

SECTION C-9

EXISTING DEVELOPMENT

**PROGRAM EFFECTIVENESS ASSESSMENT
2009-10**





SECTION C-9, Existing Development

C-9.0 EXISTING DEVELOPMENT

C-9.1 Introduction

The existing development component of this report is composed of the following elements:

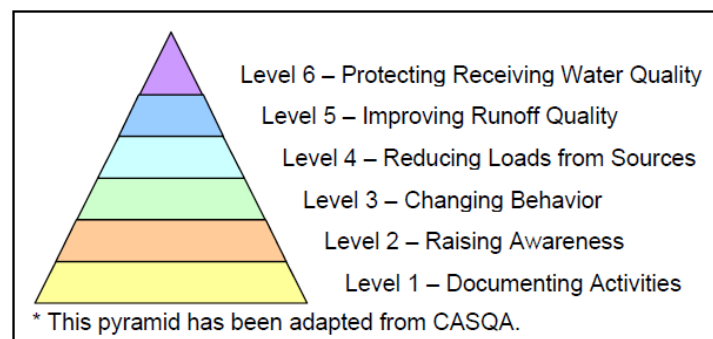
Section C-9.2, Industrial Program

Section C-9.3, Commercial Program

Section C-9.4, Residential Program

Section C-9.5, Common Interest Area/Homeowner Association (CIA/HOA) Program

As described in detail in **Section C-2.5** of this PEA, the County utilizes the California Stormwater Quality Association (CASQA) method of effectiveness assessment in order to demonstrate if program elements, activities, BMPs, etc., are resulting in desired outcomes. CASQA identifies six Outcome Levels (See pyramid below) and for each measure the County reports, the associated Outcome Level (more than one level may apply) is indicated by a colored triangle with a number.



C-9.2 Industrial Program (LIP Section A-9.1)

C-9.2.1 Organization Chart

Through the organization chart, **Figure A-9.1** of the LIP, the County has identified which Departments are responsible for the implementation of this stormwater program element.

C-9.2.2 Inventory

The County has developed a watershed based inventory of industrial facilities within its jurisdiction. Summaries of the industrial inventory are provided below.



**2009-10 Summary of Industrial Facilities by Watershed
San Diego Region**

Watershed	San Juan Creek	Dana Point Coastal Streams	San Clemente Coastal Streams	San Mateo Creek	Totals
Industrial Facilities With General Industrial Permits	7	1	2	0	10
Industrial Facilities Without General Industrial Permits	2	0	0	1	3
Totals	9	1	2	1	13

Santa Ana Region

Watershed	San Gabriel River/Coyote Creek	Anaheim Bay/Huntington Harbor	Santa Ana River	Newport Bay	Totals
Industrial Facilities With General Industrial Permits	1	0	2	2	5
Industrial Facilities Without General Industrial Permits	2	2	0	1	5
Totals	3	2	2	3	10

The County's industrial facility inventory is updated on an ongoing basis and provided to the Regional Boards on an annual basis (see **Attachment C-9.1** of this report).

C-9.2.3 Prioritization

The County prioritizes industrial facilities in its inventory as high, medium or low based on their respective threat to water quality. Summaries of the prioritizations are provided below.



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2009-10 Summary of Industrial Facility Prioritization

Industrial Facility Prioritizations	San Diego Region	Santa Ana Region	Total Number of Facilities
Facilities subject to the General Industrial Permit (designated high priority)	10	5	15
Section 313 Title III Sara	0	0	0
Facilities with a high potential for or history of non-stormwater discharges	0	0	0
Facilities tributary to and within 500 feet of an ASBS	0	0	0
Tributary to 303(d) water body where site generates the pollutant	0	0	0
Facilities within, directly adjacent to or discharging directly to an ESA	0	0	0
Subtotal: number of high priority facilities listed above	10	5	15
Number of "other" high priority facilities	0	0	0
Number of medium priority facilities	0	0	0
Number of low priority facilities	3	5	8
Total Number of Facilities	13	10	23

**2009-10 Summary of Industrial Facility Prioritization by Watershed
San Diego Region**

Watershed	San Juan Creek	Dana Point Coastal Streams	San Clemente Coastal Streams	San Mateo Creek	Totals
Number of high priority facilities	7	1	2	0	10
Number of low priority facilities	2	0	0	1	3
Totals	9	1	2	1	13



Santa Ana Region

Watershed	San Gabriel River/Coyote Creek	Anaheim Bay/Huntington Harbor	Santa Ana River	Newport Bay	Totals
Number of high priority facilities	1	0	2	2	5
Number of low priority facilities	2	2	0	1	5
Totals	3	2	2	3	10

C-9.2.4 Monitoring

The County reviews facility monitoring data at high priority industrial sites within the San Diego Region. This task is completed during the annual inspection process, when County inspectors ask to review available stormwater monitoring data from the industrial facility operators. If no recent data is available, industrial facilities are reminded verbally that they must conduct all required monitoring specified in their industrial permit requirements.

