



City of Del Mar



STATEMENT OF CERTIFICATION

San Dieguito River Watershed Management Area Water Quality Improvement Plan 2016-2017 Annual Report

I certify under penalty of law that this document 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 knowing violations. (40 C.F.R. 122.22(d)).

A handwritten signature in blue ink, appearing to read "Scott Huth", written over a horizontal line.

Scott Huth
City Manager

13 January 2018

Date



City of Del Mar



STATEMENT OF CERTIFICATION

Los Peñasquitos Watershed Management Area Water Quality Improvement Plan 2016-2017 Annual Report

I certify under penalty of law that this document 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 knowing violations. (40 C.F.R. 122.22(d)).



Scott Huth
City Manager

23 January 2018
Date

JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM
CITY OF DEL MAR – ANNUAL REPORT FORM
 FY 2016-2017

| I. COPERMITTEE INFORMATION | |
|---|--|
| Copermittee Name: City of Del Mar – San Dieguito (PIN 219460) | |
| Copermittee Primary Contact Name: Mikhail Ogawa | |
| Copermittee Primary Contact Information: | |
| Address: 1050 Camino Del Mar | |
| City: Del Mar | County: San Diego |
| State: CA | Zip: 92014 |
| Telephone: (858) 755-9313 | Fax: (858) 755-2794 |
| Email: Mikhail@mogawaeng.com | |
| II. LEGAL AUTHORITY | |
| Has the Copermittee established adequate legal authority within its jurisdiction to control pollutant discharges into and from its MS4 that complies with Order No. R9-2013-0001? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| A Principal Executive Officer, Ranking Elected Official, or Duly Authorized Representative has certified that the Copermittee obtained and maintains adequate legal authority? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| III. JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM DOCUMENT UPDATE | |
| Was an update of the jurisdictional runoff management program document required or recommended by the San Diego Water Board? | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| If YES to the question above, did the Copermittee update its jurisdictional runoff management program document and make it available on the Regional Clearinghouse? | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| IV. ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM | |
| Has the Copermittee implemented a program to actively detect and eliminate illicit discharges and connections to its MS4 that complies with Order No. R9-2013-0001? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| Number of non-storm water discharges reported by the public | 18 |
| Number of non-storm water discharges detected by Copermittee staff or contractors | 37 |
| Number of non-storm water discharges investigated by the Copermittee | 55 |
| Number of sources of non-storm water discharges identified | 55 |
| Number of non-storm water discharges eliminated | 55 |
| Number of sources of illicit discharges or connections identified | 31 |
| Number of illicit discharges or connections eliminated | 31 |
| Number of enforcement actions issued | 22 |
| Number of escalated enforcement actions issued | 0 |
| V. DEVELOPMENT PLANNING PROGRAM | |
| Has the Copermittee implemented a development planning program that complies with Order No. R9-2013-0001? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| Was an update to the BMP Design Manual required or recommended by the San Diego Water Board? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| If YES to the question above, did the Copermittee update its BMP Design Manual and make it available on the Regional Clearinghouse? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| Number of proposed development projects in review | 62 |
| Number of Priority Development Projects in review | 2 |
| Number of Priority Development Projects approved | 2 |
| Number of approved Priority Development Projects exempt from any BMP requirements | 0 |
| Number of approved Priority Development Projects allowed alternative compliance | 0 |
| Number of Priority Development Projects granted occupancy | 0 |
| Number of completed Priority Development Projects in inventory | 2 |
| Number of high priority Priority Development Project structural BMP inspections | 18 |
| Number of Priority Development Project structural BMP violations | 0 |
| Number of enforcement actions issued | 0 |
| Number of escalated enforcement actions issued | 0 |

FY 2016-2017

VI. CONSTRUCTION MANAGEMENT PROGRAM

Has the Copermittee implemented a construction management program that complies with Order No. R9-2013-0001? YES NO

| | |
|---|-----|
| Number of construction sites in inventory | 53 |
| Number of active construction sites in inventory | 38 |
| Number of inactive construction sites in inventory | 0 |
| Number of construction sites closed/completed during reporting period | 15 |
| Number of construction site inspections | 595 |
| Number of construction site violations | 35 |
| Number of enforcement actions issued | 35 |
| Number of escalated enforcement actions issued | 0 |

