

<h1>POLICY MANUAL</h1>	Date Adopted: April 11, 1995
Classification: STORM WATER QUALITY	Date Last Amended:
Subject: Post-Construction Storm Water Quality Management Guidelines	Approved By:

I. Policy:

The Federal Clean Water Act, as amended by the 1987 Water Quality Act, requires regulated municipalities to develop and implement best management practices to reduce to the maximum extent practicable the release of pollutants in storm water from construction and new development. The Fresno-Clovis Storm Water Quality Management Program's effort to comply with this mandate shall include implementation of post-construction best management practices (BMPs) as identified in this policy.

II. Purpose:

This policy provides the local development industry with specific guidance regarding minimum BMPs to incorporate into new developments and significant redevelopments for the control of pollutants in post-construction storm water runoff. While the post-construction BMPs are intended to control pollution in storm water runoff from completed, stabilized sites, they are most effective when selected and designed during the pre-construction project planning and design phase. This policy is designed and intended to ensure the timely planning and implementation of effective controls for post-construction runoff.

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The control of pollutants in post-construction runoff is essential in achieving the public's storm water quality goals of protecting the beneficial uses of the areas' water supplies and protecting the long term use of the regional storm drainage system for flood control, groundwater recharge, and recreation.

Additionally, these guidelines are intended to assist project and/or site owners, developers, and contractors, in the preparation of Storm Water Pollution Prevention Plans (SWPPPs), which are required for obtaining coverage under the State of California's General Permits for Storm Water Discharges associated with Construction and Industrial Activities.

While these guidelines may assist owners and developers in complying with particular aspects of the storm water regulations, mere implementation of the recommended measures will not in itself ensure compliance with federal, state, and local laws, regulations, and ordinances. The burden of comprehensive compliance and liability for any non-compliance rests solely with the owner and developer of each project and/or site.

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III. Definitions:

A. **Best Management Practices (BMPs):** BMPs are the activities, practices and procedures used to prevent or reduce storm water pollution. BMPs may include treatment facilities, operating and maintenance procedures, and facility management practices to control storm water runoff, spillage or leaks of non-storm water, waste disposal, or drainage from raw material storage. BMP's may also include the prohibition of specific activities, practices or procedures.

1. **Source control BMPs:** Source control BMPs are those practices which prevent storm water pollution at its source. This policy emphasizes preventive "source control" measures such as covering storage areas to prevent exposure to rainfall and providing secondary containment to capture potential spills or leaks.

2. **Treatment Control BMPs:** Treatment control BMPs remove pollutants from storm water runoff. Common treatment control BMPs include retention/detention basins, vegetated swales, and filter strips. These treatment control BMPs reduce the velocity of storm water runoff, thereby encouraging sediment and particulate pollutants to settle out.

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- B. **Non-Storm Water Discharges:** Discharges consisting of any solid or liquid other than rainfall runoff, including but not limited to industrial process water, wastewater, vehicle/machinery wash water or solvents, dewatering water from contaminated sites, concrete wash waters, saw-cut slurry residues, steam cleaning waters, incidental waters discharged from mechanical street sweeping operations, paint rinsate waters, waste container wash waters, chlorinated waters, and solids and liquids from other sources. Some non-storm water discharges which are not in contact with industrial activities are conditionally allowed into the District's storm drainage system.
- C. **Storm Water Pollution Prevention Plans (SWPPPs):** SWPPPs are required of regulated construction and industrial activities by the State Water Resources Control Board (SWRCB). Construction SWPPPs must identify the sources of sediments and other pollutants that affect the quality of storm water discharges from construction projects, and describe and ensure the implementation of practices to reduce such pollutants in the discharges. Construction SWPPPs must also include the post-construction BMPs required to reduce the post-construction sources of pollution, and if necessary, provide for storm water quality treatment of the discharge.

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Industrial SWPPPs also must identify the potential pollutants and their sources that might affect storm water runoff quality and describe and ensure the implementation of source and treatment control BMPs to reduce such pollutants in industrial storm water discharges.

