

**City of Oceanside
Clean Water Program**

**Residential Urban Runoff Requirements Manual
Draft**

**Prepared for
The City of Oceanside**

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Acronyms and Abbreviations

Acronyms

BMP	Best Management Practice
BOD	Biochemical Oxygen Demand
CFR	<i>U.S. Code of Federal Regulations</i>
EPA	U.S. Environmental Protection Agency
ESA	Environmentally Sensitive Area
IPM	Integrated Pest Management
JURMP	Jurisdictional Urban Runoff Management Program
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
MSDS	Material Safety Data Sheet
NPDES	National Pollutant Discharge Elimination System
RWQCB	California Regional Water Quality Control Board
SWPPP	Storm Water Pollution Prevention Plan
TMDL	Total Maximum Daily Loads

Abbreviations

City	the City of Oceanside, California
Commercial Manual	the <i>Commercial Urban Runoff Requirements Manual</i>
Industrial Manual	the <i>Industrial Urban Runoff Requirements Manual</i>
Manual	the <i>Residential Urban Runoff Requirements Manual</i>



Chapter 1 Introduction



This *Residential Urban Runoff Requirements Manual* (Manual) details requirements of residents of the City of Oceanside (City), which were developed as part of the City's Jurisdictional Urban Runoff Management Program (JURMP) and the City's Clean Water Program. The City produced this Manual in conjunction with the amendments to the City's Municipal Code, Chapter 40, Urban Runoff Management and Discharge Control Regulations.

1.1 How to Use this Manual

This Manual is provided to assist residents of the City in complying with the City's Urban Runoff Management and Discharge Control Regulations. Information is provided to assist residents in determining their applicability to the City's requirements and it details the requirements that applicable residents must comply with.

This Manual is divided into the following five chapters:

- Chapter 1** – Provides an introduction to the Manual and a brief overview of its purpose and relevance
- Chapter 2** – Describes the general applicability of the requirements of this Manual and lists the general requirements of applicable residents
- Chapter 3** – Defines High Priority residential activities and details the requirements that residents conducting those activities must comply with
- Chapter 4** – Defines High Priority residential areas and details the requirements that residents in these areas must comply with

Chapter 5 – Summarizes the inspection and enforcement procedures of the City

1.2 What is Urban Runoff and Storm Water?

The terms, Urban Runoff and storm water (sometimes written as one word, "stormwater"), are commonly used in discussions about the quality of water in urbanized areas. These terms are often used interchangeably and, therefore, are confusing. Urban Runoff refers to water that originates in urbanized areas. Sources of Urban Runoff include precipitation, industry discharges, leaks, washing, irrigation, and natural springs. Storm water refers to water generated from precipitation during a storm event. However, in some cases inconsistent with its definition, storm water is used to refer to or to include Urban Runoff not exclusively resulting from precipitation. Inversely, the definition of non-storm water is water that is not the direct product of storm precipitation such as water from industry discharges, leaks, washing, irrigation, and springs. Therefore, Urban Runoff is composed of both storm water and non-storm water.

Regardless of the terminology, water located in urbanized areas and the quality of that water is of the utmost importance. The water in urbanized areas drains to the creeks, lakes, lagoons in the City, and ultimately to the ocean. Many people recreate and fish in these waters, and still others enjoy the plants and wildlife that these aquatic habitats support. All water used in the homes and businesses in the City drain to the ocean, creeks, and lakes. Spills, trash, and pollutants wash from properties and roads into the public drainage system, which flows directly to these water bodies.

1.3 Background

In February 2001, the California Regional Water Quality Control Board (RWQCB) issued a National Pollutant Discharge Elimination System (NPDES) Order, or permit, that regulates storm water discharges from the City's public drainage system, referred to as the Municipal Separate Storm Sewer System (MS4) or Storm Water Conveyance System. The Order (NPDES Order CAS0108758) requires the City to develop and implement a JURMP that identifies and describes the methods that the City

will use to eliminate significant pollutants from the City's Storm Water Conveyance System. As part of the Order, the City is required to implement a plan to eliminate pollutant discharges from residential activities by requiring the implementation of appropriate Best Management Practices (BMPs) at applicable areas. BMPs are activities, practices, procedures, or facilities implemented to avoid, prevent, or reduce pollution of our Storm Water Conveyance System and Receiving Waters.

According to Item E of the NPDES Order (pg 13, Table 3), BMPs for all residential activities should achieve the Maximum Extent Practicable (MEP) performance standard. In general, implementation requirements for residences are primarily non-structural BMPs, such as, controlling sources of pollutants and altering personal habits to reduce potential for pollution. Structural BMPs such as

treatment systems and or structures to protect area from precipitation are typically only required when non-structural BMPs alone cannot achieve adequate reduction of pollution potential. In addition, if a resident was determined to be negatively impacting water quality, the City may impose additional BMP requirements that may involve non-structural and structural measures.

This Manual provides BMP requirements that are developed based on the appropriate performance standards for residents in general and specific residential activities. Recommended optional BMP implementation measures are provided, when applicable, to assist residents in meeting the MEP standard if additional BMPs are necessary or if the resident desires to implement additional measures to help reduce water quality impacts.



Chapter 2 Requirements of Residents



This chapter defines those residents subject to the requirements in this Manual and discusses the general Urban Runoff requirements of residents in the City.

2.1 Applicability

This Manual establishes tiered BMP requirements for residents. Residents subject to these requirements include all residents within the limits and extraterritorial jurisdiction areas of the City. In addition, owners or managers of residences are subject to these requirements as the responsible party for a residence if the residence is unoccupied. These groups, which are subject to the requirements in this Manual, are formally referred to as Residential Discharges.

Residences within the limits and extraterritorial jurisdiction areas of the City that are used for commercial or industrial purposes may be subject to additional requirements, unless the activities are conducted by the resident and exclusively for the private non-commercial purposes of the resident. Residences engaged in business or commerce, or any activity conducted at residences for the purposes of business or commerce, whether for profit or not-for-profit, or publicly or privately owned, are subject to commercial- and/or industrial-related requirements as specified under the City's Code and the *Commercial Urban Runoff Requirements Manual* (the Commercial Manual) and *Industrial Urban Runoff Requirements Manual* (the Industrial Manual).

2.2 Submittal Requirements

All residents are required to obtain necessary permits, licenses, and other approvals for any regulated activities conducted by the resident. Such approvals include business licenses, development permits, grading permits, and building permits. The resident should review City regulations and

permit/licensing requirements to determine if such approvals are necessary.

2.3 General Requirements

Residential Dischargers are required to comply with two interrelated sets of directives: (1) compliance with applicable discharge prohibition requirements, and (2) implementation of BMPs to prevent non-storm water discharges and to reduce contaminants in Urban Runoff. These requirements are summarized in this section. Failure to comply with applicable discharge prohibitions or to meet BMP implementation requirements is a violation of the City's Code.

2.3.1 Discharge Prohibitions

Without exception, discharges of both storm water and non-storm water to the City's Storm Water Conveyance System or Receiving Waters are prohibited if the discharge contains pollutants that have not been reduced to the MEP (see section 2.3.2 of this Manual for further discussion on achieving MEP).

This prohibition establishes a general BMP standard that must be met by all Dischargers for storm water or non-storm water discharges. In essence, it requires the application of BMPs to prevent discharges in violation of the City Code.

Categorical Exemptions

With minor exceptions, non-storm water discharges are prohibited to the City's Storm Water Conveyance System and Receiving Waters. The City has limited discretion in determining whether selected categories of non-storm water discharges must also be prohibited. Pursuant to City Code, Section 40.2.2, the following seventeen categories of non-storm water discharge are currently allowable as long as pollutants in the discharges are reduced to the MEP:

- Diverted stream flows
- Rising groundwaters
- Uncontaminated groundwater infiltration [as defined in *U.S. Code of Federal Regulations* (CFR), Chapter 40, Part 35.2005(20)] to MS4

- Uncontaminated pumped groundwater
- Foundation drains
- Springs
- Water from crawl space pumps
- Footing drains
- Air conditioning condensation
- Flows from riparian habitats and wetlands
- Water line flushing
- Landscape irrigation
- Discharges from potable water sources other than main breaks
- Irrigation water
- Lawn watering
- Individual residential vehicle washing
- Dechlorinated swimming pool discharges.

By February 21, 2002, and periodically thereafter as further information becomes available, the City may determine that some or all of these discharge types are significant sources of pollutants to waters of the United States. Based on this determination, the City will establish the types of discharges that will continue to be conditionally allowed, or that will be disallowed, into the City's Storm Water Conveyance System. The City may also impose additional BMP requirements specific to those discharges that are allowed.