VII. EXISTING DEVELOPMENT MANAGEMENT PROGRAM

Has the Copermittee implemented an existing development management program that complies with Order No. R9-2013-0001? YES NO

| | Municipal | Commercial | Industrial | Residential |
|--|-----------|------------|------------|-------------|
| Number of facilities or areas in inventory | 24 | 82 | 0 | 37 |
| Number of existing development inspections | 216 | 738 | 0 | 333 |
| Number of follow-up inspections | 0 | 0 | 0 | 0 |
| Number of violations | 0 | 63 | 0 | 6 |
| Number of enforcement actions issued | 0 | 63 | 0 | 6 |
| Number of escalated enforcement actions issued | 0 | 0 | 0 | 0 |

VIII. PUBLIC EDUCATION AND PARTICIPATION

Has the Copermittee implemented a public education program component that complies with Order No. R9-2013-0001? YES NO


Has the Copermittee implemented a public participation program component that complies with Order No. R9-2013-0001? YES NO

IX. FISCAL ANALYSIS

Has the Copermittee attached to this form a summary of its fiscal analysis that complies with Order No. R9-2013-0001? YES¹ NO

X. CERTIFICATION

I Principal Executive Officer Ranking Elected Official Duly Authorized Representative certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



 Signature

Scott Huth

 Print Name

858-755-9313

 Telephone Number

23 January 2018

 Date

City Manager

 Title

SHUTH@DELMAR.CA.US

 Email

¹ A fiscal analysis that complies with Order R9-2013-0001 has been attached.

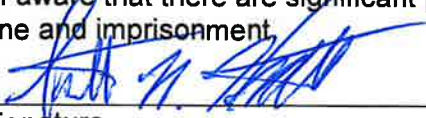
**JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM
CITY OF DEL MAR – ANNUAL REPORT FORM
FY 2016-2017**

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| Copermittee Primary Contact Name: Mikhail Ogawa | |
| Copermittee Primary Contact Information: | |
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| City: Del Mar | County: San Diego |
| State: CA | Zip: 92014 |
| Telephone: (858) 755-9313 | Fax: (858) 755-2794 |
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| II. LEGAL AUTHORITY | |
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| III. JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM DOCUMENT UPDATE | |
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| If YES to the question above, did the Copermittee update its jurisdictional runoff management program document and make it available on the Regional Clearinghouse? | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| IV. ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM | |
| Has the Copermittee implemented a program to actively detect and eliminate illicit discharges and connections to its MS4 that complies with Order No. R9-2013-0001? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| Number of non-storm water discharges reported by the public | 3 |
| Number of non-storm water discharges detected by Copermittee staff or contractors | 5 |
| Number of non-storm water discharges investigated by the Copermittee | 8 |
| Number of sources of non-storm water discharges identified | 8 |
| Number of non-storm water discharges eliminated | 8 |
| Number of sources of illicit discharges or connections identified | 5 |
| Number of illicit discharges or connections eliminated | 5 |
| Number of enforcement actions issued | 2 |
| Number of escalated enforcement actions issued | 0 |
| V. DEVELOPMENT PLANNING PROGRAM | |
| Has the Copermittee implemented a development planning program that complies with Order No. R9-2013-0001? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| Was an update to the BMP Design Manual required or recommended by the San Diego Water Board? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| If YES to the question above, did the Copermittee update its BMP Design Manual and make it available on the Regional Clearinghouse? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| Number of proposed development projects in review | 3 |
| Number of Priority Development Projects in review | 0 |
| Number of Priority Development Projects approved | 0 |
| Number of approved Priority Development Projects exempt from any BMP requirements | 0 |
| Number of approved Priority Development Projects allowed alternative compliance | 0 |
| Number of Priority Development Projects granted occupancy | 0 |
| Number of completed Priority Development Projects in inventory | 1 |
| Number of high priority Priority Development Project structural BMP inspections | 9 |
| Number of Priority Development Project structural BMP violations | 0 |
| Number of enforcement actions issued | 0 |
| Number of escalated enforcement actions issued | 0 |

