

**Attachment**  
**13**

**Stormwater Flood Management Grant Proposal**  
**Lower Silver Creek, Reaches 4-6, and Lake Cunningham**  
**Stormwater Resources Plan**

Attachment 13 consists of the following items:

- ✓ **Summary of Consistency with Stormwater Resources Plan Requirements.** Attachment 13 contains detailed information that demonstrates how various Santa Clara Valley Water District planning documents meet all of the standards of the Stormwater Resources Plan.
- ✓ **Appendix 13A.** This appendix includes functional equivalency planning documents that satisfy the SWRP requirements.

This attachment summarizes portions of various Santa Clara Valley Water District (District) planning documents that meet the requirements of the Stormwater Resources Plan set forth within Part 2.3 (commencing with Section 10560) of Division 6 of the California Water Code (CWC). The District is a member of the Bay Area Stormwater Management Agencies Association (BASMAA), which was organized in 1990 by a consortium of municipal stormwater management agencies and programs. Flood protection agencies, including the District, have collaborated more informally through inter-jurisdictional projects and participation in professional organizations such as the County Engineers Association of California and the California/Nevada Floodplain Management Association.

In 1989, the Regional Board issued the first “Phase I” Stormwater, National Pollution Elimination System (NPDES), Permit naming the northern Santa Clara County municipalities and the District as co-permittees. This program is now formally called the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). The contents of this plan adhere to the Stormwater Resources Plan (SWRP) requirements set forth within the CWC statutes listed above. In addition to the SCVURPPP Stormwater Management Plan, the District as a separate entity has produced several planning documents, programs, ordinances, and other measures that provide functional equivalency to the SWRP requirements. Table 13.1 provides a summary of conformance with respect to all of the aforementioned stormwater resources components, which together are functionally equivalent to a SWRP.

**Table 13.1: Summary of Stormwater Resources Plan Conformance**

#	Stormwater Resources Plan Requirements	Functionally Equivalent Santa Clara Valley Water District Documents	Specific Citation(s)
1	Opportunities to augment local water supply through groundwater recharge or storage for beneficial reuse of stormwater.	Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) – Urban Runoff Management Plan	<ul style="list-style-type: none"> <li>• New Development and Redevelopment Plan and Construction Objectives, page 74</li> <li>• Hydromodification Management Plan, page 77</li> </ul>
		Coyote Creek Stream Stewardship Plan	<ul style="list-style-type: none"> <li>• Groundwater Recharge Facilities, page 6-14</li> <li>• BMPs for New Developments (ND-2), pages 10-22</li> </ul>
		SCVURPPP - C.3 Stormwater Technical Guidance - <a href="http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook">http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook</a>	<ul style="list-style-type: none"> <li>• C.3 Stormwater Handbook, 2006, Att III-3, Guidelines for Infiltration Devices</li> </ul>
2	Opportunities for source control for pollution and stormwater runoff	SCVURPPP – Urban Runoff Management Plan	<ul style="list-style-type: none"> <li>• New Development and Redevelopment Plan and Construction Objectives, page 75</li> </ul>

#	Stormwater Resources Plan Requirements	Functionally Equivalent Santa Clara Valley Water District Documents	Specific Citation(s)
	volume, onsite and local infiltration, and reuse of stormwater.	Coyote Creek Stream Stewardship Plan	<ul style="list-style-type: none"> <li>• BMPs for New Developments (ND-2), pages 10-22</li> </ul>
		SCVURPPP - C.3 Stormwater Technical Guidance - <a href="http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook">http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook</a>	<ul style="list-style-type: none"> <li>• C.3 Stormwater Handbook, 2006. Att III-3, Guidelines for Infiltration Devices</li> <li>• Stormwater Treatment Control Sizing Criteria, IV-1</li> </ul>
3	Projects to re-establish natural water drainage treatment and infiltration systems, or mimic natural system functions to the maximum extent feasible.	Coyote Creek Stream Stewardship Plan	<ul style="list-style-type: none"> <li>• Current and Planned Watershed Projects, 7-1</li> <li>• Ranking of Programs and Projects, page 12-1</li> </ul>
		SCVURPPP - C.3 Stormwater Technical Guidance - <a href="http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook">http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook</a>	<ul style="list-style-type: none"> <li>• C.3 Stormwater Handbook, 2006. Att III-3 Guidelines for Infiltration Devices</li> <li>• Selecting Design Criteria, Source Control, and Stormwater Treatment BMPs, Page III-6</li> </ul>
4	Opportunities to develop or enhance habitat and open space through stormwater management, including wetlands, riverside habitats, parkways, and parks.	Coyote Creek Stream Stewardship Plan	<ul style="list-style-type: none"> <li>• Current and Planned Watershed Projects, 7-1</li> <li>• Ranking of Programs and Projects, page 12-1</li> </ul>
		SCVURPPP - C.3 Stormwater Technical Guidance - <a href="http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook">http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook</a>	<ul style="list-style-type: none"> <li>• Stormwater Treatment BMPs, Table III-1, Category B and C BMPs, Page III-4 – III-7</li> </ul>
5	Design criteria and best management practices to prevent stormwater pollution and increase effective stormwater management for new and upgraded infrastructure and residential, commercial, industrial, and public development. These design criteria and best management practices shall accomplish all of the following:	SCVURPPP – Urban Runoff Management Plan	<ul style="list-style-type: none"> <li>• Conditionally Exempted Discharges: Classification and Control Measures, 2011; page 5-8</li> </ul>
		SCVURPPP - C.3 Stormwater Technical Guidance - <a href="http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook">http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook</a>	<ul style="list-style-type: none"> <li>• C.3 Stormwater Handbook, 2006. Att III-3</li> <li>• Selecting Design Criteria, Source Control, and Stormwater Treatment BMPs, Page III-6</li> </ul>

