



# CITY OF DEL MAR

## STATEMENT OF CERTIFICATION

### City of Del Mar Jurisdictional Runoff Management Plan

I certify, under penalty of law, that this Jurisdictional Runoff Management Plan submittal and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations.

**Scott Huth**  
City Manager

1/27/20 \_\_\_\_\_  
Date

## Executive Summary

In May 2013, the San Diego Regional Water Quality Control Board (RWQCB) adopted Order R9-2013-0001 – National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4) Draining the Watersheds within the San Diego Region. The Permit requires the owners of storm drain systems, municipal agencies or Responsible Agencies, to implement management programs to limit discharges of non-storm water runoff and pollutants from the storm drain systems. The Permit requires Responsible Agencies in each of the region’s watersheds to develop Water Quality Improvement Plans (WQIP)s and Jurisdictional Runoff Management Plans (JRMP) for each Responsible Agency’s jurisdiction. The San Dieguito and Los Peñasquitos Water Quality Improvement Plans and the City of Del Mar’s JRMP were developed in response to the requirements of the 2013 Permit.

The 2013 Permit is fundamentally based on watershed-based program planning and program outcomes. The Permit’s intent is to enable jurisdictions to focus their resources and efforts to “effectively prohibit non-storm water discharges to its MS4, reduce pollutants in storm water discharges from its MS4...and achieve the interim and final numeric goals...” This approach represents a paradigm shift from previous permits that led jurisdictions to essentially implement the same activities at the same frequencies throughout their jurisdictions with little or no regard for prioritizing water quality conditions and sources of pollutants that occurred within geographically based areas.

The purpose of the San Dieguito and Los Peñasquitos WQIPs is to guide the Responsible Agencies’ Jurisdictional Runoff Management Programs (JRMP)s toward achieving improved water quality in MS4 discharges and receiving waters. Through the WQIP, priorities and goals are established, and strategies selected for implementation through the Responsible Agencies’ JRMPs to progress toward improvements in water quality. This approach establishes the WQIP as the overarching plan that each Responsible Agency will use to develop and implement their jurisdictional programs. Responsible Parties’ JRMPs contain the strategies, standards and protocols by which each Responsible Agency will implement their individual program in response to the priorities and goals established in the WQIP as summarized in Table ES-1. The updated JRMP has been streamlined and provides the City of Del Mar with the implementation procedures for development planning, construction, existing development, education, enforcement, public participation, municipal, and illicit discharge and detection components. Based on experience gained through the implementation of programs required by previous Permits, the City of Del Mar maintained procedures that proved to be successful and included new programs to effectively reduce or eliminate discharges of pollutants to the MS4.

**ES-1: San Dieguito and Los Peñasquitos WQIP High Priority Water Quality Conditions and Watershed Goals**

Watershed	High Priority Water Quality Condition(s)	Watershed Goals
San Dieguito	Bacteria accumulations along the Pacific Ocean at the San Dieguito Lagoon Mouth as measured during both wet and dry weather	<ul style="list-style-type: none"> <li>• Prevent further degradation of water quality in the San Dieguito River WMA and subwatersheds to protect creeks and beaches from pollution.</li> <li>• Reduce bacteria levels at the Pacific Shoreline (by FY 2021 for dry weather and by FY 2031 for wet weather).</li> </ul>
Los Peñasquitos	<ul style="list-style-type: none"> <li>• Freshwater discharges during dry weather</li> <li>• Transport of sediment from upstream sources (current and historical) during rain events</li> <li>• Bacteria accumulations as measured during both wet and dry weather at Torrey Pines State Beach near the Los Peñasquitos Lagoon mouth</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain water quality in the Los Peñasquitos WMA and subwatersheds to protect creeks and beaches from pollution.</li> <li>• Reduce bacteria levels at the Pacific Shoreline near Torrey Pines State Beach (by FY 2021 for dry weather and by FY 2031 for wet weather).</li> <li>• Reduce sediment inputs and freshwater discharges to the Los Peñasquitos Lagoon by FY 2035, to allow significant restoration of the Los Peñasquitos Lagoon.</li> </ul>

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# 1 Introduction

The San Diego Regional Water Quality Control Board (RWQCB) adopted the Municipal Storm water Permit Order No. R9-2013-0001, NPDES No. CA50109266 (Permit), on May 8, 2013 to control waste discharges in urban runoff from the Municipal Separate Storm Sewer Systems (MS4s), also known as storm drain system, draining the watersheds in the County of San Diego, the incorporated cities of San Diego County and the San Diego Unified Port District, collectively known as Copermittees.

The Permit's intent is to enable jurisdictions to focus their resources and efforts to "effectively prohibit non-storm water discharges to its MS4, reduce pollutants in storm water discharges from its MS4 to the Maximum Extent Practicable (MEP), and achieve the interim and final numeric goals..." (Permit). Furthermore, the Permit states that "Where appropriate, Watershed Management Areas (WMAs) may be separated into subwatersheds to focus water quality prioritization and jurisdictional runoff management program implementation efforts by receiving water." This approach represents a paradigm shift from previous Permits where jurisdictions essentially implemented the same activities throughout their jurisdictions with little or no regard for prioritizing water quality conditions, sources and pollutant generating activities that occurred within geographically based areas. Although topographic features define watershed areas, characteristics of the watershed areas have direct influence on non-storm water discharges and pollutants in storm water discharges, and ultimately the water quality conditions in receiving waters.

The Permit requires Responsible Agencies or Copermittees, in each of the region's Watershed Management Areas (WMA)s to develop Water Quality Improvement Plans (WQIPs). Through the WQIP, highest priority water quality conditions within the WMA are identified and strategies are implemented through the Copermittees' Jurisdictional Runoff Management Programs (JRMPs) to progress toward improvements in water quality. The WQIPs contain an adaptive planning and management process and a public participation component. The Permit and the WQIP process allow Copermittees to focus JRMPs on particular areas or water quality issues of concern.

The changes in the permitting approach described above has changed the program planning and implementation approach of the City and other Copermittees. This is reflected in the JRMP which has become a streamlined document that is intended to effectively implement the effective BMPs and strategies.

## 1.1 Purpose and Objectives

The purpose of the JRMP is to implement strategies that effectively prohibit non-storm water discharges to the MS4 and reduce the discharge of pollutants in storm water to the maximum extent practicable (MEP). This involves improving existing programs and developing new programs intended to minimize or eliminate the effects of jurisdictional runoff from the City on receiving water bodies. Improving the quality of the discharge from the MS4 should have beneficial effects on the local receiving water bodies.

This document is based on the most updated information available at the time this document was prepared. Each year the City will submit a JRMP Annual Report to the RWQCB, and changes to the City's JRMP will be described in the annual report. Program modifications will be for the advancement of the City's program and will comply with all regulations as presented in the Permit.

## 1.2 City Setting

The City of Del Mar is a coastal, residential community in north San Diego County. The City is surrounded by the City of Solana Beach to the north, the City of San Diego to the south and east, and the Pacific Ocean

to the west. The City covers an area of approximately 1.8 square miles with a population of approximately 4,150 people.

The City extends into two watersheds, the San Dieguito and the Los Peñasquitos Watershed Management Areas (WMA)s. Approximately 151 acres of the City of Del Mar is located within the Los Peñasquitos WMA and 990 acres in the San Dieguito WMA. These WMAs are for the purposes of grouping Copermittees and ensuring that all land areas are covered within the regulatory areas defined by the RWQCB. In reality, the City of Del Mar has three drainage areas:

- Draining to the San Dieguito Lagoon and River;
- Draining to the Los Peñasquitos Lagoon; and
- Draining to the Pacific Ocean.

These drainage areas are identified in Figure 1 below.

### **1.3 Water Quality Improvement Plans**

Along with the other Copermittees within the San Dieguito and Los Peñasquitos WMAs, the City of Del Mar participated in the development of the San Dieguito and Los Peñasquitos WQIPs to establish the priorities and goals for the watersheds in order to focus jurisdictional strategies for implementation.

By identifying the Highest Priority Water Quality Conditions (HPWQC)s and Priority Water Quality Conditions (PWQCs) the City established the focus of the program's planning and implementation efforts.

The HPWQCs selected for the Los Peñasquitos WMA are:

- Freshwater discharges during dry conditions and transport of sediment from upstream sources (current and historical) during rain events, which impact the estuarine and special biological habitats of Los Peñasquitos Lagoon.
- Indicator bacteria levels at Torrey Pines State Beach near the Los Peñasquitos Lagoon mouth.

The HPWQC selected for the San Dieguito WMA are:

- Indicator bacteria levels at beaches near the San Dieguito Lagoon mouth.

The City developed goals and schedules for achieving those goals in order to have measureable targets and metrics to measure progress towards improving water quality. Once the goals were established, the City then identified the strategies that would be implemented to address the City's discharges and make water quality improvements. Strategies typically address multiple conditions; therefore, it is anticipated that all priority conditions will be improved through implementation of the selected water quality improvement strategies.

For more information regarding the WQIPs, the reader is directed to the City's Clean Water Program website for the current San Dieguito and Los Peñasquitos WQIP documents and Annual Reports - [www.delmar.ca.us/167/CleanWaterProgram](http://www.delmar.ca.us/167/CleanWaterProgram).