C-9.2.5 BMP Fact Sheets

The activity-based industrial/commercial fact sheets developed as part of the Existing Development Program are numbered IC1 - IC24 and are included as **Exhibit A-9.II** of the County's LIP.

C-9.2.6 Inspections

The County inspects industrial facilities within its jurisdiction at the frequency determined by the priority ranking assigned to each facility as identified in **Section A-9.1.6** of its LIP. The inspections generally include a review of the material and waste handling practices, BMP implementation, and any visual evidence of past or present unauthorized non-stormwater discharges.

Industrial Facility Inspection Frequency

Priority	Santa Ana Region	San Diego Region
High	Annually	Annually
Medium	Biennially (Once every 2 years)	As-needed
Low	Once Per Permit Cycle (5 years)	As-needed



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A summary of the number of industrial facility inspections during the 2009-10 reporting period is presented in the table below.

Jurisdictional Industrial Facility Inspection Summary



Total Number of Industrial Facilities	Number of Facilities Inspected During the Reporting Period			
	High	Med	Low	Totals
13 (San Diego Region)	9	None in inventory	3	12
10 (Santa Ana Region)	5		0	5
Totals	14	0	3	17

The number of non-compliant facilities identified during these inspections is presented below along with information on follow-up inspections and enforcement actions conducted.

**Watershed Summary of Non-Compliant Industrial Facilities
San Diego Region**



Watershed	San Juan Creek	Dana Point Coastal Streams	San Clemente Coastal Streams	San Mateo Creek
Number of facilities out of compliance	1	1	0	0
Number of re-inspections due to non-compliance	1	1	0	0

Santa Ana Region

Watershed	San Gabriel River/Coyote Creek	Anaheim Bay/Huntington Harbor	Santa Ana River	Newport Bay
Number of facilities out of compliance	0	0	1	1
Number of re-inspections due to non-compliance	0	0	1	1

The County completed industrial NPDES inspections at its five high priority Santa Ana Region facilities and twelve industrial sites within the San Diego Region. The thirteenth and final site in the unincorporated San Diego Region, Tierra Verde Industries (La Pata Greenwaste), was inspected by San Diego Regional Water Quality Control Board staff in April 2010. Based on the



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results of the seventeen County inspections, four of these industrial facilities required re-inspection to address deficiencies observed during the initial inspection:

- Dana Point Shipyard (Dana Point Coastal Streams) – Housekeeping Issues
- Prima Deshecha Landfill (San Clemente Coastal Streams) – Minor Housekeeping Issues
- Frank R. Bowerman Landfill (Newport Bay Watershed) – Minor Housekeeping Issues
- R.J. Noble (Santa Ana River) – Housekeeping Issues and Spill Response Procedures

As a result of each re-inspection, corrective actions were implemented to improve site BMPs and overall housekeeping at these respective facilities without resulting in an enforcement action.

The County continues to see a high level of compliance at industrial facilities within its jurisdiction. County staff has observed an increase in knowledge and awareness of staff assigned to NPDES compliance at most of these industrial facilities which has resulted in improved BMP implementation (Level 3 Outcome).

The industrial inspection information and database is updated on an ongoing basis and provided as **Attachment C-9.1** of this PEA. Inspection information includes, at a minimum, inspection dates, inspectors present and the results of the inspection.

C-9.2.7 BMP Implementation

During industrial facility inspections, the County inspector determines the level of BMP implementation and also assesses the effectiveness of implemented BMPs. For each of the facility's areas of activity, the inspector observes whether BMPs are in place and effective. The inspector may encounter situations where BMPs are in place but are not effectively applied. The inspectors are trained to use their best professional judgment and decide how much time to allow the owner/operator to correct the problem.