#	Stormwater Resources Plan Requirements	Functionally Equivalent Santa Clara Valley Water District Documents	Specific Citation(s)
5(a)	Reduce effective impermeability within a watershed by creating permeable surfaces and directing stormwater to permeable surfaces, retention basins, cisterns, and other storage for beneficial reuse	SCVURPPP, Urban Runoff Management Program Online - <a href="http://www.scvurppp-w2k.com/nd_wp.shtml#treatment">http://www.scvurppp-w2k.com/nd_wp.shtml#treatment</a>	<ul style="list-style-type: none"> <li>• Developments Protecting Water Quality: A Guidebook of Site Design Examples, 2007               <ul style="list-style-type: none"> <li>• Permeable Pavements</li> <li>• Vegetative swale and biofilter</li> <li>• Riparian/Bay Buffer Areas</li> </ul> </li> </ul>
5(b)	Increase water storage for beneficial use through a variety of on-site storage techniques.	See details above.	Refer to the citations and references set forth within section 1 of this table.
5(c)	Increase groundwater supplies through infiltration, where appropriate and feasible.	See details above.	Refer to the citations and references set forth within section 1 of this table.
5(d)	Support low-impact development for new and upgraded infrastructure and development using low-impact techniques.	SCVURPPP, Urban Runoff Management Plan Low Impact Development - Latest Trends and Approaches, 2008 LID for Stormwater Treatment and Hydromodification Management, 2008 - <a href="http://www.scvurppp-w2k.com/nd_wp.shtml#treatment">http://www.scvurppp-w2k.com/nd_wp.shtml#treatment</a>	Throughout. Particularly, Background, page I-1 and the SCVURPPP web site
6	Activities that generate or contribute to the pollution of stormwater, or that impair the effective beneficial use of stormwater.	SCVURPPP - C.3 Stormwater Technical Guidance - <a href="http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook">http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook</a>	<ul style="list-style-type: none"> <li>• Pollutants generated by Land Use Activitiy, page III-8</li> </ul>
		S SCVURPPP - C.3 Stormwater Technical Guidance - <a href="http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook">http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook</a>	<ul style="list-style-type: none"> <li>• Source Control Measures, page III-3</li> </ul>
7	Projects and programs to ensure the effective implementation of the stormwater resource plan pursuant to this part and achieve multiple benefits.	SCVURPPP – Urban Runoff Management Plan  Please refer to all of the aforementioned documents, which are projects and programs that ensure the effective implementation of a functionally equivalent stormwater resource plan for the Santa	<ul style="list-style-type: none"> <li>• Description of related programs, page 21</li> </ul>

#	Stormwater Resources Plan Requirements	Functionally Equivalent Santa Clara Valley Water District Documents	Specific Citation(s)
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8	Ordinances or other mechanisms necessary to ensure the effective implementation of the stormwater resource plan pursuant to this part.	<p>City of San Jose, City Council Policy Number 6-29, Post-Construction Urban Runoff Management</p> <p>Policy Number, 8-14, Post-Construction Hydromodification Management</p>	<ul style="list-style-type: none"> <li>Storm Water Ordinance- Ordinance No. 28301. (Adopted 5/6/08)</li> </ul> <p>Note: The District does not maintain land use authority for areas protected and enhanced by the Project. The City of San Jose maintains land use authority for new development and redevelopment for areas adjacent to the District's right of way.</p>
		Water Resources Protection Ordinance and 90-1 (the District Well Ordinance	<ul style="list-style-type: none"> <li>The District is responsible for groundwater resource protection for Santa Clara County. Nearly 50 percent of the county's water needs are met by pumping water directly from our underground aquifers.</li> </ul>