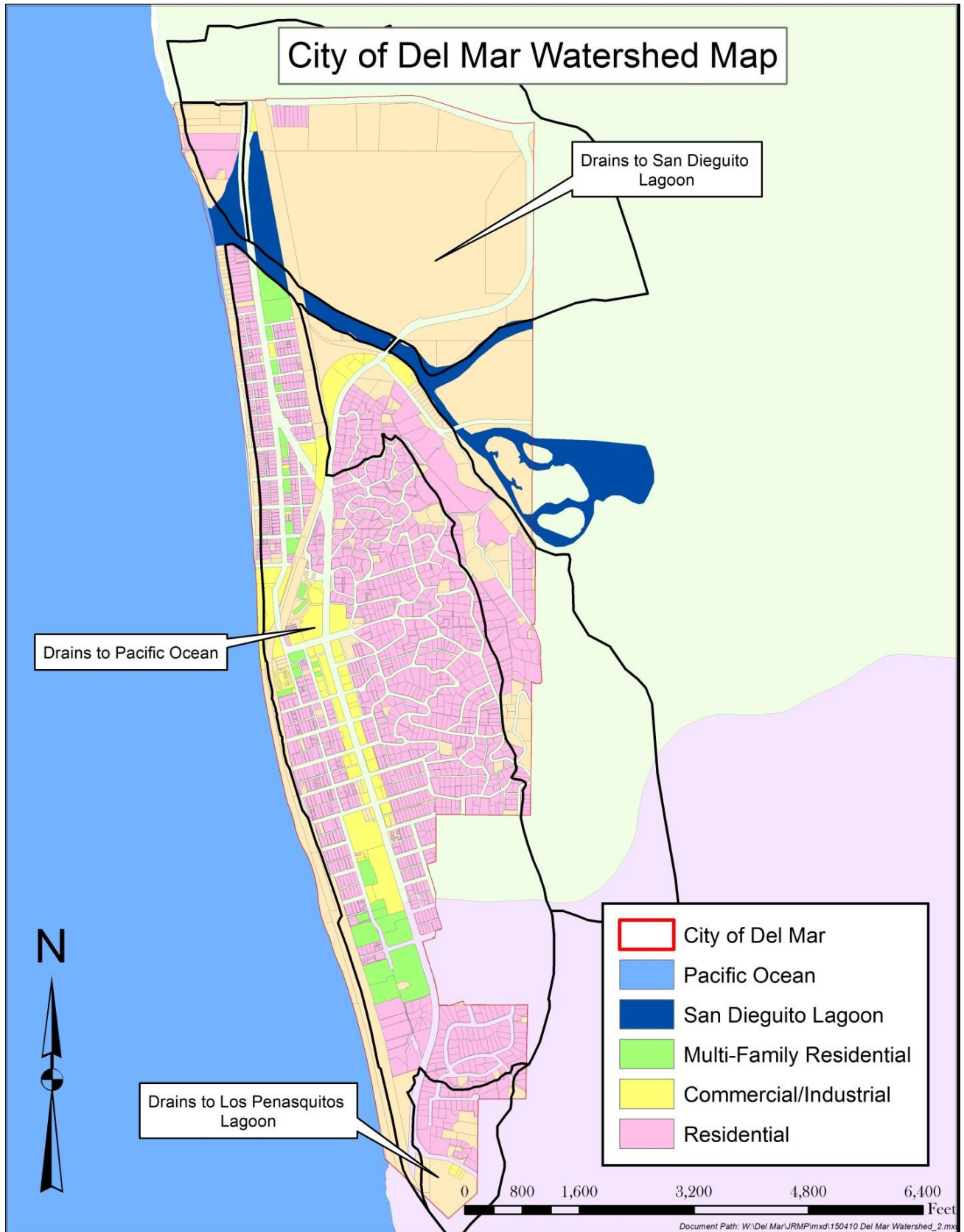


Figure 1: Watershed Drainage Areas

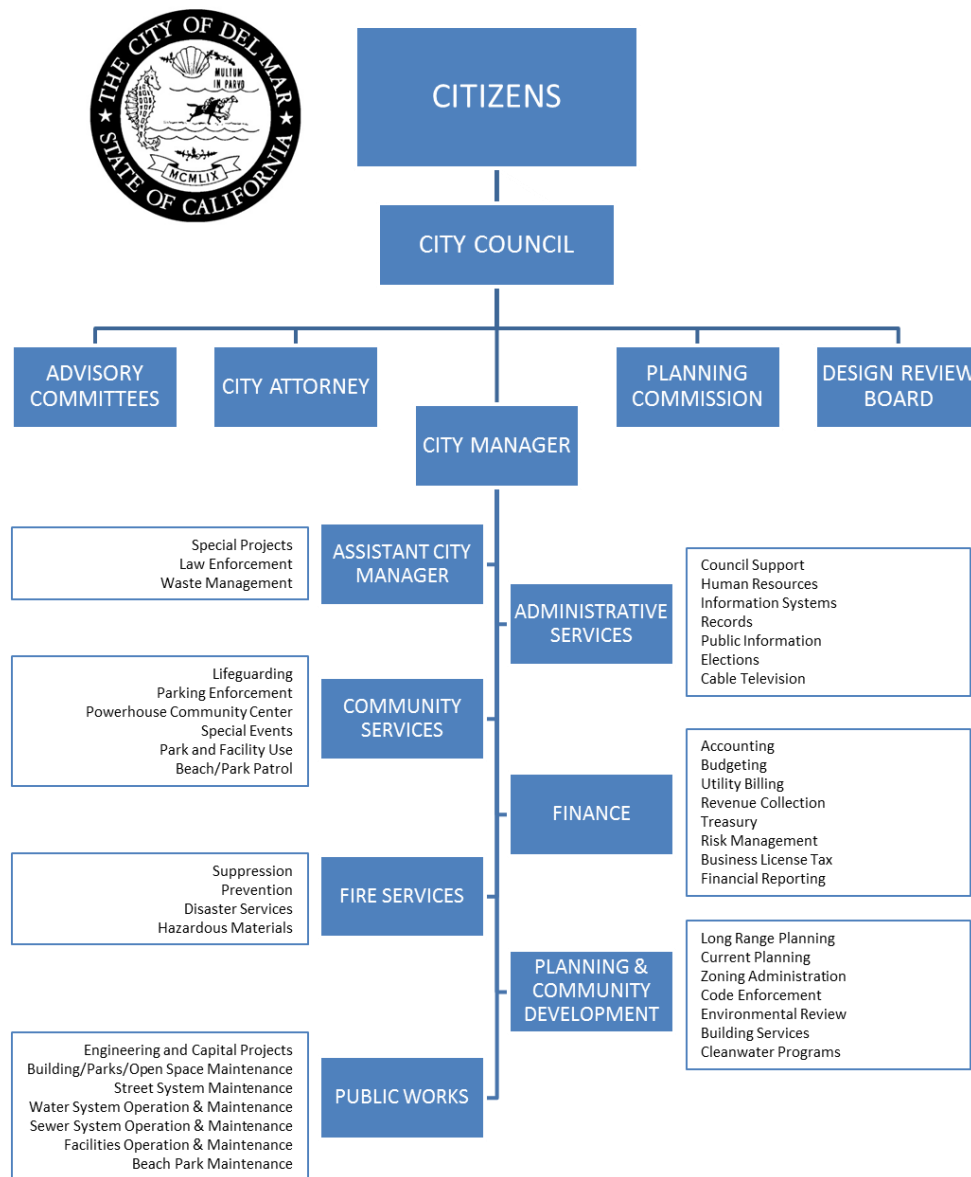
## 2 City Roles and Legal Authority

This section describes the City’s legal authority and Department Program responsibilities and roles, regarding storm water management. The City maintains adequate legal authority within its jurisdiction to control pollutant discharge into and from its MS4 through the City’s Municipal Code and ordinances.

### 2.1 Departmental Roles and Responsibilities

Implementing the City’s Clean Water Program, including this JRMP document, is a collaborative effort between various City departments. A diagram of the departments, boards, and commissions within the City can be found in the City of Del Mar Organizational Chart presented in Figure 2 below.

**City of Del Mar Organizational Chart**



**Figure 2: City Organizational Chart**

The following are descriptions of departments, divisions, and sections within the City that support the Clean Water Program.

### ***City Council***

The City Council, as representatives of the residents of Del Mar, sets City policy, determines budget priorities, allocates City resources, and hears appeals from decisions of the Design Review Board and Planning Commission. City Council members are elected by the voters of Del Mar. The City Council appoints the City Manager to manage the City and the City Attorney to provide legal advice and ensure compliance with local, State and Federal law.

The City Council provides the overall vision and support for the various programs implemented as part of the WQIPs and JRMP.

### ***Planning Commission and Design Review Board***

The Planning Commission and Design Review Board are charged with review and permitting of some development applications. The Commission and Board ensure that the land development requirements related to the Clean Water Program are included in the projects designs for which they are responsible for reviewing and permitting.

### ***City Manager***

The City Manager's Office provides leadership and supervision to the organization to implement the policies and decisions of the City Council, ensuring delivery of high quality services to the community. Support from the City Manager's office includes ensuring that program responsibilities are appropriately assigned to specific departments and appropriate resources are available to implement the JRMP and comply with the Permit.

### ***City Attorney***

The City Attorney's Office is responsible for providing legal review and advices regarding the Clean Water Program and ensuring compliance with local, State and Federal law. In practice, the City Attorney's Office reviews agreements, ensures appropriate legal authority is established and maintained, and advises the program on legal matters.

### ***Planning and Community Development***

The Planning and Community Development Department oversees the Clean Water Program as well as implements the land development standards for the City. The Department implements primary functions related to the Clean Water Program as follows:

- Clean Water Program staff works with the community, City staff and staff from other jurisdictions in San Diego County to ensure that the requirements of the Permit are met through implementing program activities such as education/training, water quality monitoring and assessment, inspections, and enforcement activities;
- Planning staff assists the public through the permitting process and consults with and advises architects, engineers, and homeowners with implementing storm water requirements;
- Code Enforcement conducts field inspections, prepares written notices/orders for code compliance, verifies compliance measures, prepares reports and requests for action by nuisance abatement, and educates the public on storm water compliance; and
- Coordination with the City Engineer for engineering land development review, including:

- Review of all development project grading applications for compliance with the City's minimum construction BMP requirements;
- Review of site plans to verify that temporary and permanent BMPs are properly shown on project plans; and
- Verifying that all permanent structural BMPs, including treatment control BMPs, are properly constructed before occupancy of a site.

### **Community Services**

The Community Services Department oversees numerous functions of the City including Lifeguard Services, Parking Enforcement, Park Ranger operations, and all facility use permits for the parks, beach area, and the Powerhouse Community Center. The Department implements BMPs to prevent discharges and reduce pollutants from storm water.

### **Finance**

The Finance Department provides general support to the Clean Water Program by identifying and securing sources of funds for the implementation of the City's JRMP.

### **Fire Services**

The Fire Department protects the full-time residents of Del Mar as well as the nearly three million annual visitors. The Department implements both emergency and non-emergency BMPs to prevent discharges and reduce pollutants from storm water.

### **Public Works**

The Public Works Department implements the operation and maintenance of the City's infrastructure, including the storm drain system, streets, water supply and sanitary sewer systems. The Public Works Department performs beach and community maintenance services including facilities and park maintenance as well as ensuring the beaches are cleaned and rid of trash and debris. In addition, the Capital Improvement Plan is implemented through Public Works with the support of the City Engineer. Related to the Clean Water Program these services include administration of the design and construction of all City public improvement projects in compliance with the City's Clean Water requirements.

## **2.2 Legal Authority**

The City has local ordinances and Municipal Code sections that provide legal authority for enforcing the Clean Water Program requirements. The major chapters of the Municipal Code related to the program can be found at the City's website and include the following:

- City of Del Mar Storm Water Management and Discharge Control Ordinance (Chapter 11.30)
- City of Del Mar Clean Water Storm Drain Program (Chapter 11.32)

In addition to the requirements within the body of this JRMP, the City maintains a Best Management Practices Manual (BMP Manual) consisting of the minimum BMPs for existing development and specific Clean Water requirements for development, redevelopment and construction activities.

## **2.3 Enforcement Procedures**

The City employs a tiered, escalating enforcement system for violations of the City's Municipal Code. The escalating administrative and judicial enforcement measures are described in Section 10 Enforcement Response Plan of this JRMP.

### 3 Non-Storm Water Discharges

This section describes the City's responsibilities regarding non-storm water discharges to the MS4. The City addresses non-storm water discharges as illicit discharges unless a non-storm water discharge is authorized by a separate NPDES Permit or qualifies as a conditional discharge, explained further below.

#### 3.1 Introduction

Non-storm water discharges are runoff flows from any type of activity other than weather caused precipitation or naturally occurring groundwater. Typical non-storm water discharges include, but are not limited to:

- Irrigation runoff (e.g., overspray and over irrigation)
- Residential vehicle washing
- Residential and commercial street, sidewalk and parking lot washing (e.g., hosing down and high pressure washing)
- Air conditioning condensation
- Swimming pool discharges
- Sanitary sewer overflows
- Septic system overflows

Identifying and eliminating non-storm water discharges from entering the City's MS4 is a cost-effective best management practice (BMP) for improving water quality. Through the illicit discharge detection and elimination program (IDDE), the City investigates and eliminates any known or observed non-storm water discharge. The IDDE program is explained in more detail in Section 4.

#### Prohibited Non-Storm Water Discharges

The City prohibits all non-storm water discharges unless a discharge is authorized by a separate NPDES permit or qualifies as a conditional discharge (see Section 3.2).

#### 3.2 Conditional Non-Storm water Discharges

The following categories of non-storm water discharges are conditionally allowed by the City if the discharge meets the criteria described below. If a discharge does not meet the criteria, then it is prohibited by the City.

##### 3.2.1 Discharges Associated with Separate NPDES Permit

The RWQCB may permit a discharger to discharge water to the City's MS4, as long as the City does not determine that the discharge is a source of pollutants. For scheduled discharges, the discharger shall notify City Staff at least 30 days prior to the scheduled date of discharge.

##### *Pumping and Groundwater*

The following non-storm water discharges are allowed if the discharge has coverage under NPDES Permit No. CAG919002 (Order No. R9-2008-0002):

- Uncontaminated pumped ground water
- Discharges from foundation drains (i.e., If the system is located at or below the groundwater table to extract groundwater)
- Water from crawl space pumps
- Water from footing drains

##### *Water Line Flushing and Breaks*

The City considers non-storm water discharges associated with water line flushing or breaks as an illicit discharge, unless the discharge has coverage under NPDES Permit No. CAG 679001 (Order No. R9-2010-

0003 or subsequent order). In addition, discharges from recycled or reclaimed water lines are illicit, unless covered under a separate NPDES Permit.

### 3.2.2 Controlled Non-Storm water Discharges

The City of Del Mar allows the following non-storm water discharges to enter the MS4 if the following controls and criteria are implemented:

#### *Air Conditioning Condensation*

The discharge should be directed to landscaped areas or other pervious surfaces.

#### *Individual Residential Vehicle Washing*

The use of water and washing detergent should be minimized and the discharge of wash water should be directed to landscaped areas or other pervious surfaces.

#### *Dechlorinated Swimming Pool Discharges*

Prior to discharging to the MS4, residual chlorine, algaecide, filter backwash, or other pollutants from the swimming pools, must be eliminated. The discharge of saline swimming pools must be directed to the sanitary sewer, landscaped areas, or other pervious surfaces that can accommodate the volume of water. Prior to discharge, the path to the MS4 should be cleared and flow rates should be non-erosive.

#### *Emergency and Non-Emergency Fire-Fighting*

Fire-fighting flows, both emergency and non-emergency, are allowed under specific conditions as follows:

Non-Emergency Firefighting Discharges:

- Building fire suppression system maintenance discharges (e.g. sprinkler line flushing) to the MS4 must have BMPs implemented to prevent pollutants associated with such discharges to the MS4. If appropriate BMPs are not implemented, these discharges will be considered illicit discharges.
- Non-emergency firefighting discharges (i.e., discharges from controlled or practice blazes, firefighting training, and maintenance activities not associated with building fire suppression systems) are controlled through a program (see Section 7.11) to reduce or eliminate pollutants in such discharges from entering the MS4.
- Emergency Firefighting Discharges
  - The City encourage implementation of BMPs to reduce or eliminate pollutants in emergency firefighting discharges to the MS4s and receiving waters. During emergency situations, priority of efforts are directed toward life, property, and the environment (in descending order). BMPs should not interfere with immediate emergency response operations or impact public health and safety.

### 3.2.3 Discretionary Discharge

The following discharges are not prohibited unless they are identified by the City or the RWQCB as pollutant sources to receiving waters:

- Diverted stream flows
- Rising ground waters
- Uncontaminated ground water infiltration to MS4s
- Springs
- Flows from riparian habitats and wetlands
- Direct discharges from potable water sources
- Direct discharges from foundation drains
- Direct discharges from footing drains

## 4 Illicit Discharge Detection and Elimination

This section describes the responsibilities of staff with respect to implementation of the Illicit Discharge Detection and Elimination (IDDE) component of the JRMP. This program section is intended to provide direction to actively seek and eliminate illicit discharges and connections.

### 4.1 Introduction

In general, illicit discharges to the MS4 are any discharges not composed entirely of storm water unless they are authorized under a separate NPDES Permit or are considered conditional discharges, explained further in Section 3, Non-Storm Water Dischargers.

The City's program to actively investigate and eliminate illicit discharges to the MS4 and is comprised of the following elements:

- Monitoring programs
- Source specific observations
- Use of City staff for reporting observations
- Use of public hotline and reporting methods
- Investigations and enforcement
- Spill reporting, response, and prevention

In almost all cases of illicit discharges, elimination of the discharge requires some level of enforcement and/or abatement action. The Del Mar Municipal Code (DMMC) authorizes the City to enforce its IDDE program requirements. The DMMC requires the responsible party to conduct abatement activities to eliminate an illicit discharge or the City to conduct those activities itself at the cost of the responsible party(ies).

