

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING THE "CITY OF CHULA VISTA
BMP MANUAL, DECEMBER 2015" AND AUTHORIZING
THE CITY ENGINEER TO APPROVE FUTURE UPDATES ON
BEHALF OF THE CITY

WHEREAS, on May 08, 2013, the San Diego Regional Water Quality Control Board (Regional Board) adopted a new National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4) Draining the Watersheds within the San Diego Region, Order No. R9-2013-0001 ("MS4 Permit"). In February 2015, the MS4 Permit was amended by Order R9-2015-001; and

WHEREAS, the MS4 Permit regulates discharges to storm drain systems within 18 municipalities in San Diego County, the County of San Diego, the San Diego County Regional Airport Authority, and the San Diego Unified Port District, as well as 13 Copermittees in Orange County and 5 Copermittees in Riverside County (collectively referred to as "Copermittees"); and

WHEREAS, the Development Planning Component of the MS4 Permit requires each Copermittee to update its local Best Management Practices (BMP) Design Manual pursuant to Provision F.2.b; and

WHEREAS, the City of Chula Vista BMP Design Manual (aka Development Storm Water Manual) was originally developed in November 2002, and its first update was in January 2008, which added general requirements for Low Impact Development, Interim Hydromodification Criteria, limitations of grading, and advanced treatment; and

WHEREAS, in March 2010 a second update was completed that included more specific standards and criteria for Low Impact Development site design, source control, and treatment control BMPs; and

WHEREAS, the proposed City's BMP Design Manual required pursuant to Provision F.2.b.(1) includes, but is not limited to, updated procedures to determine the nature and extent of storm water requirements applicable to a potential development or redevelopment projects; updated procedures to identify pollutants and conditions of concern for selecting the most appropriate structural BMPs; updated procedures for designing structural BMPs, including any updated performance requirements to be consistent with the requirements of Provision E.3.c for all structural BMPs listed in the BMP Design Manual; long-term maintenance criteria for each structural BMP listed in the BMP Design Manual; and alternative compliance criteria; and

WHEREAS, the intended users of the BMP Design Manual include project applicants, for both private and public developments, their representatives responsible for preparation of Storm Water Quality Management Plans (SWQMPs) and City's personnel responsible for review of these plans; and

WHEREAS, approving the City's BMP Design Manual by the due date of February 16, 2016, is a requirement of the MS4 Permit; and

WHEREAS, non-compliance with said requirement will result in a violation of the MS4 Permit and could expose the City to enforcement action, including Notices of Violation and/or monetary fines, as well as possible third-party suits.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the City of Chula Vista BMP Design Manual, dated December 2015 ("BMP Design Manual.")

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it authorizes the City Engineer to approve future updates on behalf of the City.

Presented by

Approved as to form by

Richard A. Hopkins
Director of Public Works

Glen R. Googins
City Attorney