2.3.2 BMP Implementation

As previously stated, for all discharges of storm water and non-storm water to the City's Storm Water Conveyance System or Receiving Waters, pollutant must be reduced to the MEP.

MEP is a loosely defined standard that is commonly used by the RWQCB in requiring BMP implementation for municipalities. In general, it can be defined as the implementation of all effective, technically, and economically feasible BMPs (see the Definitions section for a more detailed discussion). The BMPs that are generally emphasized to meet MEP are pollution-prevention and source-control BMPs. Implementing these proactive BMPs avoids pollutants from ever entering discharge. Treatment BMPs are then implemented,

when appropriate, to serve as backups to remove pollutants from discharges.

Because discharges are prohibited unless MEP is achieved, this general BMP standard must be met by all Dischargers in the City, including Residential Dischargers. In general, a Discharger can be generalized as any person or entity engaged in activities or operations, or owning or operating facilities that are exposed to precipitation that drains to the City's Storm Water Conveyance System or Receiving Waters, or that discharges any other waters or materials to the City's Storm Water Conveyance System or Receiving Waters. Therefore, basically if you own, rent, or operate any property in the City, or if you conduct any activities outdoors within the City, you are most likely a Discharger.

To assist Dischargers in meeting the MEP standard, the City has developed minimum BMP requirements. This Manual focuses on those minimum BMP requirements for Residential Dischargers. These requirements are standards themselves and Discharges are required to implement, at a minimum, these BMPs or equivalent measures, methods, or practices. The City recognizes that the proper selection of BMPs depends on numerous factors that are specific to individual sites and activities, and therefore does not advocate or require the use of particular practices. Rather, the City has established these minimum BMP standards that the City has determined are the minimum necessary measures to prevent discharges of pollutants to its Storm Water Conveyance System and Receiving Waters. The sole responsibility for selecting and implementing BMPs that are adequate to comply with the requirements of the City Code and this Manual lies with the Discharger. Therefore, the Discharger may select which BMPs are appropriate to implement, in order to meet the City's minimum BMP requirements. Furthermore, if MEP has not been met by meeting the minimum BMP requirements prescribed by the City, the Discharger must implement additional BMPs until MEP is achieved.

Dischargers are required to evaluate their activities and to implement those BMPs that they determine are necessary to meet MEP. The final determination as to if MEP has been met can only be made by the RWQCB, however, in regard to Residential Dischargers, the City's determination as to if MEP has been met is superior to that of the Dischargers. Based on such a determination, the City may require the application of specific BMPs, additional

BMPs, and/or structural controls, in addition to the minimum BMP requirements for a Discharger or a group of Dischargers, if MEP has not been met.

The remainder of this Manual provides the City's minimum BMP requirements to assist Residential Dischargers in meeting the MEP standard. The City's requirements applicable to Residential Dischargers, currently consists of the following three main tiers:

1. Requirements for all Dischargers
2. Requirements for all Residential Dischargers
3. Requirements for Specific High Priority Residential Activities and Areas

2.4 BMP Requirements for All Dischargers

The following are BMP requirements for all discharges in the City. Each Discharger, and therefore, all Residential Dischargers, is required to implement these BMPs, or equivalent measures, methods, or practices. For a detailed discussion explaining BMP implementation requirements, refer to section 2.3.2 of this Manual.

Eroded Soils

BMP A.1.1. Prior to the rainy season, Dischargers must remove or secure any significant accumulations of eroded soils from slopes previously disturbed by clearing or grading, if those eroded soils could otherwise enter the Storm Water Conveyance System or Receiving Waters during the rainy season.

BMP Description

Removal of eroded soils should be to an approval and licensed disposal facility. Securing eroded soils should be by implementing standard measures such as by securing a cover over the soils and by diverting runoff flows around the soils.

Pollution Prevention

BMP A.2.1. Dischargers employing ten or more persons on a full-time basis shall implement those Urban Runoff pollution prevention practices that are generally recognized in that Discharger's industry or business as being effective and economically advantageous.

Prevention of Illegal Discharges

BMP A.3.1. Illicit connections must be eliminated (even if the connection was established pursuant to a valid permit and was legal at the time it was constructed), and illegal discharge practices eliminated.

Slopes

BMP A.4.1. Completed slopes that are more than five feet in height, more than 250 square feet in total area, and steeper than 3:1 (run-to-rise) that have been disturbed at any time by clearing, grading, or landscaping, shall be protected from erosion prior to the first rainy season following completion of the slope, and continuously thereafter.

BMP Description

Protection of slopes typically is accomplished through covering the slopes, planting the slopes to stabilize vegetation, and/or installing sandbags, silt fences, or other measures to prevent runoff of sediment.

Storage of Materials and Wastes

BMP A.5.1. All materials and wastes with the potential to pollute Urban Runoff shall be stored in a manner that either prevents contact with rainfall and storm water, or contains contaminated runoff for treatment and disposal.

BMP Description

The preferred method of storage is in a covered and contained area so that the materials or wastes are protected from precipitation and runoff, and so that any spills of the materials or wastes are contained, restricted from discharge, and easily cleaned up.

Use of Materials

BMP A.6.1. All materials with the potential to pollute Urban Runoff (including but not limited to cleaning and maintenance products used outdoors, fertilizers, pesticides and herbicides, etc.) shall be used in accordance with label directions. No such material or product may be disposed of or rinsed into Receiving Waters or the Storm Water Conveyance System.

2.5 Minimum BMP Requirements for all Residential Discharges

Currently, the City has not developed any general minimum BMP requirements specific to the category of Residential Dischargers. However, those requirements described in section 2.3 are applicable

to all Residential Dischargers in addition to all other Dischargers in the City. Furthermore, Chapter 3 details requirements of specific activities conducted by Residential Dischargers. Most of these activities are common activities of Residential Discharges and all Residential Discharges should review Chapter 3 for additional requirements.

Although there are no general minimum BMP requirements specific to the category of Residential Dischargers, this section does include some general recommendations for all Residential Dischargers. The following recommendations for Residential Dischargers are described in this section:

- Annual Review of Residences and Activities
- Pollution Prevention
- Materials and Waste Management
- Vehicles and Equipment.

2.5.1 Annual Review of Residences and Activities

The purpose of this recommendation is to actively engage Residential Dischargers in the identification and elimination of connections and practices that might otherwise lead to discharge violations. This is especially important for residences since they are not subject to other routine inspections.

Visual inspections are crucial to preventing or identifying problems in a timely manner. Thorough periodic inspections of residences and the surrounding property should be conducted by Residential Dischargers to ensure adequate BMP implementation and compliance with requirements. Yards, garages, and storage areas, if applicable, should be inspected periodically during the dry season (May 1 to September 30) and more frequently during the rainy season of the Oceanside area (October 1 to April 30).

Areas where water leaves the property should be visually inspected for evidence of, or the potential for, pollutants entering the street or other drainage ways. Measures to reduce pollutant loadings should be inspected and evaluated to determine whether they are still adequate and functioning properly.

Based on the results of the inspections, any additional potential pollutant sources should be identified and the necessary additional pollution

prevention measures and controls should be implemented in a timely manner.

2.5.2 Pollution Prevention

Pollution prevention is defined as practices and processes that reduce or eliminate the generation of pollutants. Recycling, or the use of different types of products or chemicals, and altering procedures are all types of pollution-prevention practices that can reduce the amounts of pollutants generated by a business. Residences should review their current activities and determine if there are changes that they could make that would reduce the amount of pollutants that they generate.

2.5.3 Materials and Waste Management

Hazardous materials and wastes should be stored, managed, and disposed in accordance to label directions. Hazardous materials should be stored off the ground and in an enclosed or covered area. Drums and other containers should be kept in good condition and securely closed when not in use.

Spill of liquid or solid materials onto ground surfaces imposes great potential risk to Urban Runoff quality. If a spill occurs in an outside area that could be exposed to and washed off by precipitation, or otherwise transported off the property, the spill should be cleaned up immediately. Do not clean up spills by rinsing them down with a bucket of water or using a hose. Instead use “dry cleaning” methods that consist of collecting spilled materials physically or by absorbing them with towels. If additional cleaning is still required, use a broom or a mop as appropriate.

Significant spills shall be reported promptly to the City’s Storm Water Hotline (1-760-435-5800). Significant spills are those that discharge, or have the potential to discharge, contaminants directly or indirectly to the Storm Water Conveyance System or Receiving Waters. Spills that have been completely contained and cleaned up onsite are not considered significant unless they pose a threat to human health or safety.