### 4.2 Program Elements

#### 4.2.1 MS4 Map

The City maintains an updated map of its MS4 and the corresponding drainage areas. Figure 3 shows a map of the City's drainage basin and MS4. The City's GIS mapping contains the following information:

- Drainage basins
- Segments of the MS4 owned, operated, and maintained by the City
- Locations of inlets
- Known locations of connections with other MS4s, not owned by the City
- Known locations of MS4 outfalls and private outfalls that discharge runoff collected from areas within the City
- Segments of receiving waters within the City that receive and convey runoff discharge from the MS4 outfalls
- Locations of MS4 outfall discharge monitoring stations
- Locations of non-storm water persistent flow MS4 outfall discharge monitoring stations

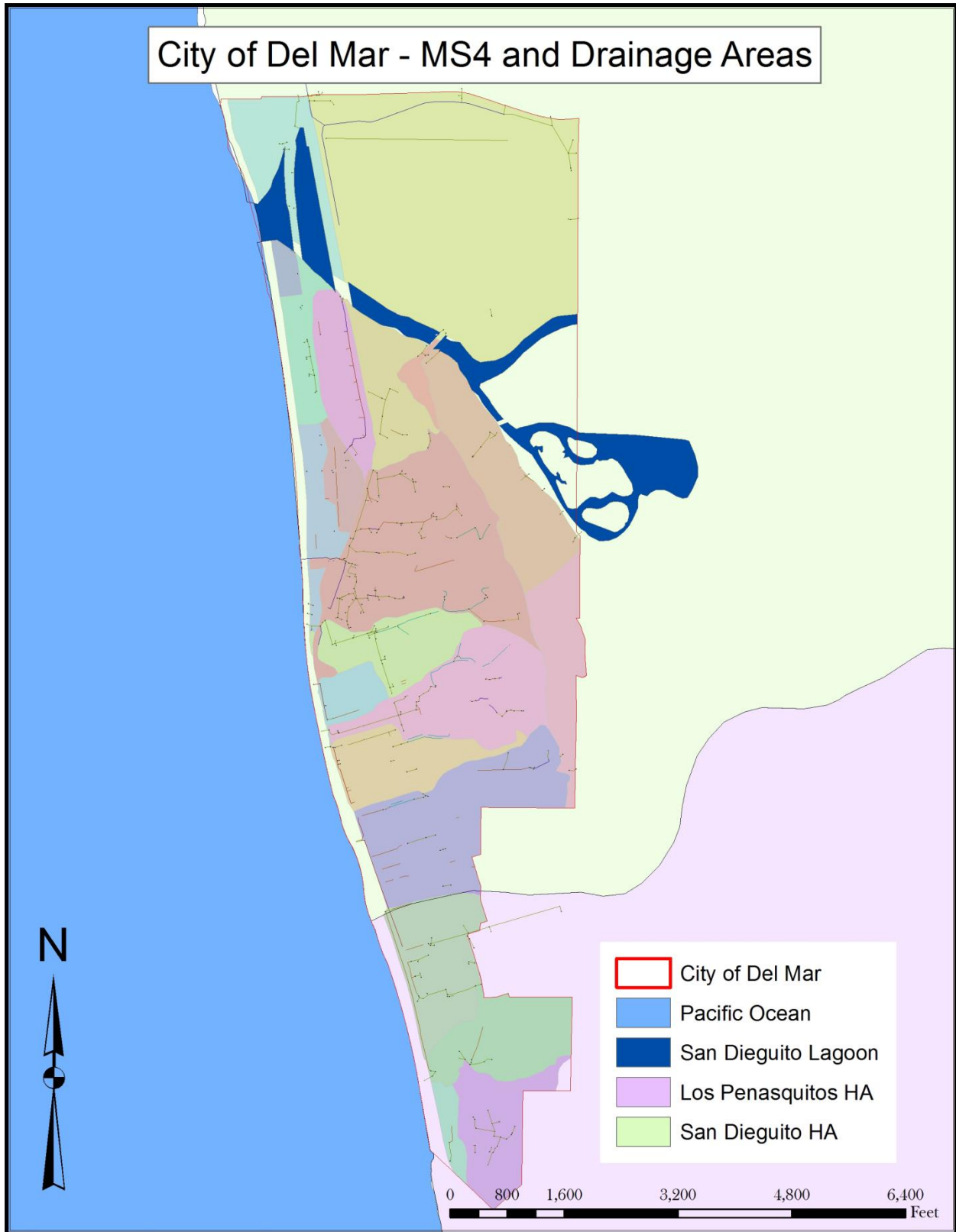


Figure 3: City Drainage Basins and MS4 System

### 4.2.2 Monitoring Programs

The City conducts field screenings of MS4 outfalls and portions of the MS4 infrastructure, to detect illicit discharges. The following sections briefly describe the monitoring programs performed by the City.

#### 4.2.2.1 Dry Weather MS4 Outfall Discharge Monitoring

The intent of the Dry Weather MS4 Outfall Discharge Monitoring Program is to investigate any observed discharge from or into the City’s MS4 and determine if the discharge is an illicit connection or discharge. If flowing water is observed at an outfall, City staff documents the findings and investigates the source of runoff. In most cases the flow can be eliminated after the source is identified. If the discharge requires enforcement actions, staff will implement the actions described in Section 8, Enforcement Response Plan.

Dry Weather MS4 Outfall Discharge Monitoring is conducted at each location in the City where the MS4 infrastructure collects surface flow and discharges to a receiving water body or another jurisdiction’s right-of-way. Monitoring locations include various types of MS4 output points (i.e., inlets, outlets and outfalls) that discharge to receiving water bodies or other jurisdictions.

#### 4.2.2.2 Non-Storm Water Persistent Flow MS4 Outfall Discharge Monitoring

The non-storm water persistent flow MS4 outfall discharge monitoring focuses analytical monitoring at locations known to have persistent flow. The City has one (1) major outfalls in the San Dieguito WMA and one (1) major outfall in the Los Peñasquitos WMA. The one (1) major outfall located in the Los Peñasquitos WMA is not listed to have persistent flow.

Currently, there is one major MS4 outfall in the San Dieguito WMA that has been identified to have persistent flow. Observational monitoring has been conducted at all outfalls throughout the City, regardless of size and none have been identified to have persistent flow.

In Fiscal Year 2019-20, the City increased its observation monitoring to focus on all MS4 output points that discharge to a receiving water body or another jurisdiction’s right-of-way. If the City identifies a non-major MS4 outfall or output point that has persistent flows, it will be addressed and added to the persistent flow inventory. Table 4-1 summarizes the City’s identified outfalls and output points.

Table 1: City of Del Mar’s Identified MS4 Outfalls with Persistent Flow

Watershed Management Area	# of MS4 Outfalls <sup>1</sup>	# of MS4 Outfalls with Persistent Flow <sup>1</sup>
San Dieguito	58 (1)	1 (1)
Los Peñasquitos	6 (1)	0 (0)

<sup>1</sup> Total number of major outfalls in the WMA provided in parentheses.

Monitoring will continue at any persistently flowing outfalls and output points until one of the following occurs:

- The flow is eliminated
- The flow is identified as an allowable non-storm water discharge
- The non-storm water discharge does not exceed numerical action levels (NALs) and the flow can be re-prioritized to a lower priority
- The flow is identified as a non-storm water discharge authorized by a separate NPDES Permit

### **4.3 Source Specific Observations**

The City inspects municipal, industrial, commercial, residential, and construction activities to identify sources of illicit discharge. These inspections identify and lead to the elimination of illicit discharge sources. This on-the-ground inspection process eliminates illicit discharge sources before they enter MS4 and receiving waters.

### **4.4 Observation Reporting by City Staff**

All City staff, including the Public Works operations and maintenance personnel, is trained to promptly refer potential storm water violations observed to the Clean Water Program staff to investigate. Once the Clean Water Program receives notification of an illicit discharge, they initiate an investigation to identify and eliminate the source of the discharge.

### **4.5 Hotline and Public for Reporting Observations**

The City encourages the public and City staff to report illicit discharges and connections. The City's public complaint hotline and online reporting form are available 24 hours a day and are managed by the Clean Water Program. The number for this hotline is published in storm water brochures available in public locations and on the City of Del Mar's website. The City's website has a hotlink notification system which allows the public, City contractors, and/or City staff, to send notifications via an online database notification system. The online system allows for photo documentation to be attached, assisting City Clean Water Program Staff with follow-up investigations.

### **4.6 Investigation and Elimination**

The City implements investigational source identification procedures to track down sources and eliminate the discharge. The City's procedures for conducting source investigations include but are not limited to the following methods:

- Tracking discharge upstream to the source
- Dye testing
- Video monitoring
- Field and analytical sampling

Most investigations are resolved by tracking the discharge back to its source. The additional methods listed above are utilized when the source cannot be identified after the initial investigation effort.

Action is taken to eliminate all detected illicit discharges and their sources as soon as possible after identification. The City documents all identified discharges and the elimination process in an IDDE database.

### **4.7 Spill Reporting, Response and Prevention**

The City implements spill prevention, spill response, and reporting mechanisms to prevent, respond to, contain, and clean up all spills that discharge to its MS4. Spill prevention, containment and response activities are implemented throughout all appropriate departments and programs to maximize water quality protection. Spills are prevented through the implementation and enforcement of best management practices (BMPs), which are described in each applicable component of the JRMP.

### ***City Sanitary Sewers***

The City's prevention and corrective sewer maintenance programs are conducted in accordance with the City's Sanitary Sewer Management Plan (SSMP) and consists of a variety of activities for the effective operation, maintenance, repair and replacement of sewer mains, manholes and pump stations. The plan provides for the routine monitoring, inspection, cleaning and related maintenance of the sanitary sewer collection system in order to reduce the potential of sanitary sewer overflows (SSOs) and other system failures.

Additional information pertaining to the sanitary sewer maintenance activities, spill procedures, and reporting, including the SSMP (updated in 2019), can be found on the City's website.

### ***Private Sewer Laterals and Septic Systems***

The City requires that private sewer laterals and septic systems be designed and operate in accordance to industry standards. The City also requires the proper maintenance of these facilities in order to avoid spills, breakages, and failures.

The City responds to all sewer spills to assess the risk to human health and the environment and requires private sewer lateral and septic system failures and spills to be contained and cleaned by the responsible party. Private lateral spills and septic system failures that discharge into the City's MS4 are logged and reported by the City. In the event that a private sewer lateral spill or septic system failure poses a risk, or the discharge has entered the MS4 or the receiving waters, the City will initiate containment and clean-up procedures to minimize the impact.

### ***Other Spills***

The City prevents other spills containing or suspected to contain pollutants through the implementation of BMPs, secondary containment, and other mechanisms to prevent and avoid discharges to the receiving waters (through the MS4 or directly). Spills from private businesses and residents are reduced through required BMPs, education, and enforcement of relevant regulations for the storage and usage of hazardous materials. Other non-hazardous spills are investigated, and enforcement action led by the Clean Water Program and Code Enforcement. Hazardous waste or materials spills are referred to Fire Department and/or the County's Hazardous Materials Response team.

## **4.8 Enforcement**

The City investigates illicit discharges or connections immediately after they are reported or observed. City staff documents reports, observations and responses through internal memorandums, emails, and work orders.

For any enforcement actions related to the IDDE program, the City follows the established process described in the Enforcement Response Plan (Section 9).

## 5 Development Planning

The development planning process is a comprehensive process that includes planning, engineering, construction and post-construction phases. Each phase includes review, conditional requirements and verification that the requirements have been satisfied. Because the development process weaves through various phases, there are several City Departments/Divisions involved in the development process, including, Planning and Community Development, Public Works, Engineering, and Fire.

### 5.1 Introduction

This section describes the responsibilities of staff with respect to implementation of the Development Planning Component. As land development, or redevelopment, occurs, the City requires projects to plan for, design and construct post-construction BMPs to mitigate the water quality impacts of the planned land use.

Development Planning is intended to:

- reduce discharges of pollutants from developed properties;
- prevent discharges from the MS4 from causing or contributing to a violation of water quality standards; and
- manage increases in runoff discharge rates and durations from developed properties that are likely to cause increased erosion of stream beds and banks, silt pollutant generation, or other impacts to beneficial uses and stream habitat due to increased erosive force.

### 5.2 Land Use Planning

The City is tasked with ensuring that land uses in Del Mar comply with City codes, the General Plan, City Council policies, Engineering Standards and state law requirements. Approval of projects through the discretionary review process is generally but not always required prior to issuing grading, building and right-of-way permits. The City Code requires compliance with storm water requirements for all discretionary approvals and ministerial permits. The Planning, Engineering, and Fire Departments administer the Clean Water Program requirements for all discretionary approvals and ministerial permits issued for private development. The Engineering and Public Works Departments administer all aspects of design and construction for public improvement projects. The Planning Department administers the environmental review of both public and private projects.

The City previously performed an assessment of the Community (General) Plan with respect to water quality and watershed protection principles and policies. It was determined that amendments to the Community Plan were appropriate to provide updated water quality land use policies for the community. In 2008, the Del Mar City Council adopted changes to the Community Plan. The amendments included modified or additional policies that address the elimination, to the maximum extent practicable (MEP), or significant reduction of pollutants found in discharges from Del Mar that discharge into San Dieguito Lagoon and River, Peñasquitos Lagoon, and the Pacific Ocean.

### 5.3 Environmental Review Process

The City's Environmental Review Process begins with an Environmental Checklist Form to evaluate the potential environmental impacts of a project. Based on the results of the checklist, the City may require the project applicant to provide additional studies to elaborate on the environmental impacts or recommend denial of the permit that the project applicant is seeking. The checklist includes specific water quality analysis as follows:

1. Changes in absorption rates (increased impervious surfaces and associated increased runoff), drainage patterns, or the rate and amount of surface runoff?
2. An increase in pollutant discharges to receiving waters during or following construction? Consider water quality parameters such as temperature, dissolved oxygen, turbidity, and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).
3. Increased downstream erosion?
4. Changes in the amount of surface water in any water body?
5. Increase in a pollutant to a 303(d) listed water body for which the water body is already impaired?
6. Exacerbation of already existing sensitive conditions at environmentally sensitive areas (e.g. RARE, MSCP, etc.)?
7. A potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters?

## 5.4 Development Project BMP Requirements

Land development in the City of Del Mar consists of various types of projects, ranging from single family homes to smaller commercial projects and City Capital Improvement Program (CIP) projects. Because Land Use Planning addresses all development projects, including municipal capital projects, essentially all project types are addressed through this program component.

Each development project in the City is required to meet minimum Best Management Practice (BMP) requirements of incorporating both source control BMPs and Low Impact Development (LID) BMPs. Some projects are Priority Development Projects (PDPs) and require additional Structural BMPs to be incorporated into the project.

Source control BMPs are intended to control the sources of pollutants – not allowing for the pollutants to come into contact with runoff or to be discharged from a development site. Source control BMPs are sometimes physical features and elements, however, they are often practices that are implemented to counteract or modify the actions taken by residents, businesses and employees that may cause pollution.

LID BMPs are intended to mimic a project site's pre-project hydrology by using design features and elements to effectively capture, filter, store, evaporate, detain and infiltrate runoff within the development footprint.

Structural BMPs are considered part of the tools available to treat or control runoff from developments that have been determined to be a threat to water quality or downstream conditions, based on existing water quality conditions or the activities associated with the development. These BMPs are considered a necessary part of controlling pollutants and flows from entering the receiving waters.

### BMP Design Manual

The City, in cooperation with the other regional jurisdictions, developed a Model BMP Design Manual (formerly the Standard Urban Storm water Mitigation Plan or SUSMP) as a foundation for consistent application of requirements for post-construction BMPs. The City will tailor the Model BMP Design Manual and formally implement the BMP Design Manual prior to December 31, 2015. Appropriate updates will be posted to the City's website.

Until the City's local BMP Design Manual is formally implemented, the City's current SUSMP (<http://www.delmar.ca.us/DocumentCenter/View/267>) is effective and has the requirements that

The City's local SUSMP/BMP Design Manual (<http://www.delmar.ca.us/DocumentCenter/View/267>) identifies specific post-construction LID, source control and structural BMPs that must be incorporated into development projects. The SUSMP/BMP Design Manual provides information on selection and implementation of the LID, source control and structural BMPs for pollution control and hydromodification controls.

