

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING THE FOURTH AMENDMENT
TO THE MEMORANDUM OF UNDERSTANDING (MOU)
AMONG THE COPERMITTEES OF THE SAN DIEGO
COUNTY NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM MUNICIPAL PERMIT

WHEREAS, the National Pollution Discharge and Elimination System (NPDES) stormwater permit regulations are administered by the United States Environmental Protection Agency (U.S. EPA) under the authority granted by the Federal Water Pollution Control Act (Clean Water Act) 33 USCA 1251 et seq. as amended, Municipal Permit, Order No. R9-2013-0001; and

WHEREAS, the Municipal Permit requires the Copermittees of San Diego County to cooperate in the implementation of regional programs; and

WHEREAS, the Copermittees of San Diego County includes the County of San Diego (County), the San Diego Unified Port District (Port), the San Diego County Regional Airport Authority (Airport), and the incorporated cities of San Diego, Carlsbad, Chula Vista, Coronado, Escondido, Imperial Beach, La Mesa, San Marcos, Del Mar, El Cajon, Encinitas, Lemon Grove, National City, Oceanside, Poway, Santee, Solana Beach, and Vista (Copermittees); and

WHEREAS, this cooperation necessitates a Memorandum of Understanding (MOU) among the Copermittees to address specific regional permit requirements and to define associated Copermittees' shared regional responsibilities and financial obligations; and

WHEREAS, the San Diego Regional Water Quality Control Board (Regional Board) adopted the current Municipal Permit on May 8, 2013; and

WHEREAS, the Copermittees have cooperated under the current MOU, which expires on August 31, 2019, and are on track to complete regional activities on schedule; and

WHEREAS, an extension of the MOU is necessary to complete the program; and

WHEREAS, the proposed Fourth Amendment to the MOU will extend the term of the MOU to August 31, 2024, or for the life of the Municipal Permit plus twelve months, whichever is longer; and

WHEREAS, the Development Services Director has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378(b)(2) of the State CEQA Guidelines because it involves on the approval of an amendment to the existing MOU; therefore, pursuant to Section 15060 (c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Although environmental review is not necessary at this time, as projects required by this MOU

are further defined, environmental review will be required and a CEQA determination will be completed prior to commencing any development activities on the subject property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that it approves the Fourth Amended National Pollutant Discharge Elimination System San Diego Regional Stormwater Copermittees Memorandum Of Understanding 2019 (MOU) in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk, and authorizes the Mayor to sign the Fourth Amendment on behalf of the City.

Presented by

Approved as to form by

William S. Valle
Director of Engineering & Capital Projects

Glen R. Googins
City Attorney