IV. Regulatory References:

- A. **Federal Clean Water Act and Implementing National Pollutant Discharge Elimination System (NPDES) Regulations:** The federal Clean Water Act requires operators of municipal storm water drainage systems to develop and implement plans to reduce pollutant loads to waters of the U.S. "to the maximum extent practicable" [Section 402 (p) (3) (B)]. Municipal systems are specifically mandated to implement and enforce controls to reduce the discharge of pollutants from municipal separate storm drains which receive discharges from areas of new development and significant redevelopment. The District has prepared the Post-Construction Storm Water Quality Management Guidelines to assist owners and developers in complying with the Clean Water Act and the related regulations by implementing and maintaining source and treatment control BMPs which reduce pollutants in storm water runoff to the municipal storm water drainage system to the maximum extent practicable.

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- B. **State NPDES General Construction Activity Storm Water Permit:** State General Permits are required for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of five or more acres. Storm water discharges from a construction activity that results in a land disturbance of less than five acres, but which is part of a larger common plan of development or sale, also require a permit. Permits are valid for one year, and must be renewed annually until the project is complete. Permittees must file a Notice of Intent (NOI) with, and pay a fee to, the SWRCB; develop and implement, upon commencement of the construction activity, a storm water pollution prevention plan, monitoring plan and reporting plan; and eliminate all prohibited non-storm water discharges.
- C. **State NPDES General Industrial Activity Storm Water Permit:** The federal storm water regulations identify eleven industry types, either by a narrative standard or by Standard Industrial Classification (SIC) code, which require a State General Permit. Storm water discharges from industrial activities such as trucking terminals, municipal passenger service facilities, airports, landfills, manufacturing facilities, etc., are commonly required to obtain a general permit. Permits are valid for one year and must be renewed annually until the regulated

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industrial operation has been terminated. Permittees must file a NOI with, and pay a fee to, the SWRCB, 30 days prior to the beginning of operations; develop and implement a SWPPP, reporting and monitoring plan; and eliminate all prohibited non-storm water discharges.

V. Procedure:

A. District Facilities

1. The District's Storm Drainage and Flood Control Master Plan provides storm water quality management for storm water runoff within the urban area through the use of regional storm water collection, retention and detention facilities. Therefore, the District's urban storm water system constitutes a post-construction storm water runoff control measure. The District may also implement additional applicable post-construction BMPs at District sites as identified in these guidelines.

B. Private Facilities/Agency Facilities

1. The District shall provide its post-construction guidelines upon request to all who inquire about such storm water regulation and compliance obligations.

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2. The applicable BMPs presented in the post-construction guidelines should be incorporated by the site developer and/or owner into the SWPPP for each regulated construction activity. The site developer and/or owner should select and design the most applicable BMPs during the pre-construction phase and implement the specified operations and maintenance practices once construction is complete.

3. As to new construction/development, District design review staff shall recommend to the applicable jurisdiction, through the District "Notice of Requirements" or other application communication device, that such construction/development project incorporate and implement the post-construction guidelines. Such recommendations shall also be addressed to project sites which are not required to secure State General Permits.

4. The District Environmental Resources Management staff shall provide the post-construction guidelines to site developers and/or owners during any routine inspection or complaint response activities.

5. The District shall otherwise encourage implementation of the guidelines as follows:

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- a. The District will distribute the post-construction guidelines with associated reference materials to all applicable agencies, and will hold workshops for the local construction and development industry, and for local agency staff.
 - b. The District shall provide informational materials and compliance assistance to the general public relative to all storm water quality control issues identified under state, federal and local statutes, regulations and guidances.
6. When violations of state and federal storm water regulations, local ordinances, development requirements, or conditions of approval become significant, are repeated, remain uncorrected, or exceed the District's authority or resources, the District shall work with the Regional Water Quality Control Board and the building inspection departments of the other agencies to insure compliance and enforcement as required by state and federal law, and local ordinances.