## **5.5 Program Implementation**

The City relies on its Building Construction and Storm Water Management codes as the foundation for its development planning implementation. The DMMC requires new development and redevelopment projects to incorporate into their project plans and specifications, storm water best management practices to control storm water pollution and potential impacts to downstream channels from erosive flows.

The development process is comprehensive in that it encompasses planning, engineering and building plan check, construction, inspection and final verification of construction to ensure requirements are met. If a project is determined to be a Priority Development Project, the structural BMP requirements become an integral part of the project.

### **5.5.1 Planning Phase**

The Planning Phase is a critical phase in the development process for ensuring that storm water LID measures are incorporated. The City emphasizes to developers the importance of incorporating LID principles into the initial conceptualization and design of a development project. By focusing developer efforts on early incorporation of LID, the City hopes to avoid costly and time consuming project redesign and an over reliance upon end of pipe structural solutions.

After initial conceptualization of a project development, the owner/ developer/ applicant has the option of submitting the project for preliminary or pre-application review by City staff. The City reviews the conceptual project plans for conformance with codes, policies and standards, and return a written response to the applicant detailing the City's initial concerns and issues with the project, including any storm water compliance issues. The preliminary review process may also include a pre-application meeting wherein the applicant and City staff meets to discuss the City's concerns and issues with the proposed project.

Upon completion of the conceptual design process, the developer/ owner/ applicant is ready to submit a formal discretionary review application(s) to the City for review and processing.

The Planning Department maintains coordination with the project proponent throughout the permitting process. Planning Department reviews the conceptual project and informational studies and determines the governing authority for the review process – Administrative or City Council. Planning and Community Development, Engineering, Public Works, Clean Water, Fire and other various departments will review the conceptual plans and technical studies for various issues, including water quality. The various departments provide the Planning Department with specific project conditions for permit approval that address the project issues, including water quality. The City maintains a list of standard conditions, including storm water compliance conditions that are applied to project conditions of approval as applicable.

Once a project has been conditioned, the project staff report and conditions of approval are forwarded to the governing authority for decision. The governing authority may then deny, approve or conditionally

approve the project. Upon discretionary approval, the project proponent may begin the plan check process.

### **5.5.2 Plan Check Phase**

During the plan check phase, the project proponent submits plans and studies that describe the proposed project in detail. Several departments review the projects for conformance with the conditions of approval, engineering standards, zoning codes, landscape standards, building codes and other City requirements. Once the plan check process is complete and the project plans are approved for each the applicable permits, the permit(s) are issued and construction of the permitted portion of the project may begin.

This part of the process includes the submittal of the final Storm Water Management Plan (SWMP) for Priority Development Projects that demonstrates that all required site design, source control and structural BMPs have been incorporated. The specific requirements of the SWMP are provided in the City's BMP Manual. All projects are assigned a post-construction inspection priority. This post-construction inspection priority level is used during post-construction for the purpose of determining the frequency at which the structural BMPs are inspected for maintenance and effectiveness.

The City uses a process for ensuring verification that all permanent post-construction BMPs are constructed per the requirements of approved SWMPs. Approved post-construction BMPs are incorporated onto numerous separate and distinct construction drawings including mass grading plans, finish grading plans, building plans, improvement plans and landscape plans. Each of these plan sets may be reviewed by different City staff and be inspected during construction by different construction inspectors over extended periods of time. To ensure that all permanent post-construction BMPs for a particular project are installed by the conclusion of the project, the City is requiring developer preparation of a single plan BMP sheet as part of the SWMP.

The single plan BMP sheet includes a site plan of the project detailing the location of each required LID site design, source control and structural BMP. In addition, the plan contains a matrix listing of the required BMPs cross referenced with a list of the specific construction drawing where the specified BMP construction is detailed. A copy of the single plan BMP sheet is attached to each construction drawing highlighting only those BMPs included with the referenced construction drawing.

At the conclusion of project construction, before occupancy permits are granted or construction securities are returned, a City inspector conducts a final inspection of the site using the single plan BMP sheet to verify installation of all required BMPs for the project. The single plan BMP sheet is also used to verify that all structural BMP elements are incorporated into the City's watershed based inventory.

### **5.5.3 Construction Verification Process (Prior to Occupancy/Release of Bonds)**

Construction Inspectors inspect the construction and installation of BMPs that are associated with engineering permits (grading permits and public improvement permits) and Capital Improvement Program (CIP) projects. The Construction Inspectors review the projects for compliance with the water quality requirements for the project and the storm water ordinances. For Capital Improvement Projects that are Priority Development Projects, enforcement will be withholding operational acceptance or notification of completion until it is verified that post-construction BMPs are installed.

Inspectors inspect the construction and installation of BMPs that are associated with private development that requires a demolition or building permit. For Priority Development Projects that are private

developments, the Certificate of Occupancy will not be issued unless the BMPs have been inspected and signed off as being constructed properly.

Prior to certifying a project ready for occupancy (one of the final project releases) or releasing the applicant's bonds, the City will verify that each post-construction BMP that was to be incorporated has been installed per City requirements. Based on the single plan BMP sheet approach described above, Engineering Inspection and the Building Department Inspection will have key items to review and confirm their construction on the plan sheet itself.

#### **5.5.4 Post-Construction Phase** ***Structural BMP Maintenance Tracking***

The City implements a watershed-based database to track and inventory structural BMPs and structural BMP maintenance within the jurisdiction. The database is used to verify that structural BMPs are regularly maintained by the parties responsible. Post-construction inspection priority for each project site is based upon the types of BMPs installed with the project. The post-construction inspection priority is assigned during preparation of the SWMP in accordance with the City BMP Manual requirements.

The structural BMP information for the database is collected during the plan check process using information provided by the project applicant. The existing database includes information regarding structural BMPs collected for all projects approved since 2001, including following:

1. Geographic Location (northing and easting)
2. BMP Type (CASQA identifier)
3. BMP Description (general type description)
4. BMP detail (specific type description)
5. BMP Manufacturer, if applicable
6. BMP Model No. or manufacturer code if applicable
7. BMP installation date
8. Inspection frequency
9. Maintenance frequency
10. Maintenance agreement, if provided
11. Watershed
12. Owner
13. Owners address

#### ***Structural BMP Inspection and Verification Program***

The City has incorporated structural BMP inspections into the citywide patrols. As commercial/residential patrol inspections are conducted (see Section 7 – Existing Development), staff will both inspect and verify 100% of the structural BMPs within the City. In the event of any anomalies or identified issues, staff will contact the property owner(s) to address the structural BMP issues immediately.

### **5.6 Enforcement Measures for Development Planning**

The City enforces applicable local ordinances and permits through the use of the Enforcement Response Plan (Section 9) at all development planning sites in its jurisdiction. In the event that during a site visit it is determined that the site is out of compliance with the City's requirements or permits, the City staff will document the corrective actions necessary to bring the site into compliance. Per the Enforcement Response Plan, staff will escalate the enforcement as necessary to achieve compliance.

## 6 Construction

### 6.1 Introduction

The City implements a construction management program that includes a project approval process, construction site inventory and tracking system, best management practices (BMPs) implementation, site inspections and enforcement procedures.

Construction and grading activities have the potential to impact nearby water bodies due to the presence of disturbed soils and building materials. Storm water or non-storm water discharges may transport pollutants from the site to the City's municipal separate storm sewer system (MS4). The City's program is implemented to prevent construction site discharges from entering the MS4 to the maximum extent practicable (MEP).

### 6.2 Construction Site Inventory

City Staff maintains a watershed-based inventory for all construction sites within its jurisdiction. The construction site inventory is maintained using a database and includes the following information for each project:

- Project name;
- Contact information (owners and contractors);
- Location information;
- Threat to water quality (TTWQ);
- Status of activity;
- Inspection frequency; and
- Determination of on-going enforcement actions.

To ensure that the City's watershed-based inventory of construction sites is current and accurate, the inventory is updated at least monthly by City staff. The process for updating the inventory includes review of the City's permit, coordination with planners (responsible for private development construction kick-off meetings), coordination with Public Works (responsible for public project construction kick-off meetings) and monthly patrol information. As described in the Existing Development Component (Section 7), Clean Water staff drives every street in the City at least once per month. This allows several program features to be accomplished at one time, including identification of new construction projects – as well as those that are not permitted and require adequate permitting.

Updates to the inventory include the addition of new construction projects, the removal of completed construction projects, updates to construction phases and, as appropriate, the re-prioritization of TTWQ designations for active construction sites. A copy of the current construction site inventory is available upon request.

### 6.3 Construction Site BMP Requirements

It is the responsibility of the project proponent to select, install and maintain appropriate BMPs. BMPs must be installed in accordance with an industry recommended standard (e.g., Caltrans or California Storm Water BMP handbooks) or in accordance with the State's General Permit for Construction Activities.

The City's BMP Manual (Appendix A) contains the minimum BMP requirements for construction activities. At a minimum, the City requires that BMPs from each subcategory below are installed and maintained for all grading and building projects. The responsible parties must implement an effective combination of BMPs to prevent onsite erosion to the MEP and to prevent sediment from leaving the project site.

Depending on project scope and potential associated discharges, additional BMPs may be required. If the project proponent proposes to use a BMP not listed below, approval from the City is required prior to installation.

The following BMP categories shall be implemented:

- Project Planning;
- Good Site Management “Housekeeping”, including waste management;
- Non-storm water Management;
- Erosion Control;
- Sediment Control;
- Run-on and Run-off Control; and
- Active/Passive Sediment Treatment Systems, where applicable.

Minimum BMPs for construction sites are selected to be site-specific, but should include at a minimum evaluation of the following two sets of BMPs:

#### ***General Site Management***

- Pollution prevention, where appropriate
- Development and implementation of a storm water management plan
- Minimization of areas that are cleared and graded to only the portion of the site that is necessary for construction
- Minimization of exposure time of disturbed soil areas
- Minimization of grading during the wet season and correlation of grading with seasonal dry weather periods to the extent feasible
- Limitation of grading to a maximum disturbed area as determined by the City before either temporary or permanent erosion controls are implemented to prevent storm water pollution. The City has the option of temporarily increasing the size of disturbed soil areas by a set amount beyond the maximum, if the individual site is in compliance with applicable storm water regulations and the site has adequate control practices implemented to prevent storm water pollution
- Temporary stabilization and reseeding of disturbed soil areas as rapidly as feasible
- Preservation of natural hydrologic features where feasible
- Preservation of riparian hydrologic features where feasible
- Maintenance of all BMPs, until removed, and
- Retention, reduction, and proper management of all pollutant discharges on site to the MEP standard

#### ***Erosion and Sediment Controls***

- Erosion prevention, to be used as the most important measure for keeping sediment on site during construction, but never as the single method
- Sediment controls, to be used as a supplement to erosion prevention for keeping sediment on-site during construction
- Slope stabilization on all inactive slopes during the rainy season and during rain events in the dry season
- Slope stabilization on all active slopes during rain events regardless of the season; and
- Permanent re-vegetation or landscaping as early as feasible

The City implements the same minimum construction BMPs for Capital Improvement Projects (CIPs) as private projects, and all public projects are subject to the same review process as private projects. All

contractors involved with CIP projects are educated about storm water requirements through the same approach used for proponents involved in private development projects.

#### **6.4 Construction Site Inspection Prioritization**

All construction sites within the City's jurisdiction are assigned a prioritization level. Inspection priorities are directly related to the minimum inspection frequencies that the City will use for scheduling site inspections. At a minimum, City Staff uses the following criteria to prioritize sites and activities during the different phases of construction.

- Located within a hydrologic subarea where sediment is known or suspected to contribute to the highest priority water quality conditions identified in the associated Water Quality Improvement Plan;
- Located within the same hydrologic subarea and tributary to a water body segment listed as impaired for sediment on the CWA section 303(d);
- Located within, directly adjacent to, or discharging directly to a receiving water within an Environmentally Sensitive Area;
- A site determined by the City to have high erosion potential and significant slopes.
- Additional Items Evaluated:
  - Amount of disturbed soils at site;
  - Enrollment under Statewide Construction General Permit;
  - Scope of construction project, e.g., grading, sidewalk installation, street light installation, house addition, redevelopment of commercial property.

#### **6.5 Construction Site Inspection Frequencies**

The City conducts inspections at all inventoried construction sites at a minimum of once per month during both the wet and dry seasons regardless of TTWQ to ensure construction activities are being performed in accordance with the project plans, building and grading permits, and all applicable codes, regulations and ordinances. High priority sites are inspected at least once every two weeks during both wet and dry seasons.

#### **6.6 Construction Site Inspections Procedures**

All inspection findings are documented in a construction inspection database and City staff performs follow-up inspections for construction sites found to be in violation of the City's construction storm water requirements. If required BMPs are missing or found to be improperly implemented, appropriate enforcement actions are taken, as described in the Enforcement Response Plan (Section 9).

Inspections are also completed for CIPs that are within the City's jurisdiction. Site inspections are performed by City construction inspector(s) or Clean Water Program staff to evaluate compliance with minimum BMP requirements and applicable ordinances and permits. A listing of the data collected and tracked during inspections is provided in Appendix B.

#### **6.7 Enforcement Measures for Construction Sites**

The City enforces applicable local ordinances and permits through the use of the Enforcement Response Plan (Section 9) at all construction sites in its jurisdiction. All City Staff have the direct authority or resources to take immediate enforcement actions when necessary. This facilitates quicker correction of inadequate BMP implementation, reducing the risk of pollutants discharging from the site.

In the event that during a site inspection, the inspector determines that the site is out of compliance with the City's requirements, the inspector will document the corrective actions necessary to bring the site into compliance. Per the Enforcement Response Plan, staff will escalate the enforcement as necessary to achieve compliance.

## 7 Existing Development

### 7.1 Introduction

This section provides information on how the City of Del Mar implements the Existing Development component of the Clean Water Program including residential areas, and municipal, commercial, and industrial facilities.

### 7.2 Source Identification/Characterization

The City of Del Mar is a relatively small jurisdiction consisting of an area of approximately 1.8 square miles. It is made up of a variety of existing development areas including residential, commercial, and municipal areas. The majority of commercial areas are located within the City's business and commercial arterials, with the exception of The Brigantine Restaurant at the northernmost point of the City and Del Mar Auto located at the southernmost point of the City. As of 2015, the City no longer has any occupied industrial facilities<sup>1</sup>. Municipal facilities include public parks, City reservoirs, lifeguard and fire station and City buildings (i.e. City Hall and Public Works infrastructure).