2.5.4 Vehicles and Equipment

Residential Discharges should keep their vehicles and equipment properly maintained to prevent leaks and to keep other pollutants from the vehicles or equipment from entering Urban Runoff. Vehicles and equipment should be periodically checked during use and during storage to detect leaks. If

leaks are identified, they should be repaired immediately and, in the interim, some type of containment such as drip pans should be used to collect the leaked materials so that they do not enter Urban Runoff.

Refer to sections 3.1 and 3.2 of this Manual for specific regulations pertaining to vehicles and equipment.



Chapter 3 Requirements for Specific High Priority Residential Activities



In addition to the requirements described in Chapter 2, requirements were developed by the City for specific common activities conducted by Residential Dischargers. The activities in this Chapter, for which the additional regulations were developed, were determined to be potential sources of significant pollutants to the Storm Water Conveyance System and/or Receiving Waters. Therefore, they have been designated as High Priority activities. Because these activities have been identified as representing a high threat to water quality, the City has developed a higher standard of minimum BMP implementation to ensure that MEP standard for BMP implementation is achieved. However, in some cases, the MEP standard may not be achieved solely by meeting the established BMP requirements. In those cases where MEP has not been met, and the activity still poses a high threat to water quality, the Residential Discharger must implement additional BMPs until the MEP standard is achieved.

For a detailed discussion explaining BMP implementation requirements, refer to section 2.3.2 of this Manual.

This chapter contains regulations for the following High Priority activities:

- Vehicle and Equipment Repair and Maintenance
- Vehicle and Equipment Washing
- Vehicle Parking
- Plant Care, Gardening, and Landscaping
- Home Care and Housekeeping
- Household Hazardous Wastes
- Pets and Pet Waste
- Green Waste

- Private Sewer Laterals and Onsite Wastewater Systems.

For each of these activities, a section is provided in this Chapter with requirements for BMP implementation. In addition, each section provides a discussion of the applicability of the requirements, so you can determine if your activities are subject to the requirements.

Also contained within each of these sections are recommended BMPs. These BMPs are not required but instead are provided by the City as recommendations for implementation, where applicable, and when residents desire to take additional steps toward protecting water quality. All residents are encouraged to consider these BMPs for implementation, and they may also be useful when determining the necessary measures required to meet the MEP standard.

In time, the City may determine that additional residential activities may contribute significant pollutant loads to the Storm Water Conveyance System and Receiving Waters. When the City makes these determinations, it may choose to develop additional activity-specific BMP requirements.

3.1 Vehicle and Equipment Repair or Maintenance

3.1.1 Applicability

The requirements in this section apply to repair and maintenance of motorized vehicles and equipment, including automobiles, boats, motorcycles, all-terrain vehicles, other motorized vehicles, lawn mowers, other motorized gardening equipment, gas-powered generators, and any other devices that require similar repair and maintenance.

3.1.2 Description of Impacts

Repair and maintenance activities have the potential to contribute many types of pollutants (such as motor oils, greases, antifreeze, solvents, trace metals and fuels) directly to the Storm Water Conveyance System or Receiving Waters when it rains or when residents wash off driveways and streets.

3.1.3 BMP Requirements

The following BMPs or equivalent measures, methods, or practices are required of Residential Discharges for all vehicle and equipment repair or maintenance activities:

BMP RS.1.1. Vehicle and equipment repair and maintenance activity shall be performed under a permanent roof or other permanent cover, if such space is available. Maintenance and repair activities that are conducted without cover or without BMPs to prevent pollutant discharges are prohibited during times of precipitation.

BMP RS.1.2. Any release of fluids during repair or maintenance shall be promptly contained and cleaned up. Any absorbent materials used must be disposed of properly.

BMP RS.1.2. Hazardous materials and wastes must be stored indoors, or under cover, or in secure and watertight containers.

3.1.4 Additional Recommended Measures

The following BMPs are not required, however, these and/or other BMPs may be required by the City if it determines that MEP has not been met. These BMPs are provided as recommendations for vehicle and equipment repair or maintenance activities to assist residents conducting those activities in selecting appropriate BMPs in order to achieve MEP:

- Perform maintenance and repairs on impervious surfaces such as concrete so that spills and other wastes deposited on the ground can be readily cleaned up.
- Prevent leaks and spills from contacting storm water. Use drip pans, plastic sheeting, or other materials to catch and contain spills.
- Clean tools and parts only in contained areas that do not drain.
- Do not wash down maintenance and repair areas, instead clean them using “dry cleaning” methods such as using brooms and towels. Use mops as a last resort.
- Properly manage and dispose of wastes and materials, see section 4.6.
- Store batteries upright and indoors.

- Use commercial repair and maintenance facilities for major work that cannot be adequately supported at a residence.
- Keep the number of solvents used to a minimum to make recycling easier and to reduce hazardous waste management cost.
- Use non-hazardous cleaners when possible.
- Replace chlorinated organic solvents with nonchlorinated ones like kerosene or mineral spirits.
- Monitor parked or stored vehicles and equipment closely for leaks and pans placed under leaks to collect the fluids for proper disposal or recycling.
- Use reusable cloth rags to clean up drips and small spills instead of disposables: these can be professionally laundered and reused. Do not attempt to launder these at home or at a coin-operated laundry.

3.2 Vehicle and Equipment Washing

3.2.1 Applicability

The requirements in this section apply to washing of motorized vehicles and equipment, including automobiles, boats, motorcycles, all-terrain vehicles, other motorized vehicles, lawn mowers, other motorized gardening equipment, gas-powered generators, and any other devices with similar pollutant potential.

3.2.2 Description of Impacts

According to national surveys, 55 to 70 percent of households wash their own cars, with the remainder going to a commercial car wash. Pollutants generated by automobile washing can negatively impact water bodies through the excessive input of nutrient substances associated with phosphate-containing detergents, foaming agents, sediments, and a wide array of toxic substances including trace metals and various hydrocarbons. Runoff of washwater onto driveways, carports, streets, parking lots, etc. can carry these pollutants to storm drains or to other surfaces where they accumulate until rainfall subsequently washes them into the Storm Water Conveyance System and ultimately to Receiving Waters.

3.2.3 BMP Requirements

The following BMPs or equivalent measures, methods, or practices are required of Residential Discharges for all vehicle and equipment washing activities:

BMP RS.2.1. Vehicles and equipment shall be washed over pervious surfaces such as lawns and gravel areas where feasible.

BMP RS.2.2. Remaining detergent solutions prepared for use in vehicle washing, but not used up in that process, may not be disposed by emptying buckets or other containers to the Storm Water Conveyance System or Receiving Waters. In addition the solutions may not be disposed of in areas that could drain to the Storm Water Conveyance System or Receiving Waters, such as driveways, sidewalks, and patios. Disposal to the sanitary sewer (e.g., through a sink, toilet, or floor drain) or to a pervious surface is required.

BMP RS.2.3. The use of “hose off” or single use engine degreasing chemicals is prohibited, unless captured and disposed of properly.

BMP RS.2.4. Motor vehicle washing other than individual residential motor vehicle washing is prohibited, unless all wash and rinse water is diverted to or contained and disposed to a porous area or the sanitary sewer.

3.2.4 Additional Recommended BMPs

The following BMPs are not required, however, these and/or other BMPs may be required by the City if it determines that MEP is not being met. These BMPs are provided as recommendations for vehicle and equipment washing activities to assist residents conducting those activities in selecting appropriate BMPs in order to achieve MEP.

- Limit the use of detergents and/or other cleaners when washing.
- Use preventative practices to keep vehicles clean (i.e., park in a garage or carport, use a cover).
- Use “dry cleaning” methods to avoid the generation of wash and rinse water.
- Turn off the water when not in use or use a controllable spray nozzle that automatically turns off when left unattended.

- Establish neighborhood wash areas where washwater and contaminants can be properly managed.
- If washing cannot be conducted over pervious areas, divert the runoff washwater onto grass or landscaping to provide filtration.
- Use “dry” methods to decrease or clean especially dirty parts prior to “wet” washing and rinsing (e.g., remove grease or brake dust using towels).
- Use commercial wash facilities implementing proper BMPs to avoid the potential for pollution in residential neighborhoods. This is especially important while cleaning engines or the bottom of vehicles. Most commercial wash facilities reuse washwater several times before sending it to the sewer system for treatment.

3.3 Vehicle Parking

3.3.1 Applicability

The requirements in this section apply to the parking of any motorized vehicles in any location within the City.