Watershed Summary of BMP Implementation at Industrial Facilities San Diego Region



Watershed	San Juan Creek	Dana Point Coastal Streams	San Clemente Coastal Streams	San Mateo Creek
Number of industrial facilities with BMPs fully implemented	8	0	1	1
Number of industrial facilities with BMPs partially implemented	0	1	1	0
Number of industrial facilities with no BMPs	0	0	0	0

Note: Tierra Verde Industries was inspected by San Diego Region staff during 2009-10, and no re-inspection was required. Therefore, this site was classified as “BMPs Fully Implemented” in the Unified PEA data.



Santa Ana Region

Watershed	San Gabriel River/Coyote Creek	Anaheim Bay/Huntington Harbor	Santa Ana River	Newport Bay
Number of industrial facilities with BMPs fully implemented	1	0	1	1
Number of industrial facilities with BMPs partially implemented	0	0	1	1
Number of industrial facilities with no BMPs	0	0	0	0

As discussed in **C-9.2.6 Inspections**, County inspectors have observed improved BMP implementation at industrial facilities which helps achieve the desired outcome of reducing pollutant loads from sources (Level 4 Outcome). The re-inspection process has improved the four industrial facilities observed with partial BMP implementation to bring these sites into full BMP implementation.

C-9.2.8 Enforcement



The County's Authorized Inspectors (Identified in **Section C-10** of this PEA) undertake enforcement activities against industrial facilities according to the County's adopted Water Quality Ordinance and the accompanying Enforcement Consistency Guide (**Exhibit 4.I of the 2003 DAMP**).

Enforcement may be handled administratively or in more serious instances, through legal prosecution. As provided for in the Enforcement Consistency Guide, when selecting enforcement options, the County's inspectors ensure that violations of a comparable nature are subjected to similar types of enforcement remedies. More severe enforcement options may be selected when a violator has a history of noncompliance, has failed to take good faith actions to eliminate continuing violations, and/or has not met a previously imposed compliance schedule.

2009-10 Summary of Enforcement Actions

Watershed	Number of Notices of Non-Compliance Issued	Number of Administrative Compliance Orders Issued	Number of Cease & Desist Orders Issued	Number of Facilities Referred for Criminal Remedies
N/A	0	0	0	0



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C-9.2.9 Reporting

For non-compliant facilities that pose a threat to human health or the environment, the County provides oral or e-mail notification to the Regional Board within 24 hours. Following oral notification, the County sends a written report within 5 days detailing the nature of the non-compliance and any corrective action taken.

No facilities inspected during 2009-10 resulted in an enforcement action, therefore no oral or written notifications were completed during this reporting year related to industrial facility inspections.

C-9.2.10 Training

Training and outreach for the industrial program is done concurrently with the commercial program. The training efforts are summarized in **Section C-9.3.9**.



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C-9.3 Commercial Program (LIP Section A-9.2)

C-9.3.1 Organization Chart

Through the organization chart, **Figure A-9.2** of the LIP, the County identified which Departments are responsible for the implementation of this stormwater program element.

C-9.3.2 Inventory

The County has developed a watershed based inventory of specific commercial sites/sources within its jurisdiction as required by the Fourth Term Permits. Summaries of the commercial inventory are provided below in the following tables:

2009-10 Commercial Site/Source Inventory Summary

Commercial Site/Source (by Permit Category)	Santa Ana Region (By Watershed)				San Diego Region (By Watershed)			
	San Gabriel River/Coyote Creek	Anaheim Bay/Huntington Harbor	Santa Ana River	Newport Bay	Aliso Creek	San Juan Creek	Dana Point Coastal Streams	Totals
Transport, storage or transfer of pre-production plastic pellets	0	0	0	0	0	0	0	0
Automobile mechanical repair, maintenance, fueling, or cleaning	2	44	4	0	0	4	0	54
Airplane repair, maintenance, fueling, or cleaning	0	0	0	0	0	0	0	0
Boat repair, maintenance, fueling, or cleaning	0	1	0	0	0	0	0	1
Equipment repair, maintenance, fueling, or cleaning	0	1	1	0	0	1	0	3
Automobile and other vehicle body repair or painting	0	6	0	0	0	0	0	6
Mobile automobile or other vehicle washing	0	0	0	0	0	0	0	0