FY 2016-2017

| VI. CONSTRUCTION MANAGEMENT PROGRAM | | | | |
|---|------------------|-------------------------------------|------------|-------------|
| Has the Copermittee implemented a construction management program that complies with Order No. R9-2013-0001? | YES | <input checked="" type="checkbox"/> | | |
| | NO | <input type="checkbox"/> | | |
| Number of construction sites in inventory | 7 | | | |
| Number of active construction sites in inventory | 2 | | | |
| Number of inactive construction sites in inventory | 0 | | | |
| Number of construction sites closed/completed during reporting period | 5 | | | |
| Number of construction site inspections | 59 | | | |
| Number of construction site violations | 2 | | | |
| Number of enforcement actions issued | 2 | | | |
| Number of escalated enforcement actions issued | 0 | | | |
| VII. EXISTING DEVELOPMENT MANAGEMENT PROGRAM | | | | |
| Has the Copermittee implemented an existing development management program that complies with Order No. R9-2013-0001? | YES | <input checked="" type="checkbox"/> | | |
| | NO | <input type="checkbox"/> | | |
| | Municipal | Commercial | Industrial | Residential |
| Number of facilities or areas in inventory | 1 | 1 | 0 | 12 |
| Number of existing development inspections | 9 | 9 | 0 | 108 |
| Number of follow-up inspections | 0 | 0 | 0 | 0 |
| Number of violations | 0 | 0 | 0 | 0 |
| Number of enforcement actions issued | 0 | 0 | 0 | 0 |
| Number of escalated enforcement actions issued | 0 | 0 | 0 | 0 |
| VIII. PUBLIC EDUCATION AND PARTICIPATION | | | | |
| Has the Copermittee implemented a public education program component that complies with Order No. R9-2013-0001? | YES | <input checked="" type="checkbox"/> | | |
| | NO | <input type="checkbox"/> | | |
| Has the Copermittee implemented a public participation program component that complies with Order No. R9-2013-0001? | YES | <input checked="" type="checkbox"/> | | |
| | NO | <input type="checkbox"/> | | |
| IX. FISCAL ANALYSIS | | | | |
| Has the Copermittee attached to this form a summary of its fiscal analysis that complies with Order No. R9-2013-0001? | YES ¹ | <input checked="" type="checkbox"/> | | |
| | NO | <input type="checkbox"/> | | |
| X. CERTIFICATION | | | | |

I Principal Executive Officer Ranking Elected Official Duly Authorized Representative certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



 Signature
 Scott Huth

 Print Name
 858-755-9313

 Telephone Number

23 January 2018

 Date
 City Manager

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1. FISCAL ANALYSIS

1.1 JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM IMPLEMENTATION

This section of the Jurisdictional Runoff Management Program (JRMP) Annual Report provides a fiscal analysis of the City's stormwater management programs.

The City of Del Mar used the format and guidelines provided in the "Standardized Fiscal Method and Format" adopted by the San Diego Municipal Copermittees in 2009 for reporting purposes; however, given the City's financial accounting methods, a few modifications were necessary. These adjustments are described in subsequent sections below. The City recognizes the elements required to be included in the fiscal analysis as specified in Order No. R9-2013-001 Section E.8, and has included those components in the year's report.

1.1.1 Clean Water Program Budget

The City of Del Mar's Clean Water Program is a multi-departmental program, funded as an enterprise fund in the City's Annual Budget. Enterprise funds account for operations that are financed and operated in a manner similar to private businesses, with the costs of providing the services recovered largely through user fees. Fund 55 ("The Clean Water Fund"), is one of three (3) enterprise funds in the City's budget, and was added to the City's budget in Fiscal Year 2004 to account for the mandated costs of the City's responsibilities in order to comply with the Municipal Permit. The budget for the City of Del Mar has the appropriate funds and necessary staff resources allocated to meet the requirements of Permit 2013-0001, including any development, implementation, and enforcement activities required.