3.3.2 Description of Impacts

Parked vehicles present a problem in urbanized areas due to their potential cumulative effects on water quality. Poorly maintained vehicles leak oil, antifreeze, and other fluids when parked. As a result, parking areas can contain heavy deposits of many automotive pollutants. These pollutants accumulate on driveway streets, parking lot surfaces, etc. and are directly transported to local Receiving Waters.

3.3.3 BMP Requirements

The following BMPs or equivalent measures, methods, or practices are required of Residential Discharges for all vehicle parking:

BMP RS.3.1. Residents shall remove excessive accumulations of oil and grease deposited by vehicles they own from parking areas, using “dry cleaning” methods (e.g., absorbents, scraping, vacuuming, or sweeping).

BMP RS.3.2. Residents shall move vehicles from streets when notified to do so to allow street cleaning.

3.3.4 Additional Recommended BMPs

The following vehicle parking related BMPs are not required, however, these and/or other BMPs may be required by the City if it determines that MEP is not being met. These BMPs are provided as recommendations to assist residents in selecting appropriate BMPs in order to achieve MEP.

- Use routine preventative maintenance practices and to make timely vehicle repairs.
- Repair leaky vehicles immediately, and in the interim, carry and use a drip pan whenever parked to collect leak and eliminate depositing pollutants on the ground.
- Park over pervious surfaces, such as lawns, dirt, gravel, porous pavement, etc.
- Cover vehicle-parking areas.

3.4 Plant Care, Gardening, and Landscaping

3.4.1 Applicability

The requirements in this section apply to plant care and gardening activities such as plant and landscape maintenance, fertilization, and pesticide application.

3.4.2 Description of Impacts

Gardening can produce a variety of pollutants, such as including eroded soil, green waste, fertilizers, and pesticides. These untreated pollutants can be washed directly into lake and water bodies resulting in adverse impacts to both aquatic organisms and humans. Land surfaces without vegetation can be a serious source of pollutants. Uncontrolled sediment can clog storm water management systems, leading to flooding. As it settles, sediment can smother the fish eggs and bottom-dwelling organisms and destroy aquatic habitat. Suspended sediment can lower the transmission of light through water and interfere with the respiration and digestion of aquatic organisms. Other pollutants are adsorbed on the surfaces of soil particles and as sediments wash off-site they carry these pollutants with them. Pollutant sources in landscaping include septic systems, fertilizers, animal waste, cleaning products, plant debris, and eroded soil. Phosphorus, nitrogen, and other nutrients can over stimulate aquatic weed and algae growth. As they decay, excess weeds, and algae take up oxygen in the water, which is needed

by fish and other aquatic life. Most of the pesticides are considered to be toxic substances. Toxins can accumulate in the aquatic food chain, as a larger organism eats many smaller ones that are contaminated. Even in small concentrations, toxic substances can harm aquatic plants and animals.

Improper or excessive irrigation is often the most important contributing factor in the introduction of home and garden-generated pollutants to the MS4. Excessive irrigation water mobilizes pollutants by dissolving and/or washing them into the storm drain system. In the absence of excessive irrigation water, these pollutants will often be broken down into non-toxic compounds or assimilated through natural processes. Green waste is a byproduct of gardening and other landscape maintenance activities and may contain insecticide, pesticide, and fertilizer residues. Green waste washed into surface waters increases the biochemical oxygen demand (BOD) of the water body resulting in the consumption of dissolved oxygen needed by aquatic organisms. Green waste washed into water bodies can also alter the natural flow and configuration of stream channels and suffocate sensitive benthic (bottom-dwelling) organisms. (See section 4.8 for requirements related to disposal of green waste.)

3.4.3 BMP Requirements

The following BMPs or equivalent measures, methods, or practices are required of Residential Discharges for all plant care, gardening, and landscaping activities:

BMP RS.5.1. Irrigation systems should be adjusted to avoid excessive runoff.

BMP RS.5.2. Spills of gardening chemicals, fertilizers, or soils to non-porous surfaces must be cleaned up, and properly disposed.

BMP RS.5.3. Lawn and garden care products must be stored in closed labeled containers; or in covered areas; or off the ground under protective tarps.

BMP RS.5.4. Household hazardous waste may not be disposed directly or indirectly to the trash or to the street, gutter or storm drain.

3.4.4 Additional Recommended BMPs

The following BMPs are not required, however, these and/or other BMPs may be required by the City if it determines that MEP is not being met.

These BMPs are provided as recommendations for landscapers, gardeners, and other persons working with plants to assist in selecting appropriate BMPs in order to achieve MEP:

- Avoid unnecessary pesticide use. Spot application of pesticide ensures that the smallest amount of chemical is applied to the ground and that the chemical is applied only in areas where it is needed. This reduces contamination of surrounding soil. Timely application ensures that applied chemicals do the most good when application is needed. This includes applying chemicals at times when they are most likely to be absorbed by the target species and not spraying in windy conditions or immediately before predicted precipitation events, which could blow or wash the applied chemical into the surrounding environment.
- Improve mowing practices. Set the mower height so that no more than 1/3 of lawn height (no more than 1 inch total) is removed with each mowing.
- Compost landscaping waste or dispose of properly through City's green waste program. Composted green waste can be substituted for organic matter such as mulch and topsoil.
- Use erosion control mats and fabrics in channels to reduce the potential for erosion. If necessary, provide sodding or seeding on channels that are not stabilized with erosion control mats.
- After seeding, divert flows temporarily from seeded areas until stabilized.
- Sod stabilizes the area by immediately covering the surface with vegetation and enabling storm water to infiltrate into the ground.

3.5 House Care and Household Hazardous Waste

3.5.1 Applicability

The requirements in this section apply to general house care activities. The requirements focus on the use and disposal of hazardous products and wastes by Residential Dischargers. Numerous hazardous products are used at residences. These products are generally oils, cleaners, bleaches, paints, solvents, polishes, pesticides and glues, although there are several other types of hazardous products.

The following is a list of the household hazardous products and wastes that are accepted at the City's collection facility.

- Aerosols
- All-purpose Cleaners
- Ammonia
- Antifreeze
- Automobile Cleaners
- Barbecue Lighter Fluid
- Batteries
- Brake Fluid
- Chlorine Bleach
- Detergents
- Disinfectants
- Drain Opener
- Furniture Polish
- Gasoline
- Glass Cleaner
- Herbicides
- Mothballs
- Motor Oil
- Oven Cleaner
- Paint
- Paint thinner
- Pesticides
- Rubber Cement
- Rug/upholstery Cleaner
- Scouring Powder
- Silver Polish
- Toilet-bowl Cleaner
- Transmission Fluid
- Tube and Tile Cleaner
- Turpentine Varnish
- Water Sealant
- Wood Finish.

3.5.2 Description of Impacts

Household hazardous products and wastes require proper handling, storage, and disposal to prevent accidental releases. If introduced to surface waters, they can cause toxicity endangering aquatic ecosystems. Improper or excessive application and disposal, and spills are important contributing factors in the introduction of household hazardous pollutants to the Storm Water Conveyance System.

3.5.3 BMP Requirements

The following BMPs or equivalent measures, methods, or practices are required of Residential Discharges for all house-care activities:

BMP RS.6.1. Painting equipment may not be cleaned out in or over streets, sidewalks or gutters.

BMP RS.6.2. Action shall be taken to minimize and contain all spills of hazardous materials, if it is safe to do so.

BMP RS.6.3. Household hazardous materials must be stored indoors or under cover, and in closed and labeled containers.

BMP RS.6.4. Household washwaters (carpet cleaning, mop water, washing machine effluent, other gray water, paint wash-up water) may not be disposed of to the street, gutter, or storm drain or to Receiving Waters. Disposal to the sanitary sewer (e.g., through a sink, toilet or floor drain) or to a porous surface is required.

3.5.4 Additional Recommended BMPs

The following BMPs are not required, however, these and/or other BMPs may be required by the City if it determines that MEP is not being met. These BMPs are provided as recommendations for house-care activities and handling and disposal of household hazardous wastes to assist in selecting appropriate BMPs in order to achieve MEP.

- Buy only hazardous products that are needed and only in quantities that will be used.
- If chemicals are not completely used, give them to someone who needs them or take them to a hazardous waste or recycling center that will accept them.
- Never dispose of household hazardous products in the regular trash or by putting them down the drain. Most sewage treatment plants cannot remove household cleaners, paints, solvents, and pesticides before returning the water to the environment.
- Do not flush harsh chemicals into a septic tank. This can damage its effectiveness by killing the soil microorganisms that process sewage. Harsh chemicals escape processing by the microorganisms and thus may contaminate the septic tank drain field.