### 7.3 Existing Development Inventory and Tracking

City Clean Water Program Inspectors and staff maintain a watershed-based inventory for all municipal, residential, commercial areas and facilities within the City utilizing an electronic database. These inventories are living documents and are continuously updated by the Clean Water Program staff.

### 7.4 Existing Development BMP Implementation and Maintenance

The City has developed a minimum set of BMPs that must be implemented at all existing development facilities, areas, and activities to eliminate non-storm water discharges and decrease the amount of pollutants that originate from a specific area and/or activity. These minimum BMPs are identified in the BMP Manual (Appendix A) and are generally described below.

#### *Pollution Prevention Requirements*

The City has established a set of minimum BMPs for existing development based on the CASQA California Storm Water BMP Handbook for municipal, residential, commercial and industrial facilities. Minimum BMPs for residential activities were developed after evaluation of several BMP resources including, the 2007 City of Del Mar Jurisdictional Urban Runoff Management Program and staff knowledge of residential activities known to take place in Del Mar. The City may also require additional BMPs based on specific site conditions observed during an inspection/investigation or for activities that do not fit customary facilities, areas, and/or activities.

#### *Municipal Areas and Activities*

The City conducts day-to-day maintenance activities at fixed facilities, which includes, but is not limited to, landscape maintenance, building maintenance, and parking lot and sidewalk repair. The minimum BMPs identified in the BMP Manual are applicable at all municipal facilities and at the locations where municipal activities occur.

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<sup>1</sup> Although the 22<sup>nd</sup> District Agricultural Association (22<sup>nd</sup> DAA), also known as the Del Mar Fairgrounds, is an industrial discharger, they are also enrolled under the Phase II NPDES Permit. The City of Del Mar works cooperatively with the 22<sup>nd</sup> DAA however does not conduct inspections or manage the DAA under the existing development program.

City staff is trained to implement proper BMPs when at municipal facilities and when engaging in specific activities at those facilities. City staff is also trained to dispose of any waste properly, and to report illegal discharges/illicit connections as they may come across them during normal work activities.

### ***Roads, Streets, Highways, and Parking Lots***

In an effort to reduce the pollutant load entering local receiving water bodies, the City has in place an established street sweeping program for roads, streets, and parking facilities. The City implements the street sweeping schedule as follows:

- Twice per month
  - Primary roads
  - Business district
  - Collection and bike lanes
  - Medians
  - Parking facilities
- Twice per year
  - Residential areas

Figure 4 provides street sweeping frequencies and locations within Del Mar. Separate sweeping prioritizations and schedules have been assigned to specific areas of roads, streets and the two City-owned parking facilities.

Roads, streets, and parking facilities in the City receive routine inspections, repair, and maintenance by Public Works staff. These activities include asphalt sealing, filling potholes, minor construction or repair of sidewalks and curbs and gutters.

### ***MS4***

The City maintains approximately 5.9 miles of gravity mains, 231 storm drain inlets, 350 feet of open channel, and 2.78 miles of cobble/hardscape open swales. The City's storm drain system, as one complete entity, is included on the municipal inventory and shown in Figure 3. The MS4 inventory is inspected by Public Works staff at least once per year. Based on the findings of the inspections, the City performs required cleanings and proper disposal of collected material. Removal of the collected trash and debris prevents the materials from being pushed through the system and into the receiving waters from runoff.

The City maintains several infiltration pits and low flow diverters. The northern coastal portion of the City is relatively flat and nuisance ponding can occur easily. To address non-storm water nuisance ponding the City has installed infiltration pits which are intended to infiltrate waters into the sand beneath the streets, thereby preventing discharge to receiving waters. In another effort to address the relatively flat areas of the northern portion of the City, a low flow diverter was installed that pumps nuisance non-storm water discharges that are collected in a street basin to the sanitary sewer system for treatment and disposal. These features are inspected and cleaned periodically. Prior to rain events, the pumped low flow diverter system is pumped down and switched to discharge to the San Dieguito River. At the conclusion of the rain event, the valve is returned to normal operation and the system pumps low flows to the sanitary sewer system. The system is monitored remotely through the use of the City's SCADA system.

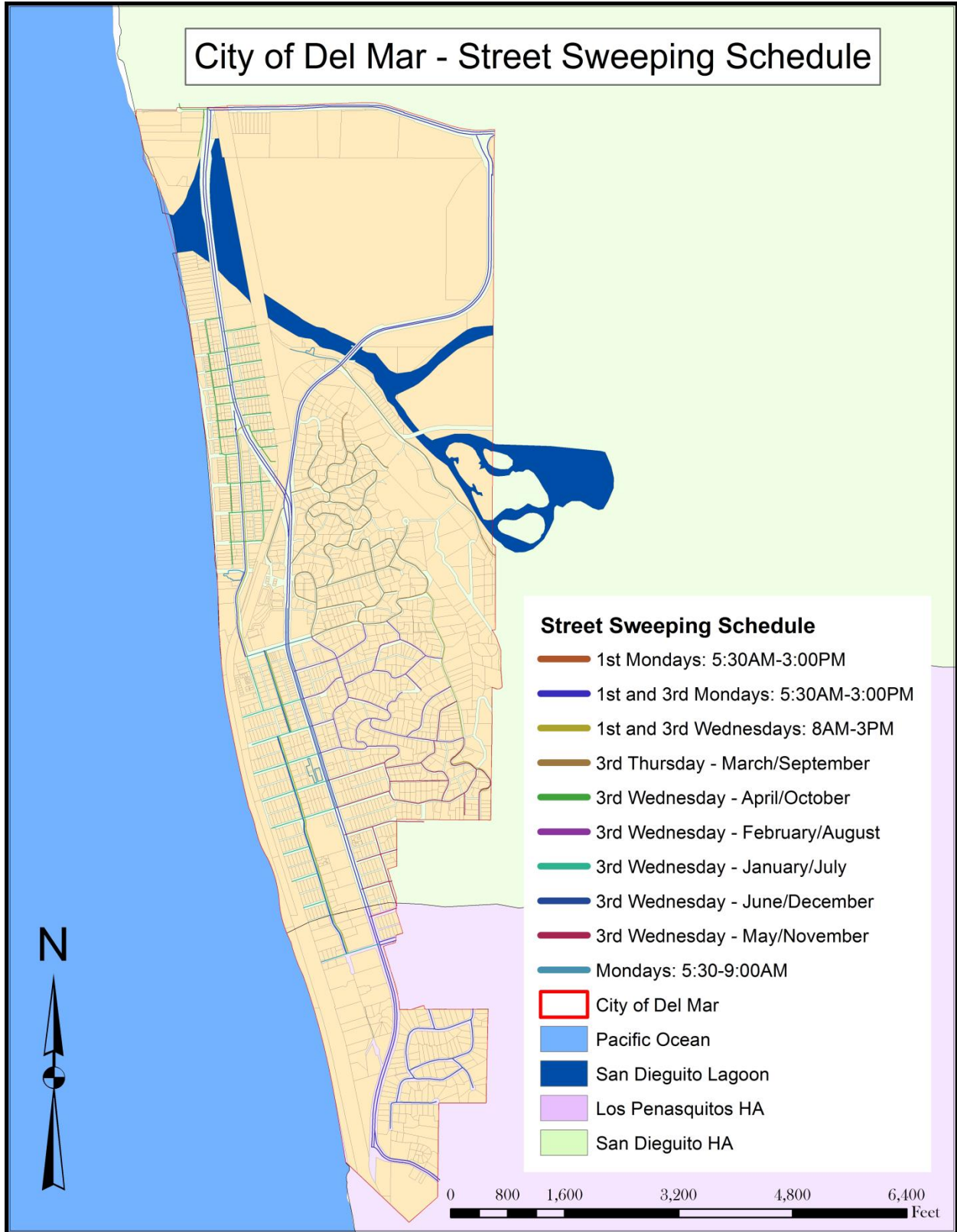


Figure 4: Street Sweeping Routes

### ***Pesticides, Herbicides and Fertilizers Best Management Practices***

This program component is applicable to all City properties and facilities utilizing pesticides and fertilizers. Pesticides are defined as all chemical applications used to control or reduce various types of pests including pesticides, rodenticides, fungicides, algacides, herbicides, etc. The goal of this program is to prevent or reduce the use of pesticides and fertilizers, and subsequently their entry or discharge into the MS4 and ultimately, receiving waters.

The City of Del Mar is committed to the application of Integrated Pest Management (IPM) procedures and the use of updated BMPs to meet the goal of this program. The City's applicators (employees or contractors) must meet these requirements and follow and comply with the City's minimum BMPs. The City's current practice is to contract landscaping activities, including pesticide/herbicide applications, and it has in place the minimum BMPs for all the application activities which are included in the contract(s) with these service providers. City employees do not engage in applications that require licensing. They are only involved in minor applications and receive the appropriate annual safety training.

## **7.5 Existing Development Inspections**

The City of Del Mar implements a two-part patrolling and onsite inspection program throughout the entire City. The City Clean Water Program Inspector(s) utilize patrols by foot to monitor and inspect commercial businesses, municipal facilities, and multi-family residential areas for violations per the DMMC. A vehicular patrol is used to inspect all properties throughout the City including residential areas not covered by the foot patrol and those commercial, municipal and multi-family residential areas covered by the foot patrol.

Patrolling inspections are a proactive way the City can more readily discover violations and enforce compliance with the municipal code. Through streamlined inspection processes, staff can provide more frequent inspections of existing development – thereby increasing the opportunities to identify issues throughout the City. By identifying issues, staff can better educate business owners, property managers, and residents regarding the City's requirements. The patrol method of inspections allows for efficient visual observations of the City and provides inspection coverage across multiple components of the program, e.g., existing development, construction activities, and illicit discharges. The patrolling method allows the City to perform an all-inclusive inspection effort and the following tasks can be performed at one time per designated area:

- Commercial inspections
- Residential inspections
- Municipal facility inspections
- Treatment Control BMPs inspections, and
- Storm Water Conveyance System inspections
- Active constructive inspections within patrol area

A detailed patrol protocol, including a definition of the specific patrol area, is included in Appendix C. Figure 5 depicts the patrolled properties which are inclusive of all properties within the City boundaries with the exception of the 22<sup>nd</sup> DAA.

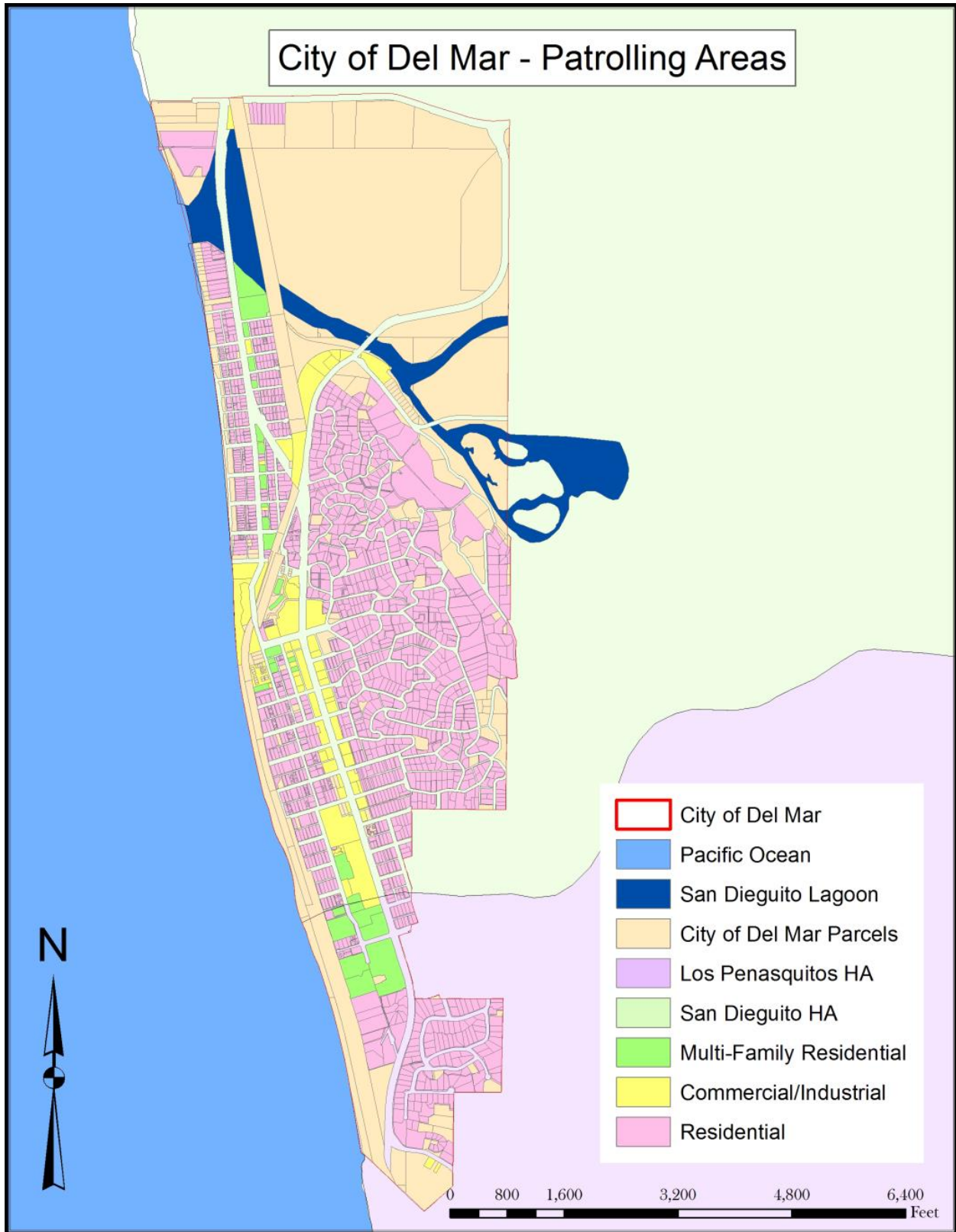


Figure 5: Areas of Patrol Inspections

In general, during patrol based inspections, contact is not made with business and/or owner unless an active discharge, illicit connection and/or potential storm water issue is occurring or is observed. The responsible party is notified of the issue through an educational Clean Water Notification letter which outlines the observed deficiency and provides the City's contact information where the responsible party can get assistance regarding how to resolve the issue.