## Plan Excerpts that Demonstrate Functional Equivalency

### Santa Clara Valley Urban Runoff Pollution Prevention Program, Urban Runoff Management Plan

As a member of the Santa Clara Valley Urban Runoff Pollution Prevention Program, the District is a participating agency for the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) Urban Runoff Management Plan that was produced in 2005. The following contains a detailed list of excerpts from this planning document that demonstrate functional equivalency to stormwater resources plan requirements established within the CWC (see Appendix 13A-1).

**Duration of the Urban Runoff Management Plan (page 27):** “This Urban Runoff Management Plan (Plan) describes what (SCVURPPP or Program) will be doing during the approximately six-year period from September 2004 through June 2010 to prevent and control stormwater pollution in Santa Clara County. The Plan, in conjunction with the reissued permit (National Pollutant Elimination Discharge System Permit) adopted by the San Francisco Bay RWQCB (Order R2-2009-0074, NPDES Permit No. CAS612008 – see Appendix 13A-2), is designed to enable SCVURPPP to meet these (stormwater control and water quality) requirements.”

Applicable section of the Urban Runoff Management Plan include:

- BMPs and Implementation Procedures for Conditionally Exempted Discharges, Landscape Irrigation (page 40);
- New Development and Redevelopment Objectives (page 10);
- Approach to Pollution Prevention and Regulatory Compliance (page 18-19);
- Appendix A, Performance Standards; and
- Table 5, specific Outreach Activities Related to the Control of Specific Pollutants.

### Santa Clara Valley Urban Runoff Pollution Prevention Program

The District is part of this program, which has led to the adoption of many guidelines and activities that aim to create public-private partnerships that provide design criteria and BMPs to decrease stormwater runoff and associated pollutants, and utilize stormwater for beneficial reuse purposes. The specific programs designated under SCVURPPP are discussed in detail below. More information on this program,

including the program mission of “partnering with residents and businesses to prevent pollution of local water bodies” can be found at <http://www.scvurppp-w2k.com/default.htm>.

### ***C.3 Stormwater Technical Guidance, Version 2***

This document is a handbook that was created to assist developers, builders, and project sponsors in technical design of post-construction stormwater controls to reduce pollutants and control stormwater flows from new developments public agencies in order to comply with local municipal requirements (C.3 requirements) aimed at reducing long term impacts of development on stormwater quality and creek channels (SCVURPPP 2007). The handbook can be downloaded at [http://www.scvurppp-w2k.com/nd\\_wp.shtml#c3handbook](http://www.scvurppp-w2k.com/nd_wp.shtml#c3handbook) (see Appendix 13A-3). The following are excerpts from the handbook, which specifically address stormwater issues outlined within the CWC:

- Post-Construction Stormwater Control Measures, Stormwater Treatment (Section III-4, page III-1 and III-7);
- Source Control Measures (Section III-3, Page III-3);
- Upcoming C.3. Requirements (Chapter 2, page 12) “Beginning December 1, 2011, all projects which create and/or replace 2,500 sq. ft. to 10,000 sq. ft.); and
- Infiltration Guidelines (Attachment III-3).

### ***Developments Protecting Water Quality – A Guidebook of Low Impact Development Examples***

This guidebook was designed by SCVURPPP in 2004 for the sole purpose of supporting low impact development in Santa Clara County. The Background section of this plan states that the guidebook was created, “as part of the effort to encourage the use of low impact development (LID) site design measures that benefit water quality. It is intended to serve as a reference during the conceptual design and review stage and to be used by both project applicants and municipal staff. This document provides examples of innovative LID designs in Santa Clara County.” Additional detail is provided in Appendix 13A-3.

### **Coyote Creek Watershed**

The Plan compiled existing regulatory, physical, environmental, and institutional conditions in the Coyote Watershed and summarized projects done by other agencies affecting the watershed. Development of the Plan’s vision, goals, objectives, and candidate projects are based in part on the condition of the Watershed as represented by the available data. See Appendix 13A-4 for additional detail.

### **City of San Jose Ordinances**

The City’s Storm Water Ordinance- Ordinance No. 28301 was adopted in conformance with City Council Policy 6-29, Post-Construction Urban Runoff Management, and represents a commitment to addressing many stormwater issues, including pollution, beneficial reuse, and other provisions for stormwater resources plans set forth within the CWC.