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Mission Statement

The mission of CAI-OC is to provide education and leadership that will foster vibrant and effective community associations and positively enhance the experience of creating, living in and working in partnership with common interest developments.

When It Rains, It Pours: Bracing for Urban Runoff Permits

By Christine Diemer Iger, Esq.



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With the recent flurry of media coverage focused on coastal pollution, many of us are familiar with stories about beach closures and the various contaminants affecting our shoreline. Most people point to urban runoff as the main source of beach closures. However, scientific studies show broken sewer lines and sea gull waste as primary causes of our coastal pollution. All of us are distressed about unhealthy ocean water and look to the experts for advice on how to safeguard our coastal treasures.



Despite significant scientific evidence suggesting otherwise, when water board regulators look to assess blame as to the causes of these beach closures, urban runoff appears to have become an "easy target." Urban runoff is primarily the water from rainfall, but also includes water from washing down your parking lot, water from your landscape irrigation system, water due to erosion problems, water used at your place of business, and other water flow related activities.

Recently, regional water boards have adopted regulations to prevent people from dumping pollutants into waterways flowing to the ocean shores. Preventing

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COMMUNITY Spotlight

NORTH BLUFF PARK
Nestled in the Bluffs

Nestled in the bluffs area of Newport Beach near the Back Bay, North Bluff Park is one of the first planned communities developed by The Irvine Company. Built in 1969 through the early 1970's, this 217-lot town-home community on approxi-mately 34 acres serves as an excellent example of how a



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When It Rains It Pours...

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items from getting into our waterways sounds simple, but these new comprehensive "rules" are both confusing and expensive and will likely subject community associations and the building industry to inspections and monitoring. Violations of the new regulations may also make associations and developers subject to lawsuits and fines.

As background, the California State Water Resources Control Board is charged with upholding the federal Clean Water Act, and is in the process of creating statewide water runoff regulations. In Orange County, two regional water boards are addressing urban stormwater runoff: the Santa Ana Regional Water Quality Control Board and the San Diego Regional Water Quality Control Board. These two regional boards recently adopted municipal stormwater permits and rely on each City and the County to ensure that fewer pollutants get into storm drains, waterways, and ultimately the ocean. The water boards require local government to bear the burden of monitoring, inspecting, and enforcing new restrictions on runoff.

In the past, the points at which the urban runoff was directly "discharged" into ocean waters were heavily regulated. Now, the "sources" of items going into the storm drains will also be watched, thereby putting more scrutiny on the homeowner, the association and the developer. Also, "third

party" watchdogs will be on patrol, looking for contaminants in storm drains that may be caused by water runoff linked to a development's property. Simply stated, it is clear that from now on every aspect of stormwater handling will be subject to regulatory compliance. This will significantly impact community association and developers.

"...Third party watchdogs...

...will be on patrol, looking for contaminants in storm drains that may be caused by water runoff linked to a development's property. ."



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This update is intended to provide general information about events of current legal significance. The information contained in this update is necessarily general and, in the interest of brevity, may not encompass all relevant legal authority. In addition, this information's applicability to a particular set of facts and circumstances may vary. Therefore, this update is not intended to, and does not, constitute legal advice.

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