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Automobile (or other vehicle) impound, parking lots, and storage facilities	0	1	3	0	0	0	0	4
Retail or Wholesale Fueling	0	0	0	0	0	0	0	0
Pest control services and service facilities	0	0	0	0	0	0	0	0
Eating or drinking establishments, including food markets and restaurants*	7	18	9	12	2	51	25	124
Mobile carpet, drape, or furniture cleaning	0	0	0	0	0	0	0	0
Cement mixing or cutting	0	0	0	0	0	0	0	0
Mobile high pressure or steam cleaning	0	0	0	0	0	0	0	0
Masonry	0	0	0	0	0	0	0	0
Painting and coating	0	2	0	0	0	0	0	2
Botanical or zoological gardens and exhibits	0	0	0	0	1	0	0	1
Landscaping (and hardscape installations)	2	0	0	0	0	0	0	2
Nurseries and greenhouses	1	1	4	0	0	5	0	11
Golf courses, parks and other recreational areas/facilities	0	0	3	1	1	33	0	38
Cemeteries	0	0	0	0	0	1	0	1
Pool, lake and fountain cleaning	0	0	0	0	0	0	0	0
Marinas	0	0	0	0	0	0	0	0
Portable sanitary service facilities	0	0	0	0	0	0	0	0
Building material retailers and storage	0	0	1	0	0	1	0	2



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Animal Facilities (includes animal facilities such as petting zoos and boarding and training facilities)	0	10	3	1	0	4	0	18
Mobile Pet Services	0	0	0	0	0	0	0	0
Power washing services	0	0	0	0	0	0	0	0
Other commercial sites/sources determined to be significant contributors of pollutants to the MS4, or with a history of un-authorized discharges	0	1	5	0	0	0	0	6
Facilities tributary to 303(d) water body for pollutant generated on site	0	0	0	0	1**	0	0	1
Facilities within/directly adjacent or discharging directly to ESA	0	0	0	0	0	0	47***	47
Sites and sources tributary to and within 500 feet of ASBS	0	0	0	0	0	0	0	0
Total for all categories	12	85	33	14	5	100	72	321

Notes: * This list is for solely eating and drinking facilities. If a commercial site primarily falls into another inventoried category and happens to have a secondary food facility on-site, this facility is inventoried in its primary category. An example would be a golf course with a snack shop, which is inventoried as a golf course. The County will still monitor the Orange County Health Care Agency's NPDES inspection results related to these secondary food facilities.

** This listing refers to the Santiago Ranch Stables leasehold upstream of Aliso Creek, which could also be considered an Animal Facility [x] in the San Diego Region. For classification purposes, the 303(d) listing takes priority over the Animal Facilities classification.

*** These 47 listings are in reference to the Dana Point Harbor ESA. Dana Point Harbor commercial facilities have other varying sub-classifications, but these sites have been inventoried as ESA priority to simplify the presentation of the County's commercial inventory.

Following adoption of the fourth term permits in both regions, the County's commercial site/source inventory was thoroughly evaluated and re-inventoried to incorporate new commercial categories, address changes in commercial development, and to better coordinate with the Cities on facilities that lie within annexed areas and the unincorporated islands within



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the County. As a result of this detailed review, the commercial inventory totals for the County have increased significantly from 176 in 2008-09 to 321 in 2009-10. As with previous years, the inventory is updated on an ongoing basis within the LIP and provided to the Regional Boards on an annual basis as part of the annual PEA (see **Attachment C-9.1** of this report). The inspection related information includes, at a minimum, inspection dates, inspectors present and the results of the inspection.

C-9.3.3 Prioritization

Within the Santa Ana Region, the County prioritized commercial sites/sources as high, medium, or low based on their respective threat to water quality. As part of the re-inventory activities discussed in **Section C-9.3.2**, restaurants in the Santa Ana Region were included as “low,” although these facilities are routinely inspected by Orange County Health Care Agency. Within the San Diego Region, fourth term permit requirements do not specify designation of high, medium, or low categories for commercial sites/sources. The County’s commercial site/source prioritization distribution by watershed is provided in the following two tables:

2009-10 Summary of Commercial Site/Source Distribution by Watershed

Commercial Site/Source Prioritizations by Watershed	Santa Ana Region				Totals
	San Gabriel River/Coyote Creek	Anaheim Harbor/ Huntington Harbor	Santa Ana River	Newport Bay	
Number of high priority facilities	0	11	1	0	12
Number of medium priority facilities	5	9	6	0	20
Number of low priority facilities	7	65	26	14	112
Total Number of facilities	12	85	33	14	144

Commercial Site/Source Distribution by Watershed (No Prioritization Required)	San Diego Region			Totals
	Aliso Creek	San Juan Creek	Dana Point Coastal Streams	
Total Number of facilities	5	100	72	177



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C-9.3.4 BMP Fact Sheets

The activity-based Industrial/Commercial fact sheets developed as part of the Existing Development Program are numbered IC1 - IC24 and are included as **Exhibit A-9.II** of the County's LIP.