3.6 Disposal of Animal and Pet Waste

3.6.1 Applicability

The requirements in this section apply to the disposal of animal and other pet waste including disposing any of the following: excrement dropped by animals, bedding and litter, and wastewater from bathing animals.

3.6.2 Description of Impacts

Pollutants from improperly disposed pet waste may be washed into storm sewers by rain. Storm sewers usually drain directly into our Receiving Waters. Since the storm drainage system does not connect to treatment plants, untreated pet feces can become a major source of water pollution. When pet waste decays into the water, it uses up oxygen and sometimes releases ammonia. Low-oxygen levels and ammonia combined with warm temperatures can harm the aquatic life. This not only kills fish, but may also place our health at risk. People exposed to contaminated waters are at risk for infection from some of the bacteria, parasites, or diseases found in pet waste. Diseases or parasites that can be transmitted from pet waste to human include the following: campylobacteriosis; cryptosporidium; toxocarriasis; or toxoplasmosis.

3.6.3 BMP Requirements

The following BMPs or equivalent measures, methods, or practices are required of Residential Discharges for all animal- and pet-waste disposal activities:

BMP RS.7.1. Manure deposited by confined livestock, horses, or other large animals on uncovered areas, from which runoff could enter Receiving Waters or the Storm Water Conveyance Systems, must be cleaned up at least twice weekly and either be composted, or be stored prior to disposal in a manner that prevents contact with runoff to Receiving Waters or the Storm Water Conveyance System.

BMP RS.7.2. Areas used for composting such manure must be located, configured, or managed to prevent runoff to Receiving Waters or the Storm Water Conveyance System.

BMP RS.7.3. Pet waste shall not be disposed to the Storm Water Conveyance System or Receiving Waters, or in areas where it will drain untreated to

the Storm Water Conveyance System or Receiving Waters.

3.6.4 Additional Recommended BMPs

The following BMPs are not required, however, these and/or other BMPs may be required by the City if it determines that MEP is not being met. These BMPs are provided as recommendations for the disposal of pet and other animal waste to assist in selecting appropriate BMPs in order to achieve MEP.

- Always pick up pet waste, whether or not its on a pervious area, and dispose of it in the toilet, by burying it, or in the trash.
- Flush pet waste down the toilet. The water from the toilet goes to a septic system or sewage treatment plant that removes most pollutants before the water reaches a lake or stream. For cat litter, do not flush down the toilet. The clay based cat litter will eventually clog the toilet.
- Bury pet waste in the yard. Dig a hole about one foot deep and place about five inches of waste at the bottom. Be sure to leave about seven inches of soil to cover the waste. If pet wastes are composted with yard and kitchen wastes (grass clippings, leaves, fruit peels, lettuce scrapes), the composted waste material can be used in all gardens except those used for edible root crops (e.g., carrots, beets, or potatoes) or foods that grow in contact with the soil (e.g., lettuce, cucumbers, or kale).
- Always carry a bag, shovel, pooper-scooper, grovels, and anti-bacteria wraps to pick up your pet waste immediately and safely while walking in the park or your neighborhood area.
- Carry your pet only to areas containing some type of animal facilities. For example, pet toilet or pet-waste stations.
- Have a certified veterinarian inoculate your pet. Pet waste can carry diseases because of pet illness. Each pet vaccinated at less than one-year of age shall be revaccinated 12 months after the initial vaccination. After the initial rabies vaccination, every pet shall be vaccinated at not more that three-year intervals with a three-year vaccine or at one-year intervals with an one-year vaccine.
- Post a sign on your yard to remind your neighbor to pick up their pet waste.

3.7 Disposal of Green Waste

3.7.1 Applicability

The requirements in this section apply to the disposal of green waste. Green waste is the solid waste resulting from gardening, such as leaves, grass, shrub clippings, garden and yard waste, brush and woody materials, trees trunks, holiday trees, tree trimmings, and prunings.

3.7.2 Description of Impacts

Green wastes clog the storm drainage system and create flooding problems. Green waste washed into surface waters increases the BOD of the water body resulting in the consumption of dissolved oxygen needed by aquatic organisms. Green waste washed into water bodies can also alter the natural flow and configuration of stream channels and suffocate sensitive benthic (bottom-dwelling) organisms.

3.7.3 BMP Requirements

The following BMPs or equivalent measures, methods, or practices are required of Residential Discharges for all green waste disposal activities:

BMP RS.8.1. Green waste may not be disposed of to the street, gutter, public rights-of-way, storm drain, or to Receiving Waters.

3.7.4 Additional Recommended BMPs

The following BMPs are not required, however, these and/or other BMPs may be required by the City if it determines that MEP is not being met. These BMPs are provided as recommendations for the disposal of green waste to assist in selecting appropriate BMPs in order to achieve MEP.

- Dispose of green waste through the City's waste collection service
- Do not mix green waste with regular garbage.

3.8 Private Sewer Laterals and Onsite Wastewater Systems

3.8.1 Applicability

The requirements in this section apply to private sewer laterals and onsite wastewater systems, such as septic systems.

3.8.2 Description of Impacts

Private sewer laterals and onsite wastewater systems carry untreated sewage that can contain numerous pollutants, especially bacteria and excessive nutrients. Improperly maintained private sewer laterals and onsite wastewater systems can break, clog, or malfunction that may result in an overflow and discharge or raw sewage. Raw sewage poses an extremely high risk to the health of the natural environment as well as to humans.

3.8.3 BMP Requirements

The following BMPs or equivalent measures, methods, or practices are required of Residential Discharges for all private sewer laterals and onsite wastewater systems:

BMP RS.9.1. Private sewer laterals shall be cleaned, maintained, and when necessary replaced to prevent seepage and spills. Onsite wastewater

systems shall be pumped, maintained, and when necessary modified or replaced to prevent spills.

BMP RS.9.2. Spills from private sewer laterals and onsite wastewater systems shall be contained and cleaned up in a manner that minimizes any release of pollutants to the Storm Water Conveyance System or Receiving Waters.

BMP RS.9.3. Any release from a private sewer lateral that enters the Storm Water Conveyance System or Receiving Waters shall be immediately reported to the City.

BMP RS.9.4. Failed onsite wastewater systems shall be repaired or replaced, after issuance of all required permits and approvals.

3.8.4 Additional Recommended BMPs

Recommended BMPs have not been developed for private sewer laterals and onsite wastewater systems.



Chapter 4 BMP Requirements for Specific High Priority Residential Areas



In addition to the High Priority residential activities identified in Chapter 3, due to their high threat to water quality, specific High Priority residential areas have also been identified. These areas are identified as High Priority because the activities within these areas have a higher potential to affect Storm Water Conveyance Systems and/or Receiving Waters. This is typically because they are located closer to the Receiving Waters and/or the Receiving Waters in the area are more sensitive.

The general residential areas that are identified as High Priority are as follows:

- Areas tributary to 303(d) Impaired Water Bodies (see section 4.1 for discussion)
- Areas tributary to Environmentally Sensitive Areas (ESAs) (see section 4.2 for discussion)

Residential Dischargers in these areas are subject to all applicable BMP requirements described in Chapters 2 and 3. Because all other requirements were developed in order to achieve the MEP standard of pollutant removal, additional BMP requirements are not required at this time for these High Priority areas. The City may choose to develop specific BMP requirements for these High Priority areas in the future.

Although specific BMP requirements are not provided, whenever and wherever compliance with

the BMP requirements established by the City is not effective and/or does not meet MEP, as determined by the City or the individual them self, the Residential Discharger must implement additional BMPs. These BMPs may be selected by the individual, however, the City may also require BMPs as it determines necessary. The recommended BMPs provided in this Manual should be considered for suggestions.

The following section in this chapter discusses the High Priority areas.

4.1 Areas Tributary to 303(d) Impaired Water Bodies

4.1.1 Applicability

Under Section 303(d) of the 1972 Clean Water Act, states, territories and authorized tribes are required to develop lists of impaired water bodies. These impaired waters do not meet water quality standards or support designated water use. The law requires that priority rankings be established for the impaired water bodies on the 303(d) lists and Total Maximum Daily Loads (TMDL) be developed to improve water quality. The Ducheny Bill (AB 1740) requires the California State Water Quality Control Board and its nine Regional Water Boards to post the 303(d) list water bodies and to provide an estimated completion date for each TMDL.