The City does not perform patrol and/or onsite inspections for mobile businesses. Due to the nature of the business, impromptu inspections are conducted anytime a Code Enforcement Officer or Clean Water staff observes a mobile business conducting activities within the City.

#### ***Inspection Frequency***

The Clean Water Program inspects 100 % percent of the inventoried facilities and areas during each patrol. The minimum frequency for citywide patrols is at least once every two months.

#### ***Follow Up Inspections***

Clean Water Program staff conducts follow-up inspections to determine if corrective actions have been taken in accordance with City ordinances and minimum BMP requirements. Escalating enforcement steps, providing flexibility for the inspectors to establish appropriate compliance time frames on a case-by-case basis, are used to ensure compliance. Follow-up and enforcement inspections will be documented in the inspection inventory until the issue is resolved.

#### ***Inspection Tracking and Records***

Clean Water Program staff track and record all inspections and follow-up inspections for all locations in an electronic database. A copy of the City's inspection inventory is available upon request. A list of information and data gathered as part of the inspections is provided in Appendix B.

### **7.6 Enforcement Measures for Existing Development**

The City enforces applicable local ordinances and permits through the use of the Enforcement Response Plan (Section 9) at all existing development in its jurisdiction. In the event that during an inspection or investigation it is determined that a site is out of compliance with the City's requirements, staff will document the corrective actions necessary to bring the site into compliance and notify the tenant, property manager and/or owner to inform them of corrective actions. Per the Enforcement Response Plan, staff will escalate the enforcement as necessary to achieve compliance.

## 8 Retrofitting and Rehabilitation in Areas of Existing Development

### 8.1 Introduction

The City's retrofit and rehabilitation program identifies opportunities to implement retrofits and stream, channel and/or habitat rehabilitation within areas of existing development. The intent of the City's program is to encourage or require retrofits or rehabilitation projects in areas of existing development where controls do not exist or are ineffective. Implementation of retrofits and rehabilitation projects in areas of existing development are expected to improve the discharges from the City's MS4. The City's program is described below.

### 8.2 Identifying Candidate Retrofits and Rehabilitation Projects

Using the Urban Subwatershed Restoration Manual Series (CWP, 2005, 2007) as a guide, the City will develop and maintain a list of candidate retrofits and rehabilitation projects using a system of identification and field verification. Identification will be conducted using desktop analyses to identify key areas in the City where it is expected that retrofits and rehabilitation projects will have effective and efficient benefits. Field confirmations will be used for final verification that the identified retrofits and rehabilitation projects are appropriate applications of BMPs and controls both in type and location.

The process for identifying retrofits will evaluate the following considerations:

- Water Quality Improvement Plan (WQIP) Priority and Highest Priority Water Quality Conditions
- Likely sources of pollutants generating pollutants related to WQIP conditions
- Focus areas identified in WQIP
- Vintage of geographic areas of the City – time period existing development was constructed
- Public retrofit opportunities through Capital Improvement Program (CIP) projects
- Areas of persistent discharges
- Inspection/Illicit Discharge Detection and Elimination program findings
- Identified areas of hydromodification or other stream impacts

Using the considerations above, the City will identify areas where opportunities could provide water quality improvement benefits. Evaluation will include layering of the findings to determine where compounding factors overlap. The City will consider the locations where overlapping occurs and significance of the factors to prioritize areas suited for retrofits and rehabilitation projects.

Once specific areas within the City have been identified and prioritized for retrofits and/or rehabilitation projects, the City will perform field verifications on an as-needed basis to substantiate the:

- need for retrofits or rehabilitation projects
- locations of potential retrofits or rehabilitation projects
- appropriate type(s) of retrofit or rehabilitation project
- appropriate responsible party to implement the retrofits or rehabilitation projects

### 8.3 Retrofit Types

The type of retrofit recommended for a specific area will depend on the site conditions and consider the desktop analyses conducted during the initial candidate evaluations. Types of retrofits range from large storage systems to on-site applications of source control and treatment. The types of retrofits the City will consider when evaluating applicability include:

- Installing inline filtration (e.g., inlet, vaults)
- Disconnecting impervious surfaces (e.g., roof drainage from conveyance system)
- Creating buffer areas around irrigated systems
- Creating storage in areas adjacent to conveyance systems (e.g., culverts, outfalls)
- Installing source control systems, e.g., covering pollutant generating activity areas (e.g., trash enclosures, material storage)
- Creating storage within the conveyance system
- Installing bioretention systems
- Converting impervious surfaces to pervious
- Upgrading irrigation systems to low-flow or direct systems
- Installing green roofs
- Installation of green streets
- Installation of additional covered trash receptacles in key areas
- Stabilization of erodible areas

Geographic areas identified and prioritized for retrofits as well as site specific retrofit candidates will be maintained by the City and available to the various departments that may require or use the list for implementation of retrofits.

### **8.3.1 Rehabilitation Types**

The type of rehabilitation recommended for a specific area will depend on the site conditions and consider the desktop analyses conducted during the initial candidate evaluations. Types of rehabilitation projects range from in-channel improvements to habitat improvements. The types of rehabilitation projects the City will consider when evaluating applicability include:

- Stream/channel modifications
  - Hard bank stabilization
  - Soft bank stabilization
  - Grade controls
  - Flow deflection/diversion
  - Habitat enhancement
- Habitat restoration
- Wetland restoration

Geographic areas identified and prioritized for rehabilitation projects as well as site specific rehabilitation project candidates will be maintained by the City and available to the various departments that may require or use the list for implementation.

## **8.4 Implementing Candidate Retrofits and Rehabilitation Projects**

Facilitating the construction of retrofits and rehabilitation projects is a multi-pronged long-term process that includes public and private support. The City will continue to develop this aspect of the program and provide appropriate updates.

Methods to implement retrofits and rehabilitation projects within existing development areas include:

- Developing and implementing demonstration retrofits and rehabilitation projects that are highly visible and receive foot traffic. This may include parks, public facilities, trails, or schools
- Mitigation for identified sources of pollutants from private properties
- Offsite alternative compliance (OAC) pathways for land development requirements – currently there is not City of Del Mar OAC program

- Retrofits on public lands or rights-of-way (e.g., streets, trails)
- Encouraged retrofits within home owners association or other private entity common areas
- Incorporating into Capital Improvement Program (CIP) Projects
- Implementation of redevelopment requirements

Mechanisms to fund retrofits and rehabilitation projects may come from public or private sources and may include:

- Grants
- Development impact fees
- Developer implementing OAC requirements – currently there is not City of Del Mar OAC program
- City funding
- Private property owners

As the City matches appropriate mechanisms and funding to implement candidate retrofits and/or rehabilitation projects, projects may be implemented on a case-by-case basis.

## 9 Enforcement Response Plan

The City implements an Enforcement Response Plan as part of its JRMP. The Enforcement Response Plan describes the applicable approaches and options to enforce the City's legal authority as necessary.

### 9.1 Introduction

The City's Enforcement Response Plan (ERP) describes enforcement tools available to City Staff and the responsibilities of City Staff with respect to enforcement actions specific to each component of the JRMP. This plan is intended to provide staff with direction and protocols to enforce the JRMP and the DMMC.

### 9.2 Enforcement Response Procedures

The City's ERP includes a variety of approaches: inspections, responses to hotline notifications, and various monitoring programs. Where violations are observed, administrative and judicial procedures may be employed to enforce storm water requirements. The goals of the City's ERP are to:

- Educate the regulated community
- Encourage compliance with the laws and regulations within the regulated community
- Return violators to compliance in a timely manner (no longer than 30 days) to eliminate any threats posed due to non-compliance
- Initiate and conclude enforcement activities in a timely manner
- Penalize violators, as appropriate, and to deprive violators of any significant benefit gained from violations
- Prevent any business from having an unfair business advantage through non-compliance
- Treat similar facility owners and operators equally and consistently with regard to the same types of violations

The City typically employs a tiered, increasing enforcement system. However, the City reserves the right to apply stricter initial enforcement measures where significant non-compliance is noted or when a potential rain event increases the potential for the violation to have a negative impact on water quality. The various increasing administrative and judicial enforcement measures, as prescribed by the City's Municipal Code, are discussed below.

Escalated Enforcement is considered to be major enforcement actions taken by the City to correct a significant threat to water quality or discharge that has occurred. Threats are generally corrected through the tiered increasing enforcement actions applied by the City. However, if the threat to water quality is not addressed in a timely manner – Escalated Enforcement will be implemented by the City. If a significant discharge has occurred and penalties need to be considered and assessed, the City considers these penalties to be Escalated Enforcement. Escalated Enforcement actions include:

- Stop Work Orders (for Construction Activities)
- Civil Penalties and Remedies
- Injunction/Abatement of Public Nuisance
- Additional Penalties and Fines (beyond the administrative level)
- Criminal Penalties

Escalated Enforcement will be implemented as described below in each of the individual Enforcement Response Plan components. Should the City determine that Escalated Enforcement is not required for any violation; the rationale will be properly documented in the City's tracking system. Violations will be documented in each Enforcement Response Plan component tracking system. Documentation will include the violation type, when it was identified and compliance achievement date.

## **9.2.1 Administrative Enforcement Procedures**

### ***Verbal Warnings***

Verbal warnings are typically the initial enforcement method employed to enforce compliance, assuming the site or individual does not have a history of non-compliance with storm water laws. Inspectors educate the violator on what actions need to be taken to correct the violation and document the violation and verbal warning.

### ***Written Warnings***

A written warning is typically issued for violators that should already be conscious of the City's storm water regulations, or when the deficiencies noted in a verbal warning are not corrected in a timely manner. Written warnings can be documented on an inspection form or a separate written warning form. When written warnings are issued, the violation will be noted, and a time frame to correct the violation will be given. City staff will conduct a follow-up inspection and record whether or not compliance has been achieved.

### ***Notices of Violation***

Notices of violation (NOV) are typically given to sites that do not correct violations noted in written warnings, when an active illegal discharge is observed or when repeat violations occur. The violation is documented, and a time frame to comply is given. The City follows-up to determine whether or not the violation has been corrected.

### ***Cease and Desist Orders***

Cease and desist orders are issued to stop illegal discharges and/or remove illegal connections and are often issued in conjunction with NOVs. Cease and desist orders can also be issued if the City finds construction work being performed without applicable permits. If it is determined by an authorized enforcement official that the public interest requires the posting of bond or other security to assure the violation is corrected, such bond or security may be required by the authorized enforcement official. The City will follow-up with all sites that receive cease and desist orders to determine whether or not the site has complied with the order.

### ***Public Nuisance Abatement***

Violations that are deemed to be a threat to public health, safety, and welfare may be identified as a public nuisance. City costs for pollution detection and abatement, if not paid in full by the discharger in addition to any other penalties, may be made a lien against the property in accordance with the abatement procedure. Costs for pollution detection and abatement may be recovered from the discharger in addition to any other penalties.

### ***Enforcement of Contracts***

If a contractor is performing work for the City of Del Mar, then the City may use the provisions within the contract for enforcement of non-compliance. Such contract provisions may allow the City to refuse payment, stop work (without time penalties), and/or revoke contracts if contractors performing activities do not comply with all appropriate permits, laws, regulations, and ordinances.

In severe cases of non-compliance or significant discharges relating to development and/or construction activities, the City can revoke the building or grading permits that a contractor is working under for the project or deny future permits on a project. The responsible party then needs to re-apply for permits and meet the requirements the City may have placed on the project before resuming the project.

### ***Administrative Penalties or Fines***

The City may give citations for infractions or misdemeanors, depending on the threat to water quality. The penalty for a storm water infraction will be relatively minor for a first offense, but repeated violations will result in escalating fines or misdemeanor charges.

### ***Stop Work Notices***

If construction work is found being performed without first obtaining proper permits, a Stop Work Notice will be issued. Also, if written warnings have been issued to construction sites and the violation has not been corrected, or if an observed violation poses a significant threat to water quality, a stop work notice may be issued by the appropriate City official. Stop work notices prohibit further activity until the problem is resolved. The stop work notice will describe the infraction and specify what corrective action must be taken. A copy of the stop work notice will be given to the owner or contractor and filed appropriately. To restart work once a stop work order has been issued, the responsible party must request that the inspector re-inspect the site, to verify that the deficiencies have been satisfactorily corrected. Once the inspector verifies that the appropriate corrections have been implemented, activities may resume.

## **9.2.2 Judicial Enforcement Procedures**

The judicial enforcement process will be implemented when administrative enforcement actions have been exhausted and/or the violation requires the utilization of the judicial system.

### ***Civil Penalties and Remedies***

The City Attorney is authorized to file criminal and civil actions and to seek civil penalties and/or other remedies to enforce the City's ordinances. The civil penalties may be imposed by the City Manager after written notice and a hearing before the City Manager or his designee at which the person may present evidence and cross examine the witnesses in support of the charges. Civil penalties may also be assessed by the court in a civil action filed by the City to enforce the City's ordinances relating to storm water requirements.

### ***Injunction/Abatement of Public Nuisance***

The City may pursue enforcement by judicial action for preliminary or permanent injunctive relief for violations of its ordinances or when the violation threatens to cause a condition of contamination, pollution, or nuisance.

### ***Additional Penalties or Fines***

The City may give citations for infractions or misdemeanors, depending on the threat to water quality. The penalty for a storm water infraction will be relatively minor for a first offense, but repeated violations will result in escalating fines or misdemeanor charges.

### ***Criminal Penalties***

The assistance of a peace officer may be enlisted to arrest violators as provided in the California Penal Code (Ordinance 5, 5c and 5d, Title 3, Part 2). A citation and/or a notice to appear may also be issued as prescribed in the Penal Code (Ordinance 5c of Title 1376 3, Part 2 including Section 853.6 or as amended).

## 9.3 Enforcement Response Plan Components

### 9.3.1 Illicit Discharge Detection and Elimination Enforcement Component

The City implements and enforces its ordinances and orders to prevent illicit discharges and illicit connections (IC/IDs) to its MS4. Enforcement mechanisms are implemented on an escalating scale to enforce compliance, and follow-up inspections are conducted to ensure compliance has been achieved.