C-9.3.5 Inspections

The County inspects commercial sites/sources in its inventory at the frequency shown in the following table:

Commercial Inspection Frequency

Priority	Santa Ana Region	San Diego Region
High	Annually - Minimum of 10%*	<u>No Prioritization Required:</u> A minimum of 20% of the Combined Commercial/Industrial Inventory* must be inspected annually.
Medium	Biennially - Minimum of 20%* (Once every 2 years)	
Low	Once Per Permit Cycle (Once every 5 years)	

* Eating or drinking establishments are not included in calculating these inventory and percent completion totals.

The number of commercial sites/sources inspected during the 2009-10 reporting period as well as the cumulative number of inspections conducted is presented in the following table:

2009-10 Jurisdictional Summary of Commercial Site/Source Inspections



Commercial Site/Source Category	Santa Ana Region	San Diego Region
	Number of Sites/Sources Inspected in 2009-10	
Transport, storage or transfer of pre-production plastic pellets	0	0
Automobile mechanical repair, maintenance, fueling, or cleaning	9	2
Airplane repair, maintenance, fueling, or cleaning	0	0
Boat repair, maintenance, fueling, or cleaning	1	0



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Equipment repair, maintenance, fueling, or cleaning	0	0
Automobile and other vehicle body repair or painting	0	0
Mobile automobile or other vehicle washing	0	0
Automobile (or other vehicle) impound, parking lots, and storage facilities	0	0
Retail or wholesale fueling	0	0
Pest control services and service facilities	0	0
Eating or drinking establishments, including food markets and restaurants*	23*	47*
Mobile carpet, drape, or furniture cleaning	0	0
Cement mixing or cutting	0	0
Mobile high pressure or steam cleaning	0	0
Masonry	0	0
Painting and coating	0	0
Botanical or zoological gardens and exhibits	0	0
Landscaping (and hardscape installations)	0	0
Nurseries and greenhouses	0	5
Golf courses, parks and other recreational areas/facilities	1	1
Cemeteries	0	0
Pool, lake and fountain cleaning	0	0
Marinas	0	0



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Portable sanitary service facilities	0	0
Building material retailers and storage	0	0
Animal Facilities (includes animal facilities such as petting zoos and boarding and training facilities)	0	0
Mobile Pet Services	0	0
Power washing services	0	0
Other commercial sites/sources determined to be significant contributors of pollutants to the MS4, or with a history of un-authorized discharges	2	0
Facilities tributary to 303(d) water body for pollutant generated on site	0	0
Facilities within/ directly adjacent or discharging directly to ESA (San Diego Region/Dana Point Harbor Commercial Sites)	0	22
Sites and sources tributary to and within 500 feet of ASBS	0	0
Industrial Facility Inspection Totals (San Diego Region)	N/A	12
Subtotal of Required Inspections Completed (Excluding Eating or Drinking Establishments)	13	42**
Total Inventory (Excluding Eating or Drinking Establishments)	98	112**

*OCHCA provides annual NPDES commercial inspection services for Eating or Drinking Establishments (restaurants/food facilities) countywide and maintains records associated with the inspection totals and results. Both the Santa Ana and San Diego Region permits exclude restaurants/food facilities from determining the entire total of inspections.

**These numbers combine the industrial and commercial inspections and inventories pursuant to San Diego Region permit requirements.

The results tabulated above indicate that the County conducted 13 commercial inspections out of a possible 98 facilities in the Santa Ana Region (excluding Eating and Drinking



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Establishments). These 13 commercial inspections included all 12 high priority sites and 1 low priority facility. This represents 100% completion of the necessary inspections for year one of the fourth term permit in the Santa Ana Region. It should be noted that the final classification criteria for high, medium, and low priority facilities in the Santa Ana Region is still being finalized by the RWQCB and permittees; therefore, if requirements adjust, this distribution may change during the 2010-11 reporting period.

The County conducted 30 commercial site inspections within the 2009-10 reporting period within the San Diego Region. By combining these 30 commercial inspections with the 12 industrial inspections, a total of 42 commercial inspections were conducted out of a combined commercial/industrial inventory of 112 facilities, excluding eating or drinking establishments from this calculation. Based on these totals, a total of 37.5% of the inventory was inspected, which exceeds the fourth term permit requirement of 20%.