Based on the 1998 303(d) list of impaired water bodies provided by the California Water Resources Control Board, the following water bodies and parameters could potentially be affected by activities occurring within the City:

Table 1. Section 303(d) Impaired Waters Potentially Affected by the City of Oceanside

Name	Hydrologic Unit	Pollutant/Stressor	Source	TMDL Priority	Size Affected
Pacific Ocean, San Luis Rey HU	903.00	High coliform count	Nonpoint/Point Source	Low	0.01 mile
Guajome Lake	903.110	Eutrophic	Nonpoint/Point Source	Medium	15 acres
Pacific Ocean, Loma Alta HSA	904.10	High coliform count	Nonpoint/Point Source	Low	1 mile

Table 1. (continued).

Name	Hydrologic Unit	Pollutant/ Stressor	Source	TMDL Priority	Size Affected
Loma Alta Slough	904.100	Eutrophic	Nonpoint Source	Low	8 acres
		High coliform count	Nonpoint Source	Low	8 acres
Pacific Ocean, Buena Vista HA	904.20	High coliform count	Nonpoint/Point Source	Low	0.02 miles
Buena Vista Lagoon	904.210	High coliform count	Nonpoint/point source	Low	350 acres
		Nutrients	Nonpoint/point source	Low	150 acres
		Sediment/siltation	Nonpoint/point source	Medium	350 acres
Agua Hedionda Lagoon	904.310	High coliform count	Nonpoint/point source	Low	5 acres
		Sediment/siltation	Nonpoint/point source	Medium	5 acres

Source: 1998 California 303(d) List and TMDL Priority Schedule (EPA Approved 5-12-99)

Given that these water bodies have already been impaired by the listed parameters, any Residential Dischargers located within the watersheds of these water bodies are considered high threat if they have potential to contribute additional loads of the pollutants for which the water body is impaired.

4.1.2 Description of Impacts

The three primary pollutants of the impaired water bodies potentially affected by areas within the City are bacteria (coliforms), nutrients, and sediment. This section summarizes the impacts that these pollutants may have.

Bacteria

The presence of elevated fecal coliform levels in a water body is an indication of contamination by wastes of warm-blooded animals or human, which may contain pathogens that may cause concern over public health. For areas such as the City having significant use of its water bodies for contact recreation, elevated fecal coliform levels may result in beach closure and impact tourism.

Nutrients

Elevated nutrient levels such as nitrogen and phosphorus in a water body would promote the growth of aquatic vegetation and cause eutrophication, especially in impounded water bodies. For areas such as the City having ESAs and significant use of its water bodies for recreation, elevated nutrient levels may result in significant

aquatic vegetation growth and degradation to water quality and appearance.

Sediments

Significant erosion on exposed ground surface and stream banks would increase the level of suspended solids and turbidity in receiving water bodies. Commercial activities such as construction and mining can also discharge significant amount of sediments during storm events. For areas such as the City having sensitive environmental areas and significant use of its water bodies for contact recreation, elevated suspended solid and turbidity levels may impact tourism and some aquatic life which are sensitive to turbidity levels.

4.2 Locations with Potential to Impact ESAs

4.2.1 Applicability

Fourteen ESAs within the watersheds of the City were identified. They are listed as follows:

- Pacific Ocean
- Pacific Ocean at San Luis Rey River
- Pacific Ocean at Loma Alta Creek
- Pacific Ocean at Buena Vista Creek
- Oceanside Harbor
- Mouth of San Luis Rey River

- Buena Vista Lagoon
- Loma Alta Slough
- Agua Hedionda Lagoon
- San Luis Rey River
- Loma Alta Creek
- Buena Vista Creek
- Pilgrim Creek
- Guajome Lake.

These areas are sensitive to impacts from Urban Runoff that may degrade water quality and harm

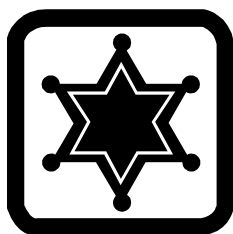
aquatic life. Therefore, Residential Dischargers located, or conducting activities, located in areas tributary to these ESAs are considered high threat.

4.2.2 Description of Impacts

Urban Runoff that has been in contact with any exposed raw materials, intermediate products, finished products, byproducts and waste products are considered contaminated, unless those materials and products have been identified as incapable of contaminating the water. No contaminated Urban Runoff should be discharged into these 14 ESAs.



Chapter 5 Inspections and Enforcement



This section is provided to summarize the regulations and procedures regarding inspections and enforcement of Residential Dischargers.

5.1 Inspections

Pursuant to Section 40.3.1 of the City Code, the City possesses the right to inspect any residences, properties, or activities of Residential Dischargers. Inspections may be conducted by Authorized Enforcement Staff or Officials at any time. Refusal of entry for an inspection consistent with the City Code that is requested by authorized City personnel is a violation of City Code and may result in an enforcement action as described below. Inspections will typically not be and are not required to be announced.

Inspections of residences and residential properties are rare and are not conducted regularly. In almost all cases, the inspection would result from an investigation of an illegal discharge that led to the residence, or in response to a violation of the City Code.

Inspections may include all actions and inspection of all areas necessary to determine whether any illegal discharges exist, whether the BMPs installed and implemented are adequate to comply with the City Code, whether those BMPs are being properly maintained, and whether the facility or activities comply with the applicable requirements of the City Code. This may include but is not limited to sampling, metering, visual inspections, and records review. Records, reports, analysis, or other information required under this City Code may be inspected and copied, and photographs taken to document a condition and/or a violation of the City Code.

If an inspector identifies a violation, some level of enforcement may be required (see section 5.2, Enforcement). If an inspector identifies a violation

and certain actions are required, the inspector may also require the Residential Dischargers to conduct those actions. This process is also explained below.

5.2 Enforcement

The City is required to enforce its ordinances and regulations for all Residential Dischargers. The City employs several enforcement mechanisms and penalties to ensure the compliance with its ordinances. The levels of enforcement and associated penalties are typically issued at the discretion of the Authorized Enforcement Staff with consideration of relevant circumstances regarding the violation. The different types of enforcement actions used by the City are summarized below.

It should be noted that other agencies, such as the RWQCB, also exercise enforcement rights if violations fall within their jurisdiction. Often the penalties associated with the enforcement actions of these agencies are more severe than the City's.

Verbal Warnings

Verbal warnings are seldom used by the City and should not be expected.

Written Warnings

Written warnings are issued by the City in the form of Administrative Citation Warnings. Written warnings are typically used for those cases of violations that do not involve circumstances that would warrant a fine or a more serious penalty. Such circumstances could be as follows:

- The violation was considered minor and is a first time offense.
- The violation was considered minor and was not deliberate.
- The violation could be easily remedied and had not resulted in a threat to human or environmental health.

Written warnings will contain information describing the infraction. Other information may be provided on the warning as the issuing officer deems necessary. A copy of the warning will be given to the responsible party.

Follow-up activities, such as inspections, will be conducted as deemed necessary by the Authorized Enforcement Staff.

Administrative Citations

Administrative Citations are issued for infractions that involve circumstances that require a greater level of enforcement than a warning. Administrative Citations may also be appropriate in the case where a warning was served but the infraction continued to occur or occurred again. Administrative Citations may also be warranted when an administrative abatement Notice and Order (described below) was issued and the required abatement activities were not implemented.

Administrative Citations include fines with increasing value depending on the amount of the same preceding violations within a year. Fine values are described as follows:

- First violation – a fine not exceeding \$100.00
- Second violation – a fine not exceeding \$250.00
- Third violation – a fine not exceeding \$500.00
- Fourth and any subsequent violations – may include a fine up to \$1,000.00. Misdemeanor citations may also be issued for continued non-compliance.

Administrative Abatement Procedure

If an infraction involves the circumstances to warrant a warning or citation, but requires activities to correct the infraction, the warning or citation may include an administrative abatement procedure in the form of a Notice and Order. A Notice and Order is a form that is used in the case of a public nuisance violation. By issuing these notices, the City requires the person responsible for the infraction to conduct activities necessary to resolve the infraction at his or her own expense. The activities necessary will be directed by the enforcing officer and are described on the notice. A deadline for correcting the infraction with the required activities is also provided by the enforcing officer. In the event that the officer determines that the individual responsible for the infraction is incapable of performing such activities by the compliance date or if the individual chooses not to perform the activities, the City may conduct the necessary activities and charge the resulting costs to the individual.

A Notice and Order should include details describing the abatement activities required of the

individual responsible for the infraction, and a deadline for compliance. Follow-up will typically be conducted by the City to ensure that the abatement activities are successfully and adequately implemented.

Some examples of circumstances that could require a Notice and Order include the following:

- A required BMP is not implemented or is not implemented properly and requires implementation by the responsible party.
- A leak or discharge is detected and requires elimination.
- A spill or other discharge occurred and clean up of the spill or discharge is required.

