

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA AUTHORIZING THE CITY MANAGER OR
HIS DESIGNEE TO NOTIFY THE SAN DIEGO REGIONAL
WATER QUALITY CONTROL BOARD OF THE TRACK
SELECTED TO COMPLY WITH TRASH AMENDMENT
INVESTIGATIVE ORDER NO. R9-2017-0077

WHEREAS, on June 2, 2017, the San Diego Regional Water Quality Control Board (RWQCB) issued Investigative Order (IO) No. R9-2017-0077, directing the Owners and Operators of Phase I Municipal Separate Storm Sewer Systems (MS4 permittee) Draining the Watersheds within the San Diego Region to Submit Reports Pertaining to the Control of Trash in Discharges from Phase I MS4s to Ocean Waters, Inland Surface Waters, Enclosed Bays, and Estuaries in the San Diego Region; and

WHEREAS, order No. R9-2017-0077 requires MS4 permittees to submit written notice indicating whether Track 1 or Track 2 control measures will be used to comply with the trash discharge prohibition by September 05, 2017; and

WHEREAS, jurisdictional maps and implementation plans associated with either Track 1 or Track 2 control measures must be submitted to the San Diego Water Board by December 03, 2018; and

WHEREAS, the City of Chula Vista (City), as well as the other 20 Copermittees must decide between two compliance paths (Track 1 or Track 2) and implement “full capture” of trash in Priority Land Use Areas by 2028; and

WHEREAS, Priority Land Use areas (commercial, industrial, high density residential, public transportation, and “mixed urban”) are deemed to have elevated trash generation rates. The City has identified approximately 1,800 storm drain inlets subject to this Order within Priority Land Use Areas (Attachment 1); and

WHEREAS, Track 1 requires the installation and maintenance of certified structural devices, see Attachment 2, (“full capture systems”) on all storm drains that capture runoff from Priority Land Use Areas; and

WHEREAS, compliance with Track 1 requirements is achieved when the City has demonstrated annually the installation, operation, and maintenance of full capture systems and provides mapped location and drainage area served by full capture systems; and

WHEREAS, Track 2 requires a combination of certified structural devices where feasible and programmatic controls (e.g. catch basin cleaning, street sweeping, trash receptacle programs) to capture all trash generated from Priority Land Use areas (“full capture equivalence”); and

WHEREAS, compliance with Track 2 requirements is achieved when the City has, “[d]eveloped and implemented a set of monitoring objectives that demonstrate mandated performance results, effectiveness of the selected combination of treatment and institutional controls, and compliance with full capture system equivalency; and

WHEREAS, in preparation for the expected Trash Order, on August 02, 2016, by Resolution 2016-156, City Council approved a contract with D-Max Engineering, Inc. to prepare Trash Amendments Baseline Assessment Report (“Baseline Report”); and

WHEREAS, D-Max completed a preliminary evaluation of different compliance scenarios considering data from Public Works, Engineering, Geographic Information Systems, and Economic Development Departments, and submitted a final Baseline Report dated June 19, 2017 (Attachment 3).

WHEREAS, a 20-year planning horizon was considered by D-Max, along with six scenarios from Track 1 and Track 2. Overall, Track 1 scenarios had higher total costs than Track 2 scenarios; and

WHEREAS, the distribution of costs also differs between tracks, with a much larger proportion of costs required to cover monitoring, reporting, and program management under Track 2; and

WHEREAS, the San Diego RWQCB has indicated that it will be acceptable for a city to initially select a Track 2 approach and then later switch to a Track 1 approach. This strategy might be desirable if, for example, after implementing the first few years of a Track 2 program, the City finds that its nonstructural BMP efforts turn out to be less effective or more costly than anticipated; and

WHEREAS, the Trash Order requires the City to notify the San Diego RWQCB of the selected compliance track by no later than September 5, 2017 and submit implementation maps, time schedules and (if applicable) compliance plans by December 3, 2018; and

WHEREAS, based upon an analysis of the two tracks, staff is recommending that the San Diego RWQCB be notified that the City is selecting the Track 2 approach to comply with the Trash Amendment Investigative Order (IO) No. R9-2017-0077; and

WHEREAS, the Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities) and/or Section 15303 Class 3 (New Construction or Conversion of Small Structures). Thus, no further environmental review is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it authorize the City Manager or his designee to notify the San Diego Regional Water Quality Control Board of Track Selected to comply with the Trash Amendment Investigative Order No. R9-2017-0077.

Presented by

Approved as to form by

William S. Valle
Director of Engineering & Capital Projects/
City Engineer

Glen R. Googins
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