2009-10 Commercial Inspection Frequency Results*

Priority	Santa Ana Region	San Diego Region
High	100%**	37.5%***
Medium	0%	
Low	1%	

* Excludes Eating or Drinking Establishments

** The fourth term permit year one requirement is to inspect 100% of high priority commercial facilities within the Santa Ana Region.

*** The fourth term permit year one requirement is to inspect at least 20% of the combined commercial/industrial inventory in the San Diego Region, with no prioritization required.

The number of non-compliant commercial sites/sources identified during the 2009-10 reporting period is presented below along with information on follow-up inspections and enforcement actions taken. This section does include eating and drinking establishments in its totals.



2009-10 Summary of Compliance by Watershed



Watershed	Number of Non-Compliant Commercial Sites/Sources		
	2009-1009	2008-09	2007-08
Aliso Creek	2	0	1
Dana Point Coastal Streams	7	0	1
San Juan Creek	16	19	13
Anaheim Bay/ Huntington Harbour	2	2	0
Newport Bay	1	0	4
San Gabriel River/Coyote Creek	1	0	0
Santa Ana River	5	0	0
Totals	34	21	19
Percentage of Non-Compliant Commercial Sites/Sources			
2009-10	2008-09	2007-08	
30% (34 of 114 inspections)	14% (19 of 132 inspections)	11% (19 of 180 inspections)	

Watershed	Number of Commercial Sites/Sources Re-inspected Due to Non-Compliance		
	2009-10	2008-09	2007-08
Aliso Creek	1	0	1
Dana Point Coastal Streams	0	0	1
San Juan Creek	1	4	10
Anaheim Bay/ Huntington Harbour	1	1	0
Newport Bay	0	0	0
San Gabriel River/Coyote Creek	0	0	0
Santa Ana River	0	0	0
Totals	3	5	12



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Percentage of Commercial Sites/Sources Re-inspected Due to Non-Compliance		
2009-10	2008-09	2007-08
3%	4%	9%

The total number of non-compliant commercial sites/sources has increased from 19 in both 2007-08 and 2008-09 to 34 in 2009-10. As with previous years, the majority of these non-compliance issues were observed at eating or drinking establishments in commercial shopping centers. In many of these instances, a restaurant/food facility was identified as non-compliant for failing to manage its trash/solid waste area properly. However, many of these facilities share a common dumpster with other businesses, and as such, the County has learned that the most effective means of addressing this issue is to work with the property management company for the entire commercial complex as well as the individual businesses. For leased commercial facilities within Dana Point Harbor, non-compliant sites were provided to Dana Point Harbor Department inspectors, who enforce these deficiencies as part of the County's lease agreements with the tenants.

C-9.3.6 BMP Implementation

As part of commercial facility inspections, the County inspectors determine the level of BMP implementation and also assess the effectiveness of the implemented BMPs. For each of the facility's areas of activity, the inspector observes whether BMPs are in place and effective. The inspector may encounter situations where BMPs are in place but are not effectively applied. The inspectors are trained to use their best professional judgment and decide how much time to allow the owner/operator to correct the problem. A summary of BMP implementation-based on inspections conducted during the current reporting period is provided below.



2009-10 Summary of BMP Implementation



Watershed	Number of Facilities with BMPs Fully Implemented	Number of Facilities with BMPs Partially Implemented	Number of Facilities With No BMPs or BMPs Not Fully Implemented	Number of Facilities Required to Implement or Upgrade/Modify BMPs*
Aliso Creek	2	2	0	1
Dana Point Coastal Streams	35	7	0	7**
San Juan Creek	17	16	0	12***
Anaheim Bay/ Huntington Harbour	14	2	0	1
Newport Bay	7	1	0	0
San Gabriel River/ Coyote Creek	0	1	0	0
Santa Ana River	5	5	0	2
Totals	80	34	0	23
Percentage of Facilities Required to Implement or Upgrade/Modify BMPs				
2009-10		2008-09		2007-08
30% (34 of 114 inspections)		14.5% (19 of 131)		14% (19 of 132)

*Some investigations are ongoing issues that remain pending.

**OCHCA restaurant/food facility deficiencies are reported to Dana Point Harbor Department for follow-up. These businesses are routinely inspected for a variety of issues (including NPDES) by staff as part of their ongoing leases.