At the City's discretion, either judicial or administrative procedures are implemented to achieve compliance. The following administrative tools are utilized to eliminate IC/IDs:

- Verbal warnings
- Contact Code Enforcement
- Notice of violation regardless of citation issuance
- Follow-up inspections

The nature of the City's enforcement approach is determined on a case-by-case basis and is based on factors such as the severity of the violation, the threat to human health or the environment, site-specific circumstances, and past compliance history. If the situation is determined to pose an immediate risk to public health or the environment, the City may coordinate with other agencies or teams that are specially trained to assess and mitigate emergency situations (e.g., those involving hazardous wastes or materials). If the discharge is a significant threat to water quality and/or human health, the San Diego Regional Water Quality Control Board (RWQCB) will be notified.

### 9.3.2 Development Planning Enforcement Component

The City enforces its development permits from the time of permitting through construction. Enforcement can range from verbal warnings through denial or revocation of permits. Violations may take the form of not performing the required permit conditions of approval or not implementing the required long-term maintenance of structural BMPs.

Typical progressive enforcement steps that the City may implement for development planning projects include the following:

- Verbal warnings
- Written warnings
- Notices of violation
- Administrative citations
- Suspension, revocation, or denial of permits
- Civil and/or criminal court actions

### 9.3.3 Construction Management Enforcement Component

The City will be responsible for enforcement of applicable local ordinances and permits at all construction sites in its jurisdiction. All inspection personnel have the authority to take immediate enforcement actions when necessary. This facilitates rapid correction of inadequate BMP implementation, reducing the risk of pollutants discharging from the site.

When violations are observed and documented during a site inspection, the City will implement appropriate enforcement measures based on the severity of the violation. Enforcement can range from verbal warnings to more severe enforcement such as stop work orders. Escalating enforcement measures will be used when necessary if proper corrective actions are not implemented during the allotted time frame.

Typical progressive enforcement steps that the City implements include the following:

- Verbal warnings
- Written warnings
- Notices of violation
- Administrative citations
- Administrative abatement procedure
- Suspension, revocation, or denial of permits
- Civil and/or criminal court actions

### **9.3.4 Existing Development Enforcement Component**

#### ***Municipal***

If the City determines that a municipal facility or activity is out of compliance with requirements, the corrective actions are documented and implemented in order to bring the site into compliance. If necessary, the City will escalate enforcement through use of City personnel disciplinary actions.

#### ***Industrial and Commercial Enforcement***

A site is considered non-compliant when one or more violations of local ordinances, permits, plans, or the Permit are observed during an inspection. The City inspectors will conduct follow-up inspections to determine if corrective actions have been taken in accordance with City ordinances and minimum BMP requirements. Escalating enforcement steps may be utilized at the discretion of the inspector in order to establish appropriate compliance time frames on a case-by-case basis.

If the City inspector observes a significant and/or immediate threat to water quality (TTWQ), an enforcement action will be taken to require the facility owner and/or operator to immediately eliminate the discharge. Enforcement actions may be taken to require improved BMP implementation, in accordance with City ordinances, in cases where active discharges are not present. The typical escalating enforcement steps that the City will apply to the inspection enforcement program are as follows:

- Verbal warnings
- Written warnings
- Notices of violation
- Administrative citations
- Administrative abatement procedure
- Suspension, revocation, or denial of permits
- Civil and/or criminal court actions

#### ***Residential Enforcement***

Residential enforcement action will typically occur as a result of a hotline report, complaint investigation, or from observations by City maintenance personnel. The City receives IC/ID reports or complaints through direct contact with City Staff, calls to the City's storm water hotline, or the City's website (via e-mail). The City may also observe an IC/ID during scheduled monitoring and routine MS4 maintenance. If an exceedance is detected during routine monitoring, City staff may focus the source investigation on areas upstream of the exceedance. This approach may provide further information about potential IC/ID issues.

The City inspectors will conduct follow-up inspections to determine if corrective actions have been taken in accordance with City ordinances and minimum BMP requirements. Escalating enforcement steps may

be utilized at the discretion of the inspector in order to establish appropriate compliance time frames on a case-by-case basis.

The City employs several levels of 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 Code Enforcement officer or Clean Water Program Staff with consideration of relevant circumstances regarding the violation. The levels of enforcement include:

- Verbal warnings
- Written warnings
- Notices of Violation
- Administrative citations
- Administrative abatement procedures
- Suspension, Revocation, or Denial of Permits
- Civil and/or Criminal Court Actions

#### **9.4 Reporting of Non-Compliant Sites**

The City of Del Mar will notify the San Diego Water Board in writing within five (5) calendar days of issuing Escalated Enforcement to a construction site that poses a significant threat to water quality as a result of violations or other non-compliance with its permits and applicable location ordinances, and the requirements of the Permit.

The City will notify the San Diego Water Board of any persons required to obtain coverage under the statewide Industrial General Permit and Construction General Permit and failing to do so, within five (5) calendar days from the time the City becomes aware of the circumstances. For both instances, the written notification may be provided electronically by email to [Nonfilers\\_R9@waterboards.ca.gov](mailto:Nonfilers_R9@waterboards.ca.gov).

## 10 Education

The City implements, individually or with other Copermittees, a public education program to promote and encourage the development of programs, management practices, and behaviors that reduce the discharge of pollutants in storm water to the maximum extent practicable (MEP), prevent controllable non-storm water discharge from entering the MS4, and protect water quality standards in receiving waters.

### 10.1 Introduction

Educational programs and activities are tailored to meet the needs of the following target audiences as applicable:

- Municipal Departments and Personnel
- Construction Site Owners and Developers
- Industrial Owners and Operators
- Commercial Owners and Operators
- Residential Community, General Public, and School Children

Many educational efforts (e.g., direct interaction during inspections, meetings and responding to calls to the City's Storm Water Hotline or online reporting system) are conducted on an ongoing basis. Educational materials are available to the public throughout the year. Targeted door-to-door brochures, focused training sessions, and other educational efforts are provided when found to be necessary through monitoring programs, records of complaints, and other similar factors.

### 10.2 Municipal Staff Training

The City provides annual training to staff involved with the implementation of the JRMP. Staff training may include presentations, field trainings, and tailgate meetings. The City continually updates its educational program to include information about current BMP technologies and any other relevant storm water information.

The objectives of the employee training program are to:

- Promote clear understandings of the JRMP and water quality issues, including activities that may potentially pollute receiving water bodies;
- Identify and implement strategies for BMPs;
- Promote employee ownership of the problems and their ability to apply solutions; and
- Integrate employee feedback into training and BMP implementation.

### 10.3 Construction Site Owners and Developers Training

Construction activities have the potential to discharge numerous types of pollutants into the MS4 and ultimately into receiving waters. To prevent and/or reduce discharges into the MS4, construction workers, land owners and developers must be informed about the impacts of construction in order to incorporate storm water best management practices in site design, during the construction process, and post construction phases.

Opportunities for training the construction and development community should focus on assisting regulated parties in complying with storm water and urban runoff requirements. Training workshops and materials may be geared towards the establishment and implementation of the BMPs associated with

their activities, both in project design and implementation strategies. The recommendations followed by the City of Del Mar include the following:

- Distributing educational fliers to construction companies and land development companies;
- Distributing handouts with BMP information for building and grading permit applicants;
- Conducting construction and development workshops to educate project supervisors and engineers about storm water pollution and BMPs;
- Educating construction site employees during routine inspection; and
- Providing presentations at individual construction sites for field workers and supervisors.

Outreach will generally encourage site owners to address potential water quality problems early in the site design process, and to use a variety of BMPs such as scheduling, erosion and sediment control, flow controls, site management and materials and waste management.

In order to ensure construction sites within the jurisdiction of the City of Del Mar are in compliance with all federal, state and local storm water requirements, the City of Del Mar intends to educate construction site owners and developers in a variety of ways:

- Prior to the issuance of any permits, construction site owners and developers will be given a brochure explaining the permitting process, as well as the state and local storm water permit requirements for construction sites.
- Prior to the wet weather season, all currently permitted construction site owners and developers will be notified using current education material to install and maintain construction site Best Management Practices to reduce erosion and prevent storm water pollution, as well as update erosion control plans and Storm Water Pollution Prevention Plans.
- The Planning front counter will make available copies for review of the following documents for construction site owners and developers:
  - Statewide General Construction Activities Storm Water Permit
  - City of Del Mar Construction Urban Runoff Requirements
  - Municipal Storm Water Permit Order No. 2013-0001
  - Construction site Best Management Practices educational materials
- Construction inspectors will continually educate construction site managers of the storm water requirements and compliance measures during periodic inspections.

#### **10.4 Industrial Business Owners and Operators Training**

Many activities from industrial businesses are considered a high threat to water quality due to the nature of the processes and associated wastes. Pollutants may be generated from day to day operations (e.g., vehicle and equipment fueling and cleaning, material loading and unloading, material and waste storage) and have the potential to enter storm water runoff if not conducted in accordance with the Permit and City ordinances.

While there are no longer any industrial facilities in the City of Del Mar, an education program is still in place in the case that an industrial facility occupies within the City.

The City will incorporate water quality and BMP training for the upcoming new industrial facilities on a one-on-one basis. In order to ensure that the industrial facilities within the jurisdiction of the City of Del Mar are in compliance with all federal, state and local storm water requirements, the City of Del Mar intends to educate industrial businesses in a variety of ways:

- During the issuance of a business license, all industrial businesses will be given a brochure explaining prevention of storm water pollution and information on general Best Management Practices for industrial facilities.
- Periodically, industrial businesses will be mailed a copy of an informational brochure and letter explaining the federal, state and local storm water requirements, as well as best management practices.
- Annually, industrial businesses will be advised of the General Industrial Activities Storm water Permit and remind non-fliers of their obligation to file for coverage.
- Annually, industrial operators or owners will be provided an explanation of the federal, state and local storm water requirements and each industrial facility's obligations under these regulations, in order to encourage property owners to verify tenants are in compliance.
- Municipal staff will deliver presentations upon the receipt of a request to conduct an informational session on storm water requirements.
- Municipal staff will conduct on-going education to industrial managers about storm water requirements and Best Management Practice information.

A variety of media and approaches are appropriate for the education of industrial audiences. These include, but are not limited to:

- General and specific brochures can be developed for distribution during industrial site inspections to encourage an interactive learning process
- Providing materials to permitted and unpermitted businesses through mailings, workshops, and presentations to trade associations

In addition to compliance with the minimum educational content requirements, the City will consider incorporating job-specific water-quality and BMP training for individuals within this sector so that those individuals can incorporate responsible storm water management practices into their daily routine.

### **10.5 Commercial Business Owners and Operators Training**

Commercial sites include a wide range of businesses including restaurants, automotive businesses, landscape maintenance service businesses, and mobile businesses. Pollutants may be generated from day to day operations, and have the potential to enter storm water runoff if not conducted in accordance with the Permit and City ordinances.

In order to ensure commercial businesses within the jurisdiction of the City of Del Mar are in compliance with all federal, state and local storm water requirements, the City of Del Mar intends to educate commercial businesses in a variety of ways:

- During the issuance of a business license, all commercial businesses will be given a brochure explaining prevention of storm water pollution and a copy of the Commercial Urban Runoff Requirements Manual will be provided at the front counter.
- Periodically, all property owners and commercial businesses will be mailed a copy of an informational brochure and a letter explaining the federal, state and local storm water requirements, as well as best management practices for preventing storm water pollution.
- Annually, all property owners and commercial businesses will be provided information (verbal or written) explaining the federal, state and local storm water requirements and each commercial facility's obligations under these regulations, in order to encourage property owners to verify tenants are in compliance.

- Clean Water staff will conduct on-going education to commercial businesses managers about storm water requirements and Best Management Practice information.

## **10.6 Residential Community, General Public, and School Children**

Residential areas make up a significant portion of the City's land uses, and therefore, discharges to the MS4 have the potential to affect the water quality of the receiving waters. Residential activities, such as car washing and irrigation, contribute pollutants (e.g., heavy metals, detergents, and nutrients) to the MS4 and ultimately to receiving waters. Providing residents with appropriate educational materials may help increase overall awareness, and encourage residents to change behaviors to help reduce the potential for pollutants to enter the MS4 and receiving waters.

An added benefit of educating the general public about water quality and controlling runoff is that this population works in the community as municipal employees, commercial and industrial owners and operators, developers, and they serve on local planning boards and commissions. Their education will not only affect their behavior around the home, but will also carry over into their business life and may have beneficial impacts at multiple levels in the community.

The City of Del Mar will utilize several different education outreach tactics aimed at educating residents about local storm water regulations and promoting the implementation of the minimum BMPs for residential areas and activities. The tools that will be used by the Clean Water Program staff to educate residents are the following:

### ***Website***

The Clean Water Program devotes several webpages on the City's main website to educating residents about storm water and BMPs. These pages include an electronic copy of the Storm Water Ordinance, a description of the Clean Water Program, frequently asked questions about residential BMPs, links to downloadable educational materials and brochures, references to City and County storm water hotline numbers, and a link to the Project Clean Water BMPs for the San Diego Region. These pages are regularly maintained and updated as regulations change, new or more effective BMPs are designed, and contact information changes.

### ***Printed Media***

Several departments within the City of Del Mar help promote water quality awareness and encourage the implementation of residential BMPs. In addition, City staff often contributes to or are quoted in local newspaper articles which refer to the City's Clean Water Program efforts. Clean Water Program staff, in particular, is responsible for designing and producing educational brochures targeted at improving the public's awareness of storm water quality issues and encouraging the implementation of storm water best management practices. These brochures will be available at the City's offices and handed out by staff during inspections, enforcement and outreach events.

### ***Local Outreach Events***

Clean Water Program staff host and participate in several local community outreach events annually. Events may include but not be limited to beach and creek clean-up events, environmental fairs, street fairs, and farmers markets. Printed educational brochures and handouts which describe the importance of storm water quality protection and the various residential activity BMPs are handed out to the public during these events. Storm water hotline numbers and the Clean Water website will be advertised at these events. Clean Water staff will be available throughout each event to answer questions or provide expertise on how to implement the residential BMPs.

### ***Focused Campaigns***

Special campaigns which may focus on various areas of concern including, but not limited to, irrigation runoff, litter prevention, used oil recycling, and household hazardous waste will be implemented city-wide and outreach will include schools, community centers, businesses, community groups, churches, city departments, local television and newspapers

### **10.7 Undeserved Target Audiences Education Program**

The City recognizes the requirement to develop educational programs to emphasize undeserved target audiences, high-risk behaviors, and “allowable” behaviors and discharges, including various ethnic and socioeconomic groups and mobile sources. At this time, no underserved or low-socio economic communities have been identified in the City of Del Mar.

