shall be required, prior to commencing work under this Agreement, to restore the impaired aggregate or prove it has replacement insurance protection to the satisfaction of the City Attorney and Risk Manager.

City, its Council, boards and commissions, officers, employees, agents and volunteers shall be added as additional insureds using ISO additional insured endorsement form CG 20 10 11 85 or forms CG 20 10 10 01 and CG 20 37 10 01. Coverage shall apply on a primary, non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to the City or any agent of City. Coverage is not expected to respond to the claims which may arise from the acts or omissions of the City. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Coverage shall contain no contractors' limitation endorsement. There shall be no endorsement or modification limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices.

Umbrella Liability Insurance. Umbrella liability insurance (over primary) shall apply to bodily injury/property damage, personal injury/advertising injury, at a minimum, and shall include a "drop down" provision providing primary coverage above a maximum \$25,000.00 self-insured retention for liability not covered by primary policies but covered by the umbrella policy. Coverage shall be following form to any underlying coverage.

Coverage shall be provided on a “pay on behalf” basis, with defense costs payable in addition to policy limits. There shall be no cross liability exclusion and no contractor's limitation endorsement. Policies limits shall be not less than one million dollars (\$1,000,000) per occurrence and in the aggregate, above any limits required in the underlying policies shall have starting and ending dates concurrent with the underlying coverage.

Business Auto. Automobile liability insurance is required where vehicles are used in performing the work under this Agreement or where vehicles are driven off-road on City premises, it is not required for simple commuting unless City is paying mileage. However, compliance with California law requiring auto liability insurance is a contractual requirement.

If automobile insurance is required for work under this Agreement, primary coverage shall be written on ISO Business Auto Coverage form CA 00 01 06 92 including symbol 1 (Any Auto) or on an ISO or ACORD form providing coverage at least as broad as CA 00 01 10 01 approved by the City Attorney and Risk Manager. Coverage shall be endorsed to stated that the City, its Council, boards and commissions, officers, employees, agents and volunteers shall be added as additional insureds with respect to the ownership, operation, maintenance, use, loading or unloading of any auto owned, leased, hired or borrowed by the Contractor or for which the Contractor is responsible. Limits shall be no less than one million dollars (\$1,000,000) combined single limit per accident for bodily injury and property damage. Starting and ending dates shall be concurrent. If Contractor owns no autos, a non-owned auto endorsement to the commercial general liability policy described above is acceptable.

Workers’ Compensation/Employers’ Liability. Workers' Compensation and Employer's Liability insurance are not required for single-person contractors. However, under California law these coverages (or a copy of the State's Consent to Self-Insure) must be provided if Contractor has any employees at any time during the period of this Agreement. Policy(s) shall be written on a policy form providing workers’ compensation statutory benefits as required by law. Employers’ liability limits shall be no less than one million dollars (\$1,000,000) per accident or disease and shall be scheduled under any umbrella policy described above. Unless otherwise agreed, policy(s) shall be endorsed to waive any right of subrogation as respects the City, its Council, boards and commissions, officers, employees, agents and volunteers.

Property Insurance. Property insurance, in a form and amount approved by the City Attorney and Risk Manager, is required for Contractors having exclusive use of premises or equipment owned or controlled by the City. City is to be named a Loss Payee As Its Interest May Appear in property insurance in which the City has an interest, e.g., as a lien holder. Fire damage legal liability is required for persons occupying a portion of City premises.

C-2

Errors and Omissions/Professional Liability. Errors and Omissions or professional liability coverage appropriate to Contractor's profession, in a form and amount approved by the City Attorney and Risk Manager, will be specified on a project-by-project basis if Contractor is working as a licensed professional. Contractor shall maintain such insurance for a period of five years following completion of the project. Such insurance shall be in an amount of not less than one million dollars (\$1,000,000) per claim and in annual aggregate. Design professionals shall maintain such insurance in place until the expiration of the warranty period of the Project.