***These issues primarily relate to improper maintenance or design of the common area trash bin locations within commercial centers with a variety of businesses. Verbal notification of these recurring deficiencies was provided to the property owners/managers in 2009-10. The County will continue to work with these property owners/managers on maintaining these trash bin enclosures.

C-9.3.7 Enforcement

The County's Authorized Inspectors (Identified in **Section C-10** of this PEA) undertake enforcement activities according to the County's adopted Water Quality Ordinance and the accompanying Enforcement Consistency Guide. The enforcement mechanisms available are summarized in this section and detailed in **Section A-9.2** of the County's LIP. Water pollution enforcement may be handled administratively, or, in more serious instances, be prepared for criminal prosecution. As provided for in the Enforcement Consistency Guide (**Exhibit 4.I of the 2003 DAMP**), when selecting enforcement options, the County's Authorized Inspectors ensure

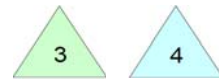


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that violations of a similar nature are subjected to similar types of enforcement remedies. More severe enforcement options may be selected when a violator has either a history of noncompliance or has failed to take good faith actions to eliminate continuing violations or to meet a previously imposed compliance schedule.

During the 2009-10 reporting period, the County took the following enforcement actions against commercial sites/sources within its inventory:

2009-10 Summary of Enforcement Actions



Watershed	Number of Records Letters Sent	Number of Notices of Non-Compliance Issued	Number of Administrative Compliance Orders Issued	Number of Facilities Referred for Criminal Remedies
Anaheim Bay/ Huntington Harbour	2	0	0	0
San Juan Creek	1	0	0	0

The County has transitioned to a standard "Records" enforcement letter when a lack of grease interceptor maintenance records is the only issue identified at a restaurant. The County has found that this enforcement action has resulted in better upkeep of maintenance records (Level 3 Outcome) which translates to less potential for the grease interceptors to become a source of pollutants (Level 4 Outcome).

C-9.3.8 Reporting

For non-compliant facilities that pose a threat to human health or the environment, the County provides oral or e-mail notification to the Regional Board within 24 hours. Following oral notification, the County sends a written report within 5 days detailing the nature of the non-compliance and any corrective action taken. During the 2009-10 reporting period, the County identified no incidents of non-compliance at any commercial site/source within its inventory that required notification of the Regional Boards.

C-9.3.9 Training and Outreach

Training



The County as Principal Permittee sponsored training to assist municipal staff in understanding the industrial and commercial components of the Existing Development Program. County inspector participation in the training conducted during the reporting period is summarized in the following table:

**2009-10 Summary of Existing Development Program Training**

Meeting	Training	Training Dates	Agency	Trainer	Number of Attendees
Countywide NPDES Inspection Committee	New Santa Ana Region Inspection Requirements	August 13, 2009	OC Public Works	Christy Norris	7
	NPDES Restaurant Follow-up Inspections	November 19, 2009	OC Public Works	Duc Nguyen	6
			OCHCA	Jeff Warren	
	Witness Interviewing Techniques		OCDA	Jim McConnell	
SAR Industrial Site NOV Alerts	May 13, 2010	County of Orange	Duc Nguyen	6	

Multiple County Authorized Inspectors attended each of the training seminars listed above.

Outreach

The County continued to conduct outreach activities with industrial and commercial businesses within its jurisdiction to inform them of their responsibilities under this program. During the 2009-10 reporting period, this outreach effort included:

- Distribution of brochures, posters and the industrial/commercial BMP fact sheets through the website, field inspectors, at public facilities counters, etc.
- Posting information on the Existing Development Program (including the activity-based BMP fact sheets) on the County's website, www.ocwatersheds.com.



SECTION C-9, Existing Development

C-9.4 Residential Program (LIP Section A-9.3)

C-9.4.1 Organization Chart

Through its organization chart, **Figure A-9.3** of the LIP, the County identified which Departments are responsible for the implementation of this stormwater program element.

C-9.4.2 Inventory

The County has developed a watershed-based map of residential areas within its jurisdiction in the San Diego Region. Residential areas that discharge directly to an ESA may be targeted for enhanced implementation of BMPs based on the activities of concern that are identified.

C-9.4.3 BMP Fact Sheets

BMP fact sheets have been developed as a part of the Existing Development program. The fact sheets include a description of specific BMPs for high threat residential activities that may cause the discharge of pollutants and provide a focus on the Pollution Prevention measures that the facility should implement. The activity-based residential fact sheets are numbered R1 – R8 and are included as **Exhibit A-9.II** of the County's LIP. There were no modifications to the fact sheets during the reporting period.