The City of Del Mar Operating and Capital Improvement Budgets for Fiscal Years 2015-2016 and 2016-2017 were presented to the Del Mar City Council on June 1, 2015. The budget was formally adopted during the same meeting.

For the Fiscal Year 2016-2017 reporting period, the final amended budget for Fund 55 totaled \$574,960. **Table 1-1** below provides a breakdown of program budget by major budget category for Fiscal Year 2016-2017.

Table 1-1: Budget Summary – Clean Water Fund 55

| Fund Account | | Adopted Budget Fiscal Year 2016-2017 | Description/Comments |
|---|--------------------------------|---|---|
| 55-5530 | Clean Water Planning | \$47,570 | Active enforcement of clean water regulations including project plan review, permitting, construction monitoring and plan review of BMPs. |
| 55-5536 | Clean Water Code Enforcement | \$25,920 | Active in-field enforcement of clean water regulations, including response to resident complaints. |
| 55-5539 | Clean Water Program Management | \$284,250 | All clean water program management and reporting activities, fees to agencies, and interaction with regional and watershed Copermittee groups. |
| 55-5840 | Public Works (General) | \$217,220 | Provides for administration and general support for all clean water programs for property and facilities, including supervision of maintenance staff. |
| Total Clean Water Program Budget – Fund 55 | | \$574,960 | – |

1.1.2 Fiscal Analysis Results and Detailed Expenditures

The City’s Fiscal Year 2016-2017 jurisdictional, watershed, and regional projected expenditures for the implementation of the Municipal Permit requirements are summarized in **Table 1-2** below.

The City of Del Mar utilized the expenditure categories (administration, watershed activities, cost share contribution, and other) detailed in the Fiscal Analysis Method for jurisdictional, watershed, and regional reporting. These expenditures are discussed in further detail in the following sections.

Table 1-2: Fiscal Year 2016-2017 Expenditure Summary by Program Component

| Component Description | Fiscal Year 2016-2017 Projected Expenditures |
|--|---|
| Jurisdictional Component | |
| Administration | \$63,383 |
| Development Planning | \$42,840 |
| Construction | \$29,744 |
| Municipal (Including Non-Emergency Fire Flows) | \$199,920 |
| Industrial and Commercial | \$10,850 |
| Residential, Education, and Public Participation | \$52,442 |
| IDDE | \$37,734 |
| Jurisdictional Total | \$436,913 |
| Watershed Component | |
| San Dieguito Watershed | \$49,975 |
| Los Peñasquitos Watershed | \$39,125 |
| Watershed Total | \$89,100 |
| Regional Component | |
| Total Copermittee Cost Share for Del Mar | \$47,078 |
| Total Costs | \$573,090 |

1.1.3 JRMP Expenditures

While the City of Del Mar used the expenditure categories detailed in the Fiscal Analysis Method, it is difficult to separate out individual component costs due to the implementation overlap of some of the City’s municipal permit components. As a result, the expenditures for residential, education, and public participation are reported as one expenditure category. Additionally, since the City does not explicitly track expenditures by permit component for its budgeting purposes, in many cases estimated percentages were utilized to allocate expenditures into the appropriate municipal permit component categories.

A total of \$436,913 was projected to be expended in Fiscal Year 2016-2017 for the implementation of JRMP activities. An overview of the expenditures reflected in JRMP activity component is described below.

Administration

Activities identified in this component represent labor and non-labor expenditures for materials, supplies, equipment, or tools that are not otherwise incorporated into other expenditure categories, general administrative functions (e.g., program planning, budgeting, staff supervision), and program assessment and reporting.

Development Planning

Activities identified in this component represent labor and non-labor 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).

Construction

Activities identified in this component represent labor and non-labor expenditures related to construction site inspections and enforcement.