Contractor and City further agree as follows:

a) This Exhibit supersedes all other sections and provisions of this Agreement to the extent that any other section or provision conflicts with or impairs the provisions of this Exhibit.

b) Nothing contained in this Exhibit is to be construed as affecting or altering the legal status of the parties to this Agreement. The insurance requirements set forth in this Exhibit are intended to be separate and distinct from any other provision in this Agreement and shall be interpreted as such.

c) All insurance coverage and limits provided pursuant to this Agreement shall apply to the full extent of the policies involved, available or applicable. Nothing contained in this Agreement or any other agreement relating to the City or its operations limits the application of such insurance coverage.

d) Requirements of specific coverage features or limits contained in this Exhibit are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only and is not intended by any party to be all inclusive, or to the exclusion of other coverage, or a waiver of any type.

e) For purposes of insurance coverage only, this Agreement will be deemed to have been executed immediately upon any party hereto taking any steps that can be deemed to be in furtherance of or toward performance of this Agreement.

f) All general or auto liability insurance coverage provided pursuant to this Agreement, or any other agreements pertaining to the performance of this Agreement, shall not prohibit Contractor, Contractor's employees, or agents from waiving the right of subrogation prior to a loss. Contractor hereby waives all rights of subrogation against the City.

g) Unless otherwise approved by City, Contractor's insurance shall be written by insurers authorized and admitted to do business in the State of California with a minimum "Best's" Insurance Guide Rating of "A:VII." Self-insurance will not be considered to comply with these insurance specifications.

h) In the event any policy of insurance required under this Agreement does not comply with these requirements or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Contractor.

i) Contractor agrees to provide evidence of the insurance required herein, satisfactory to City Attorney and Risk Manager, consisting of certificate(s) of insurance evidencing all of the coverages required and an additional endorsement to Contractor's general liability and umbrella liability policies using ISO form CG 20 10 11 85. Certificate(s) are to reflect that the insurer will provide at least thirty days written notice of cancellation, material reduction in coverage or reduction in limits and ten days written notice for non-payment of premium. Contractor agrees to require its insurer to modify such certificates to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions. Contractor agrees to provide complete copies of policies to City within ten days of City's request for said copies.

j) Contractor shall provide proof that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages.

k) Any actual or alleged failure on the part of the City or any other additional insured under these requirements to obtain proof of insurance required under this Agreement in no way waives any right or remedy of City or any additional insured, in this or any other regard.

l) Contractor agrees to require all subcontractors or other parties hired for this Project to provide workers' compensation insurance as required herein and general liability insurance naming as additional insureds all parties to this Agreement. Contractor agrees to obtain certificates evidencing such coverage and make reasonable efforts to ensure that such coverage is provided as required here. Contractor agrees to require that no contract used by any subcontractor, or contracts Contractor enters into on behalf of City, will reserve the right to charge back to City the cost of insurance required by this Agreement. Contractor agrees that upon request, all agreements with subcontractors or others with whom Contractor contracts with on behalf of City, will be submitted to City for review. Contractor acknowledges that such contracts or agreements may require modification if the insurance requirements do not reflect the requirements herein. Failure of City to request copies of such agreements will not impose any liability on City, its Council, boards and commissions, officers, employees, agents and volunteers.

m) If Contractor is a Limited Liability Company, general liability coverage must be amended so that the Limited Liability Company and its Managers, Affiliates, employees, agents and other persons necessary or incidental to its operation are insureds.

n) Contractor agrees to provide immediate notice to City of any claim or loss against Contractor that includes City as a defendant. City assumes no obligation or liability by such notice, but has the right (but not the duty) to monitor the handling of any such claim or claims if they are likely to involve the City.

o) Coverage will not be limited to the specific location or individual entity designated as the address of the Project. Contractor agrees to have its coverage endorsed so that all coverage limits required pursuant to this requirement are available separately for each and every location at which Contractor conducts operations of any type on behalf of City. Contractor warrants that these limits will not be reduced or exhausted except for losses attributable to those specific locations and not by losses attributable to any other operations of Contractor.

p) Contractor agrees not to attempt to avoid its defense and indemnity obligations to City, its Council, boards and commissions, officers, employees, agents and volunteers by using as a defense Contractor's statutory immunity under workers' compensation or similar statutes.

r) Contractor agrees to ensure that coverage provided to meet these requirements is applicable separately to each insured and that there will be no cross liability exclusions that preclude coverage for suits between Contractor and City or between City and any other insured or Named Insured under the policy, or between City and any party associated with City or its employees.

s) Contractor shall maintain commercial general liability, and if necessary, commercial umbrella liability insurance, with a limit of not less than one million dollars (\$1,000,000) each occurrence for at least three years following substantial completion of the work.

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