C-9.4.4 Enhanced Implementation

In the fall of 2007, the Santiago Fire burned over 28,000 acres and impacted the unincorporated communities of Santiago Canyon, Silverado Canyon, Live Oak Canyon, Williams Canyon, Modjeska Canyon, and Trabuco Canyon. The County continued to focus considerable resources and effort during the 2008-09 and 2009-10 reporting periods toward protecting these residential areas and downstream water bodies from the constant threat of mud and debris flows every time it rained.

C-9.4.5 Water Pollution Complaints/Incidents

The residential program relies upon observations by municipal employees working in or assigned to residential areas and on complaints received from residents through the water pollution problem reporting hotline and website.

The County tracks water pollution complaints under the ID/IC program and provides a summary of the number of complaints received and the source area associated with the complaint (e.g. commercial business, resident, etc.) as a part of **Section C-10** of this PEA.

C-9.4.6 Enforcement Actions

Enforcement actions taken by the County throughout its jurisdiction, including those against individual residents, are summarized in **Section C-10** of this PEA.



SECTION C-9, Existing Development

C-9.4.7 Outreach and Training

Outreach

Education and outreach targeted towards residents is a major component of the residential program. The County encourages the implementation of a set of designated BMPs for residents. The BMPs are presented in a series of fact sheets specific to high threat residential activities. The County has developed outreach efforts to encourage the use of the designated BMPs. This outreach has included efforts such as mailings, holding workshops, development and distribution of brochures, posters, fact sheets, posting information on the County's webpage, etc. Information on specific outreach efforts can be referenced in **Section C-6**.

Training

Successful implementation of the residential program relies on education of municipal employees that conduct activities in residential areas. For the County, it is primarily OC Public Works/Operations & Maintenance field program crews who are entering into residential areas on a routine basis to maintain the public infrastructure. Training efforts during the 2009-10 reporting period covering municipal activities are discussed in **Section C-5** of this PEA. While many of the field programs conducted by the County, such as street sweeping and drainage facility cleaning, are pollution prevention practices in of themselves, the field program crews are trained to notify the County's Authorized Inspectors (identified in **Section C-10**) of any issues impacting or having the potential to impact runoff from residential areas.



SECTION C-9, Existing Development

C-9.5 CIA/HOA Program (LIP Section A-9.4)

C-9.5.1 Organization Chart

The County utilizes the organization chart in **Section A-9.3** of the LIP to implement its CIA/HOA Program.

C-9.5.2 Inventory

The County has developed a watershed-based map of residential areas within its jurisdiction in the San Diego Region. Residential areas that discharge directly to an ESA may be targeted for enhanced implementation of BMPs based on the activities of concern that are identified. The residential map is updated on an ongoing basis within the LIP.

C-9.5.3 BMP Fact Sheets

BMP fact sheets have been developed as part of the Existing Development program. The fact sheets include a description of specific BMPs for high threat CIA/HOA activities that may discharge pollutants and provide a focus on the pollution prevention measures that the facility should implement. The activity based fact sheets that were developed are included in **Exhibit A-9.II** of the County's LIP. There were no modifications to the fact sheets during the reporting period.

C-9.5.4 Enforcement Actions

Enforcement actions conducted by the County throughout its jurisdiction, including CIA/HOA areas, are summarized in **Section C-10** of this PEA.

C-9.5.5 Outreach and Training

Outreach

As described in **Section C-9.4.7**, there are a number of ways in which the County performs general outreach to residents. HOA communities present a tremendous opportunity for outreach due to their organizational structure and the County encourages and promotes distribution of stormwater education material through association newsletters, association websites, etc.

Training

As reported in past years, the County has made several training presentations to HOAs utilizing the CIA/HOA training module (**Exhibit B-9.V** of the DAMP). This training module continues to be available on the County's website.



C-9.6 Existing Development Program Modifications

As the last step in the effectiveness assessment process, the County has evaluated the outcomes for this program element to determine if modifications are necessary. With the adoption of the fourth term permits in each region, multiple changes to the Existing Development Program were conducted in 2009-10 to achieve regulatory compliance. Based on the County's evaluation, the program is achieving desired Outcome Levels however, to improve on the current inventorying of commercial/industrial sites, the County is planning on upgrading its database/GIS tracking methods in 2010-11 to more efficiently manage and consolidate its inspection data from multiple County agencies.