Suspension, Revocation, or Denial of Permits

The City includes procedures that provide for the suspension, revocation, or denial of permits. Most permits issued by the City allow the City to suspend or revoke the permit if an infraction results from the permitted activities. The City can choose to exercise its rights to suspend or revoke a permit based on the conditions of the infraction. For commercial businesses, a business license is a City approval that could be suspended or revoked.

Cases for which the suspension or revocation may be appropriate include those when a permitted activity:

- Results in a continuous infraction that cannot be or will not be remedied
- Involves an infraction that can only be stopped and remedied by ceasing the permitted activity
- Is continuously resulting in infractions and previous enforcement actions have not been successful in preventing further infractions.

Civil and/or Criminal Court Actions

The City may use civil and or criminal court actions under the State Porter Cologne Water Quality Act or the Federal Clean Water Act, which may result in significant fines levied upon the non-compliant responsible parties. A criminal misdemeanor can typically be charged for infractions and can involve a fine up to one thousand dollars and/or imprisonment up to six months. Criminal and civil court actions are typically used for cases involving multiple infractions, severe infractions, where the infraction was deliberate, and where the infraction resulted in harm to human or environmental health.



Definitions

The following definitions shall be applicable when the following words or phrases are used in this Manual (whether or not these words or phrases are capitalized.)

Accelerated Erosion—erosion caused by development activities that exceeds the natural processes by which the surface of the land is worn away. Erosion includes the movement or loss of soil by the action of water, wind, or chemical action.

Authorized Enforcement Staff—any City employee supervised by an Authorized Enforcement Official, assigned to duties involving permits and other City approvals, inspections, and enforcement related to the City Code.

Authorized Enforcement Official—officials including the Director of the Water Utilities Department, the Director of Public Works; the Director of the Department of Planning Department; the Director of Housing Department; the Director of Building and Safety, the Chief of the Police Department, and the Chief of the Fire Department.

Best Management Practices (BMPs)—schedules of activities, pollution treatment practices or devices, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices or devices to prevent or reduce the discharge of pollutants directly or indirectly to Storm Water, Receiving Waters, or the Storm Water Conveyance System. Best Management Practices also include, but are not limited to, treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage. Best Management Practices may include any type of pollution prevention and pollution control measure that can help to achieve compliance with the City's Code or this Manual.

Channel—a natural or improved watercourse with a definite bed and banks that conducts continuously or intermittently flowing water.

City—the City of Oceanside.

Commercial Discharger—a Discharger who operates a Regulated Commercial Facility.

Constructed Wetland—a vegetated area that has been deliberately modified to provide or enhance habitat, to provide water quality benefits, or to moderate water flow rates or velocities, that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Detention—the temporary storage of storm runoff in a manner that controls peak discharge rates and provides some gravity settling of pollutants.

Detention Facility—a detention basin or alternative structure designed for the purpose of temporary storage of stream flow or surface runoff and gradual release of stored water at controlled rates.

Developer—a person who seeks or receives permits for or who undertakes land development activities.

Development Project Proponent—see Developer.

Discharge—(when used as a verb) to allow pollutants to directly or indirectly enter Urban Runoff, or to allow storm water or non-storm water to directly or indirectly enter the Storm Water Conveyance System or Receiving Waters, from an activity or operations which one owns or operates. (When used as a noun) the pollutants, storm water and/or non-storm water that is discharged.

Discharger—any person or entity engaged in activities or operations or owning facilities, which will or may result in pollutants entering Urban Runoff, the Storm Water Conveyance System, or Receiving Waters; and the owners of real property on which such activities, operations, or facilities are located; provided however that a local government or public authority is not a Discharger as to activities conducted by others in public rights of way.

Discharges Directly To—storm water or non-storm water enters Receiving Waters from a facility or activity, without mixing with any storm water or non-storm water from another facility or activity prior to entering such Receiving Waters.

Drainage Easement—a legal right granted by a land owner to a grantee allowing the use of private land for storm water management purposes.

Environmentally Sensitive Area (ESA)—Impaired Water Bodies, areas designated as Areas of Special Biological Significance or areas that are beneficially used by RARE species, by the State Water Resources Control Board (SWRCB) in the Water Quality Control Plan for the San Diego Basin (1994 and amendments), National Wildlife Refuges, areas designated as preserves for species-protection purposes by the State of California or a local government, and pre-approved mitigation areas identified in agreements between the County and state or federal natural resources agencies.

Erosion Control Plan—an Urban Runoff Management Plan that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

Household Hazardous Waste—a household hazardous material that no longer has a use and is discarded or intended to be discarded. The term includes, but is not limited to, paint and paint-related materials; yard and garden products; household cleaners; used oil, motor vehicle fluids, batteries and oil filters; and household batteries.

Hydrologic Soil Group—the classification system for soil erodability set out in *Soil Survey - San Diego Area, California* (December 1973), issued by the U.S. Department of Agriculture, Soil Conservation Service and U.S. Forest Service. (In this system, soils are categorized into four runoff potential groups. The groups range from “A” soils, which have high permeability and little runoff production, to “D” soils, which have low permeability rates and produce considerably more runoff.)

Illegal Connection—a pipe, facility, or other device connected to the Storm Water Conveyance System or Receiving Waters, which has not been reviewed and authorized by the City; or a permitted/authorized pipe, facility, or other device, which conveys Illegal Discharges.

Illegal Discharge—any discharge into Urban Runoff, the Storm Water Conveyance System, or Receiving Waters that is prohibited by the City Code. This includes, but is not limited to, discharges of non-storm water that are not exempt discharges listed in Section 40.2.2 of the City’s Code, any discharge from an Illegal Connection, and any discharge that contains additional pollutants due to the absence of

a required BMP or the failure of a BMP. Discharges that require a County permit or a RWQCB permit that has not been issued or has not been acknowledged by the Discharger to be applicable are Illegal Discharges. Discharges regulated under an applicable RWQCB or County permit or Storm Water Pollution Prevention Plan (SWPPP) are Illegal Discharges unless compliance with all applicable permit and SWPPP conditions is maintained.

Impaired Water Body—a water body that is listed by the SWRCB as impaired by a particular pollutant or pollutants, pursuant to Section 303(d) of the Federal Clean Water Act. The term, “303(d) listed water body,” has the same meaning.

Impervious Cover or Impervious Surface—constructed or modified surfaces that cannot effectively infiltrate rainfall. The term includes, but is not limited to, building rooftops, pavement, sidewalks, and driveways.

Impervious Surface Area—the ground area covered or sheltered by an impervious surface, measured in plan view (i.e., as if from directly above). For example, the impervious surface area for a pitched roof is equal to the ground area it shelters, rather than the surface area of the roof itself.

Industrial Activity—manufacturing, processing, or raw materials storage at a commercial, industrial, or municipal facility. The term includes, but is not limited to, industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials; manufactured products, waste material, or byproduct creation or storage; material handling; refuse storage or disposal; the application or disposal of process wastewaters; storage and maintenance of material-handling equipment; treatment, storage or disposal of residuals; outdoor shipping and receiving; activities in manufacturing buildings; storage of raw materials and intermediate and finished products; and areas where significant industrial activity has taken place in the past and significant materials remain and are exposed to storm water. Material-handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, byproduct, or waste product.

Industrial Discharger—a Discharger who operates a Regulated Industrial Facility.

General Industrial Storm Water Permit—the Statewide General Industrial Storm Water Permit.

Infiltration—the process of percolating storm water or non-storm water into the subsoil.

Infiltration BMPs or Infiltration Facility—any structural treatment BMP designed primarily to percolate water into the subsurface, such as an infiltration trench or infiltration basin. An infiltration facility may include filtering prior to or during infiltration. BMPs that infiltrate some water but which are designed primarily to retain water or to treat water, such as retention basins, constructed wetlands, or filtering swales are not infiltration facilities.

Land Development Activity—any activity or proposed activity that requires any of the permits or approvals listed in Section 40.2.1.(f) of the City's Code.

Land Disturbance Activity—any activity that moves soils or substantially alters the pre-existing vegetated or man-made cover of any land. This includes, but is not limited to, grading, digging, cutting, scraping, stockpiling, or excavating of soil; placement of fill materials; paving, pavement removal, exterior construction; substantial removal of vegetation where soils are disturbed including, but not limited to, removal by clearing or grubbing; or any activity which bares soil or rock or involves streambed alterations or the diversion or piping of any watercourse. Land Disturbance Activity does not include routine maintenance to maintain original line and grade, hydraulic capacity, or the original purpose of the facility, nor does it include emergency construction activities (i.e., land disturbances) required to protect public health and safety.