Mobile businesses in the City of Del Mar provide a variety of services including, but not limited to catering, minor repairs using handyman, pet care, car wash, and landscaping. The mobile businesses operators are not always residents of the City and may belong to the category of underserved or low-socio economic community. City staff will make contact with mobile businesses to provide on-the-spot education and convey the City’s requirements

## 11 Public Participation

### 11.1 Introduction

The goals of the public participation program are to develop mechanisms for public participation throughout the development and implementation of the JRMP. The City encourages public participation through the programs discussed below.

### 11.2 Water Quality Improvement Plans

The City is located within the San Dieguito and Los Peñasquitos Watershed Management Areas (WMAs). The City, along with other jurisdictions, is required to develop and implement Water Quality Improvement Plans (WQIPs) for each WMA. WQIPs are intended to focus storm water management efforts on priority water quality conditions and pollutant sources.

The process of developing and implementing the WQIPs incorporates a significant public participation process, through engaging stakeholders by holding public workshops, coordinating with Consultation Panels (consisting of stakeholders), as well as providing significant public review and comment periods for all WQIP documents. The public participation process not only influences the development of the WQIP, but also the implementation mechanisms included in the City's JRMP.

### 11.3 Local Public Participation Elements

#### *Public's Daily Activities*

The daily activity of the public at home and work will have the most impact to the success of implementing the JRMP. The JRMP is asking the public to focus on reducing pollutants discharging to the surrounding community by recycling, carpooling and reducing vehicular trips, reducing pesticide use, eliminating off site drainage, reducing pollution within the City right-of-way, and the numerous other BMPs outlined in the JRMP's sections.

#### *Public Feedback*

The public is encouraged to provide comments to City Staff or the City Council during the implementation of all its operations.

#### *Staff Feedback*

Staff is encouraged to report violations and provide feedback on the implementation of the JRMP. City Staff is the eyes and ears of the City, and can provide valuable information on which systems and programs are working and suggestions on improving the programs.

#### *Education*

Through the Education Program, the public is encouraged to provide feedback. When fliers are distributed, they will include text to request readers to contact the City's Clean Water Program Manager with comments by mail, email, phone, or by fax. In addition annual Beach Cleanup or similar events provide the direct public participation that builds stewardship of the City MS4 and JRMP programs system.

#### *Code Enforcement*

Code enforcement is involved in the first contact with the public and will be continually providing input and feedback on the implementation of the JRMP.

#### *City Council Meetings*

The public regularly provides public testimony at the regular meetings, which is conveyed to staff for further actions.

***Local Hotline and Online Reporting System***

The City tracks all information received through the public hotline and consider appropriate suggestions and feedback.

***BMP Implementation***

During the implementation of BMPs, feedback provided by the implementers will be passed along to the Clean Water Program Manager for follow-up.

***Board and Commission Meetings***

Like City Council meetings, at Board and Commission meetings, Citizens regularly provide public testimony at the regular meetings, which is conveyed to staff for further actions.

## **12 Fiscal Analysis**

Effective programs require adequate funding to implement planned strategies. The first step in securing adequate program funding is to provide a strategy for effectively conducting a fiscal analysis of the Program in its entirety. The fiscal analysis evaluates the expenditures (such as capital, operation and maintenance, education, and administrative expenditures) necessary to accomplish the activities of the Program. The fiscal analyses will be completed annually and included in the San Dieguito and Los Peñasquitos Water Quality Improvement Plan Annual Reports.

### **12.1 Expenditure Categories**

The City has identified categories of expenditures related to storm water management and implementation. The following are category descriptions of specific implementation, capital, operation and maintenance activities. Six expenditure categories were identified for fiscal analysis to effectively communicate the types of program costs. Descriptions for these categories of expenditures are provided below:

#### **12.1.1 Administration**

Administrative activities include a range of tasks such as general government services related to storm water management programs and miscellaneous administrative tasks such as contract management, invoice processing, and accounting.

#### **12.1.2 Development Planning**

Activities identified in this category represent expenditures related to issuance or oversight of permits or of plans (e.g., permit counter support, plan checks, permit or application processing), project planning and engineering (e.g. project design specifications, capital improvement projects).

#### **12.1.3 Construction**

Activities identified in this category represent expenditures related to construction site inspections and enforcement

#### **12.1.4 Existing Development, Education, and Public Participation**

Activities identified in this category represent expenditures related to municipal facility operations and maintenance, BMP implementation, evaluation and enforcement of program requirements at industrial, commercial, and residential sites or sources (e.g. inspections, complaint investigations, and patrols), staffing outreach events, and outreach material development.

#### **12.1.5 Illicit Discharge Detection and Elimination**

Activities identified in this category represent expenditures related to the identification and elimination of illicit discharges or connections, enforcing the City of Del Mar's storm water ordinance, and any expenditures related to monitoring programs (e.g. MS4 monitoring, special investigations, field or sampling equipment, materials and supplies).

#### **12.1.6 Watershed and Regional**

This category covers watershed and regional expenditures for activities that will be tracked according to program type.

## **12.2 Staff Resources**

To meet the storm water management requirements in the Municipal Permit, implementation efforts and costs are shared across the entire City. For the fiscal analysis the City staff will identify the staff resources needed to implement the City's overall program. City staff resources will be analyzed according to their functions related to the City using the Expenditure Categories identified above.

## **12.3 Expenditures and Sources of Funds**

Annually, the City will present its expenditures for the fiscal year as well as a proposed budget for the next fiscal year. The fiscal year expenditures are presented in tabular format with separate rows for different divisions and subdivisions. The budget for the next fiscal year is presented in similar format and includes the anticipated total expenditures.

The sources of the funds needed to fund the current and next fiscal year will be included in the analysis and include any identified restrictions on the use of those funds.

## 13 Monitoring

The City's monitoring program includes wet and dry monitoring of MS4 outfalls, output points, and receiving waters to assess water quality improvement efforts in respect to HPWQC, TMDLs, and 303(d) listed constituents. This section describes the City's monitoring efforts performed on a jurisdictional level and as part of Los Peñasquitos and San Dieguito WMA WQIPs.

### 13.1 Receiving Water Monitoring

The City coordinated with the other WQIP Copermittees to develop and conduct a program to monitor the condition of the receiving waters in both the San Dieguito and Los Peñasquitos WMAs during dry weather and wet weather. The receiving water monitoring program information is included in the San Dieguito WQIP and the Los Peñasquitos WQIP, and any information or data obtained will be included in WQIP Annual Reports.

### 13.2 MS4 Outfall Discharge Monitoring

The City conducts an MS4 outfall program to monitor the discharges from the MS4 outfalls and output points in each WMA during dry and wet weather. Figure 6 below shows the locations of the City's monitored outfalls and output points. The output points are location within the city where the MS4 infrastructure collects any surface flow that discharges to a receiving water body or another jurisdiction's right-of-way. The output points include outfalls, inlets and outlets.

#### 13.2.1 Dry Weather Major MS4 Outfall Discharge Monitoring

The City has identified two (2) major MS4 outfalls that discharge to receiving waters within its jurisdiction. While the City has identified two (2) major MS4 outfalls, it has also included 62 additional non-major MS4 outfalls or output points for a total of 64 MS4 outfalls/output points within its jurisdiction. As a component of its dry weather efforts, observations are conducted at the two major MS4 outfalls and the 62 non-major MS4 outfalls and output points at a minimum of four times per year.

City staff performs dry weather field screening monitoring at least twice a year. Major MS4 outfalls are assessed through field observations and data measurements. Field observations collected are tied to a unique major MS4 outfall identification and describe:

- Site conditions (i.e. vegetation, structural condition, trash, etc.)
- Evidence of illicit connections or illegal dumping
- Presence and characteristics of flow, pooled or ponded water found

When field screening monitoring identifies an illicit discharge, immediate action is taken to identify the source. Clean Water staff performs field investigation(s) of potential sources. During source investigation, City inventories and other land use data may be used to aid in source identification. Once a source has been identified, and has been identified as an illicit discharge, discharge elimination efforts are implemented. Follow-up investigations are scheduled, as needed, to assess effectiveness of the actions.

Investigation records are kept in a database. The reporting details include observation, data results, source findings and the ultimate outcome of the investigation. If the source of the discharge cannot be determined, a summary of the investigation is included within WQIP Annual Report jurisdictional reporting.

Further information on the Dry Weather MS4 Outfall Discharge Monitoring can be found in the San Dieguito and Los Peñasquitos WQIPs.

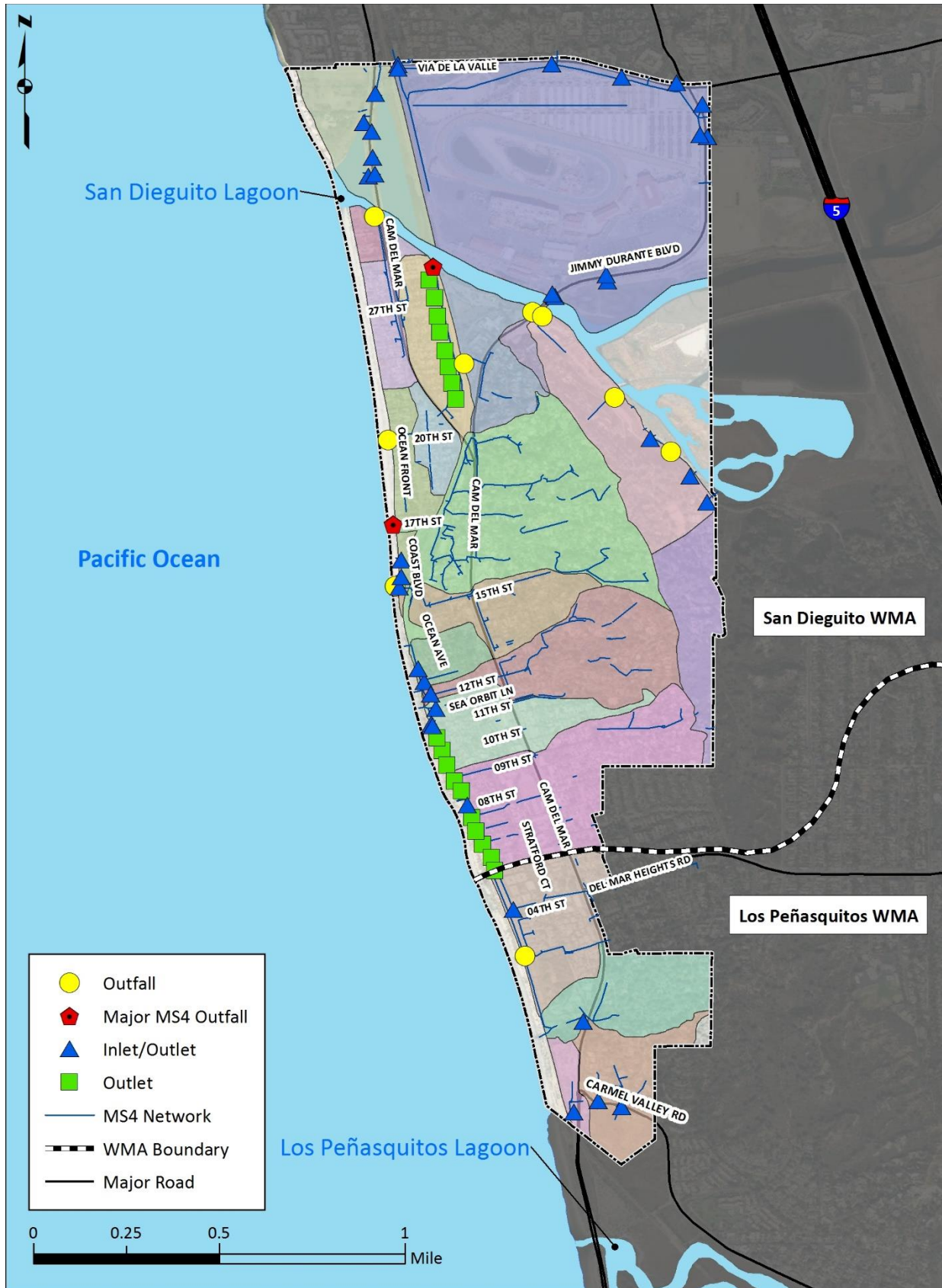


Figure 6: MS4 Outfall/Output Point Monitoring Locations

### **13.2.2 Wet Weather MS4 Outfall Discharge Monitoring**

The City's wet weather MS4 outfall monitoring in collaboration with other stakeholders within Los Peñasquitos and San Dieguito WMAs to identify pollutants in storm water discharges from the MS4s, to guide pollutant source identification and mitigation efforts, and to determine compliance with the WQBELs associated with the applicable TMDLs.

The City performs monitoring at two (2) MS4 outfall monitoring stations, one in each of the Los Peñasquitos and San Dieguito WMAs, during the wet season (October 1- April 30). If pollutants are found that causes or contribute to a HPWQC at the wet weather monitoring station, additional wet weather monitoring and source investigation will be scheduled to guide pollutant source identification efforts until eliminated.

For each wet weather monitoring event, the City records the following information at each wet weather MS4 outfall discharge monitoring station:

1. A narrative description of the location and condition on the monitoring station.
2. A narrative description and quantification of the storm event conditions.
3. Collection of field measurements
4. Collected grab samples may be used to collect field measurements with the addition of hardness and indicator bacteria.
5. Time-weighted, flow-weighted, or manual compositing of samples for a duration of a storm event to represent the changes in pollutant concentration and runoff flows.

Further information on the Wet Weather MS4 Outfall Discharge Monitoring can be found in the San Dieguito and Los Peñasquitos WQIPs.

### **13.3 Special Studies**

As part of the Los Peñasquitos and San Dieguito WMAs, the City participates in WMA based special studies or a San Diego Regional study to better address pollutants or environmental stressors that contribute to a HPWQCs. This will be a concerted effort by various stakeholders and water resource specialist. Partnerships with environmental groups and third parties watershed specialist will be developed to create a well-rounded and knowledgeable approach to the special study.

Evaluation of historical monitoring data, current monitoring data, and similar studies will provide the basis in which to inform the development of the Special Study as part of the Los Peñasquitos and San Dieguito WMAs.

## **14 Conclusions**

The City of Del Mar remains committed to implementing a program to comply with the Permit through the implementation of water quality improvement strategies and procedures that effectively prohibit non-storm water discharges in the City's MS4s and reduce pollutants in storm water discharges from the City's MS4s to the maximum extent practicable. The City will continue to evaluate and assess its program, strategies, and procedures to determine effectiveness and whether refinement of existing practices or the addition of new practices are necessary to meet the City's goals.