Municipal

Activities identified in this component represent labor and non-labor expenditures related to maintenance inspections of streets, roads, catch basins and inlets, open channels, and the MS4, municipal facility inspections, street and parking lot sweeping, catch basins and inlets, open channels, and MS4 cleaning, and municipal BMP implementation. Since the City of Del Mar conducts all fire-fighting training outside of the City, and no non-emergency fire-fighting flows occurred during the reporting period, the City does not currently track expenditures relating to non-emergency fire-fighting flows. Any costs associated with preparing for these flows are included in the municipal component.

Industrial and Commercial

Activities identified in this component represent labor and non-labor expenditures related to evaluation and enforcement of program requirements at industrial and commercial sites or sources (e.g. routine inspections and complaint investigations).

Residential, Education, and Public Participation

Activities identified in these components represent labor and non-labor expenditures related to investigation and enforcement of residential areas or activities, staffing outreach events, development and production of outreach materials, and any expenditures associated with waste collection and recycling (e.g. household hazardous waste, used oil).

Illicit Discharge Detection and Elimination

Activities identified in this component represent labor and non-labor 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. dry weather monitoring, coastal storm drain monitoring, special investigations, field or sampling equipment, materials and supplies).

1.1.4 Watershed Expenditures

The watershed expenditures included in this report only capture City of Del Mar expenditures and do not account for any expenditure disbursed by other Copermittees included in the watershed(s).

A total of \$89,100 was projected to be expended in Fiscal Year 2016-2017 for the implementation of planned strategies for the San Dieguito and Los Peñasquitos Watersheds.

1.1.5 Regional Expenditures

The regional expenditures included in this report only capture City of Del Mar expenditures and do not account for any expenditure disbursed by other Copermittees in the region. A total of \$47,078 was projected to be expended in Fiscal Year 2016-2017 for the implementation of regional activities and coordination.

1.1.6 Funding Sources

To ensure adequate funding for the Clean Water Program, the City uses a combination of user fees and general fund monies.

The City of Del Mar City Council created and adopted a user fee, called the Clean Water Fund Service Charge to offset the costs of the program. Initially, the rate was adopted to collect \$100,000 of the estimated \$300,000 for the program, with an escalator to achieve full cost recovery by 2009. Mid-way through the five-year schedule, on July 24, 2006, the California Supreme Court published a decision in the case of Bighorn-Desert View Water Agency v. Verjil (2006) 39 Cal. 4th 205, which held that consumption-based rates such as water and sewer rates are subject to the notice and hearing requirements of California Constitution, Article XIID, Section 6 (commonly known as "Proposition 218"). Therefore, on January 22, 2007, and February 5, 2007, the Del Mar City Council held public hearings to receive written protests to comply with Proposition 218. No majority protest was received, and the Council ratified the previously approved five-year rate schedule, including the City's Clean Water Service Charge. However, the adopted rate increases did not account for the actual increases in the costs associated program requirements.

As an additional measure to obtain voter approval of the five-year rate schedule for the City's Clean Water Service Charge, the Council directed staff on April 2, 2007, to start the process to perform a mail ballot election procedure. During the process of researching the mail ballot election procedures and the current rates, it became apparent that the process would immediately need to be repeated to set the Fiscal Year 2010 rates and charges, since the current five-year rate schedule was due to expire in June of 2009. Due to the additional costs incurred in complying with the new requirements of the 2007 Permit, increases to the Clean Water Service Charge were proposed, including an annual rate escalator. All monies appropriated as part of the Clean Water Service Charge are directly identified for the Clean Water Program, and pursuant to law, may not be used by the City for any other purpose.

During the Fiscal Year 2009 reporting period, in compliance with Proposition 218, both the majority protest hearing and mail ballot process were conducted for the proposed increases. Both the ratification of the existing rate structure (required by Proposition 218), and the new rates, including the rate escalator, passed by more than 62%. As a result of the passage of the Clean Water Service Charge, the City will continue to have a secure funding source for the Clean Water Program, outside of general fund monies for future fiscal years.

Based on current water allocations for the City of Del Mar, the projected revenues from the Clean Water Service Fee will be \$533,400 (page 88 of city budget) for Fiscal Year 2016-2017.