Land Owner—the holder of legal title to the land, and other persons or entities who exercise control over a land development project pursuant to rights granted in a purchase agreement, joint venture agreement, development agreement, or long-term lease.

Maintenance [of a BMP]—periodic action taken to maintain the as-designed performance of a BMP, and includes, but is not limited to, repairs to the BMP as necessary, and replacement of the BMP by an equally effective or more effective BMP at the end of its useful life.

Maximum Extent Practicable (MEP)—acceptability standard for BMPs. When BMPs are required to meet this standard, the BMPs must be the most

effective set of BMPs that is still practicable. A BMP is effective if it prevents, reduces, or removes the pollutants that would otherwise be present in runoff due to human activity. A BMP is practicable if it complies with other regulations as well as storm water regulations; is compatible with the area's land use, character, facilities, and activities; is technically feasible (considering area soil, geography, water resources, and other resources available); is economically feasible; and provides benefits that are reasonable in relation to costs.

Motor Vehicle—any automobile, car, truck, bus, motor home or other self-propelled vehicle used or suited to use for on-road transportation; and any similar vehicle modified for off-road use.

National Pollutant Discharge Elimination System (NPDES) Permit—a permit issued by the U.S. Environmental Protection Agency, the SWRCB, or the RWQCB.

Non-Storm Water—water that is not the direct product of storm precipitation such as those from industry discharges, leaks, washing, irrigation, and springs.

Notice and Order—a form that is used in the case of a public nuisance violation.

NPDES Permit No. CAS 0108758—RWQCB Order No. 2001-01, NPDES Permit No. CAS 0108758, "Waste Discharge Requirements for Discharges of Urban Runoff From the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, and the San Diego Unified Port District."

Off-Site BMP—a storm water management measure located outside the subject property boundary of a facility or outside the boundary described in the permit application for a land development activity.

Onsite BMP—a storm water management measure located within the subject property boundary or a facility, or inside the boundary described in the permit application for a land development activity.

Performance Standard—a requirement that specifies a result that must be achieved (e.g., "minimize impervious surface area" or "do not impair Receiving Water quality") without specifying the means that must be used to achieve that result. (This Manual applies performance standards only to certain land development and redevelopment

projects that require discretionary City permits; those permits will typically include enforceable project-specific requirements intended to achieve the result required by the performance standard.)

Pollutant—any agent introduced to storm water or non-storm water through human activity that may cause or contribute to the degradation of water quality such that public health, the environment, or beneficial uses of waters may be affected. The term may include, but is not limited to, dredged soil, rock, sand, or silt (excluding sediment, silt, or substances in quantities which would enter storm water from a natural undeveloped watershed); solid waste, sewage, garbage, or medical waste; wrecked or discarded equipment; radioactive materials; industrial waste; fecal coliform, fecal streptococcus, and enterococcus bacteria and other pathogens that pose a threat to human health; volatile organic carbon, surfactants, oil and grease, petroleum hydrocarbons, total organic carbon, lead, copper, chromium, cadmium, silver, nickel, zinc, cyanides, phenols, and biocides; and any contaminant which can significantly degrade the quality of Receiving Waters by altering pH, total suspended or settleable solids, biochemical oxygen demand, chemical oxygen demand, nutrients, or temperature.

Rainy Season—the season from October 1 through April 31.

Receiving Waters—all waters that are “Waters of the State” within the scope of the State Water Code, including, but not limited to, natural streams, creeks, rivers, reservoirs, lakes, ponds, water in vernal pools, lagoons, estuaries, bays, the Pacific Ocean, and groundwater.

Redevelopment—any construction, alteration, or improvement at an already developed site that will increase the total impervious surface area of that site, or that involves activities that could expose contaminants to rainfall. Redevelopment can include, but is not limited to, the expansion of building footprints, the addition or replacement of a structure, exterior construction and remodeling, replacement of existing impervious surfaces that is not part of a routine maintenance activity, and other activities that create additional impervious surface.

Regulated Commercial Facility—all non-residential facilities engaged in business or commerce, whether for profit or not-for-profit, or publicly or privately owned, except for Regulated Industrial Facilities and Municipal Facilities; plus residences used for commercial repair, maintenance, cleaning,

manufacturing, food preparation, or painting activity if that activity has the potential to result in the discharge of non-storm water or the discharge of pollutants to storm water.

Regulated Industrial Facility—any facility subject to the State General Industrial Storm Water Permit; any other facility primarily engaged in manufacturing, processing, storage, or handling of raw materials, processed bulk materials, or refuse; and any other facility with a total outdoor uncovered area of more than two acres that is used for an Industrial Activity. Municipal Facilities are not Regulated Industrial Facilities, unless they are subject to the General Industrial Storm Water Permit.

Residential Discharger—for an occupied residence, the occupants; for a vacant residence, the owner and the manager of the residence.

Statewide General Construction Storm Water Permit—NPDES Permit No. CAS000002, “Waste Discharge Requirements for Discharges of Storm Water Associated with Construction Activities,” and any amendments thereto.

Statewide General Industrial Storm Water Permit—NPDES Permit No. CAS000001, “Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities,” and any amendments thereto.

Stop Work Order—an order issued that requires that specifically identified activity or all activity on a site be stopped.

Storm Water—surface runoff and drainage associated with storm events.

Storm Water Conveyance System—private and public drainage facilities other than sanitary sewers within the City by which Urban Runoff may be conveyed to Receiving Waters, and includes, but is not limited to, roads, streets, constructed channels, aqueducts, storm drains, pipes, street gutters, inlets to storm drains or pipes, or catch basins.

Storm Water Pollution Prevention Plan (SWPPP)—a document (other than a Urban Runoff Management Plan), which meets the requirements for a SWPPP set out in the General Construction Storm Water Permit or General Industrial Storm Water Permit. A SWPPP submitted to the City must describe the BMPs to be implemented and other steps to be

taken by the Discharger to meet the requirements of the City's Code or this Manual.

Storm Water Retrofit—a storm water management BMP designed for an existing development site or activity that previously had either no storm water management BMPs in place or that relied on BMPs inadequate to meet the storm water management requirements of the site or activity.

Structural BMP—a BMP that relies on either a physical condition (other than an entirely natural and undisturbed condition), or on a constructed or installed device to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Constructed or enhanced BMPs that depend on natural materials and processes (e.g., constructed drainage swales or buffers, or constructed wetlands), and that require periodic maintenance to function as designed, are Structural BMPs.

Structural Post-Construction BMP—a Structural BMP (other than a temporary construction-related BMP) put in place in connection with a land development or redevelopment project to prevent or reduce contamination in storm water or Receiving Waters, or to prevent or reduce erosion downstream from the project.

Tributary To an Impaired Water Body—a facility or activity is Tributary To an Impaired Water Body if Urban Runoff from that facility or activity enters (1) the Storm Water Conveyance System at a place and in a manner that will carry pollutants for which that water body is impaired in that discharge to the impaired water; (2) a flowing stream that will carry pollutants for which that water body is impaired in that discharge to the impaired water; or (3) an ephemeral stream that reaches the impaired water during storm events and that will carry pollutants for which that water body is impaired from the facility or activity to the impaired water body during such storm events.

Urban Runoff—all surface flows originating from within the City. Typically, if in sufficient quantity, these flows will travel from their point of origin and enter the Storm Water Conveyance System and/or Receiving Waters. Urban Runoff includes, but is not limited to, storm water, non-storm water discharges, and Illicit Discharges.

Urban Runoff Management—the use of structural or non-structural BMPs that are designed to reduce Urban Runoff pollutant loads, discharge volumes, and/or peak discharge flow rates or velocities. When applied to the City or another municipality, Urban Runoff management also includes planning and programmatic measures.

Urban Runoff Management Plan—a plan, submitted on a City form or in a City-specific format in connection with an application for a City permit or other City approval, identifying the measures that will be used for storm water and non-storm water management during the permitted activity.

Water Main—a potable or recycled water delivery line greater than or equal to four inches in diameter.

Watercourse—a permanent, ephemeral, or intermittent stream or other body of water, either natural or improved, which gathers or carries surface water.

Water Quality Standards—the water quality objectives adopted by the State or the U.S. Environmental Protection Agency to protect the beneficial uses (e.g., swimming, fishing, municipal drinking water supply) of water.

Waters of the United States—water subject to the regulatory jurisdiction of the United States under the Federal Clean Water Act and applicable case law. In general, this includes navigable waters, waters tributary to navigable waters, and adjacent wetlands.

