



M E M O R A N D U M

DATE: September 9, 2004

TO: County Counsel, Contra Costa City Attorneys

FROM: Thomas Haas, Walnut Creek City Attorney

RE: Stormwater Management and Discharge Control Ordinance

I am forwarding to you an advance copy of the model stormwater ordinance developed by the Contra Costa Clean Water Program. The model ordinance will be officially transmitted to your clean water coordinator by the clean water program soon, but I wanted to get you a copy so you could get started on the revisions necessary for it to fit into your jurisdiction's code. Here are some notes that I hope will help you get started.

1. This ordinance is intended to replace your current stormwater ordinance.
2. Jurisdictions that are covered by the central valley regional water board will have to change section 2(b) to reflect their permit number.
3. The county and towns will have to do a global search and replace for the word city.
4. Your code may use a different style for the capitalization of defined terms and the numbering and lettering of sections and subsections differently.
5. A big policy issue that must be addressed before the ordinance is adopted is how your jurisdiction will meet its obligation to verify that stormwater management facilities are being maintained, including an annual inspection of at least a subset of these facilities, and how you will do appropriate follow-up and correction (these obligations are set forth in section C. 3. e. of the NPDES permit). Section 10 of the ordinance proposes one scheme for handling these responsibilities. Your clean water policy people need to make decisions on this issue for a recommendation to your governing board, and whatever decision is made should be reflected in your jurisdiction's version of section 10.