

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AND AUTHORIZING SUBMITTAL OF THE SAN DIEGO BAY WATERSHED MANAGEMENT AREA WATER QUALITY IMPROVEMENT PLAN (WQIP), APPROVING AND AUTHORIZING SUBMITTAL OF THE “CITY OF CHULA VISTA JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM, JUNE 2015 (JRMP)” DOCUMENT AND AUTHORIZING THE SUBMITTAL OF SUBSEQUENT JRMP REPORTS AND UPDATES ALONG WITH THE WQIP ANNUAL REPORT TO THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

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 (Municipal Permit); and

WHEREAS, the Municipal 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 Municipal Permit established a new watershed-based approach by which the Copermittees plan and implement storm water programs; and

WHEREAS, the new approach requires that the jurisdictions’ storm water programs address the priority receiving water conditions, focusing efforts toward measureable improvements in receiving water quality; and

WHEREAS, the Municipal Permit requires Responsible Parties, in each of the region’s watersheds, to develop Water Quality Improvement Plans; and

WHEREAS, the Municipal Permit places responsibilities on municipalities to prevent, through enforcement of their ordinances and permitting requirements, discharges of pollutant(s) from their storm drainage systems to the waters of the United States; and

WHEREAS, the San Diego Bay is the ultimate receiving water body of the watershed that encompasses Chula Vista; and

WHEREAS, pursuant to Section 303(d) Clean Water Act, 33 USCA Section 1251 et seq., the United States Environmental Protection Agency (USEPA) and the Regional Board have

declared San Diego Bay to be an impaired water body and therefore, special restrictions apply to discharges from all municipalities within the San Diego Bay Watershed; and

WHEREAS, this condition demands extra vigilance and effort on the part of affected municipalities; and

WHEREAS, the Cities of San Diego, Chula Vista, La Mesa, Lemon Grove, National City, Imperial Beach, San Diego Unified Port District (Port of San Diego), San Diego County Regional Airport Authority, County of San Diego and California Department of Transportation, collectively referred to as the Responsible Parties (RP) developed the San Diego Bay Water Quality Improvement Plan (WQIP) document in response to the requirements of the Municipal Permit; and

WHEREAS, each Copermittee is also required to update their Jurisdictional Runoff Management Program (JRMP) and other relevant program documents and standards by June 27, 2015 in order to be in compliance with the Municipal Permit; and

WHEREAS, the purpose of the WQIP is to guide the Responsible Parties' Jurisdictional Runoff Management Programs (JRMPs) toward achieving improved water quality in MS4 discharges and receiving waters; and

WHEREAS, in the San Diego Bay WQIP, priorities and goals are established and strategies selected for implementation by the Responsible Parties in order to achieve progress toward improving water quality. This approach establishes the WQIP as the foundation that each Responsible Party uses to develop and implement its JRMP; and

WHEREAS, Responsible Parties' JRMPs contain the strategies, standards and protocols by which each Responsible Party will implement its individual program in response to the priorities and goals established in the Water Quality Improvement Plan; and

WHEREAS, the WQIP Plan identifies goals related to each Highest Priority and Focused Priority. Furthermore, individual schedules for each goal were established; and

WHEREAS, together, the goals and schedules define the targets that the Responsible Parties use to develop their programs and to measure progress; and

WHEREAS, the JRMP is an outline of the program to be implemented by City staff, as required by the Municipal Permit, to ensure that all new development and redevelopment, existing industrial, commercial, residential, municipal land uses, and construction sites implement adequate pollution prevention measures and BMPs, as well as conduct necessary monitoring and reporting; and

WHEREAS, the JRMP is a dynamic document, and includes: inventories of active construction and building sites; commercial and industrial facilities; lists of minimum and recommended BMPs, Best Available Technologies, and Best Conventional Technologies; and, locations of sensitive areas and impaired water bodies; and

WHEREAS, the JRMP document includes the overall program to be implemented by the City within its jurisdiction during the life of the Municipal Permit and covers major components as follows: (1) Legal Authority Establishment and Enforcement; (2) Illicit Discharge Detection and Elimination; (3) Development Planning; (4) Construction Management; (5) Existing Development Management; (6) Enforcement Response Plan; (7) Public Education and Participation; (8) Fiscal Analysis; and

WHEREAS, required by the Municipal Permit, each year the City will submit its JRMP report and updates along with the San Diego Bay WQIP annual report to the Regional Board. Any program modifications will be for the advancement of the City's program and will comply with all regulations as presented in the Municipal Permit; and

WHEREAS, the City is currently continuing to implement the storm water quality program that was developed for compliance with the previous NPDES Municipal Permit, Order No. 2007-0001, and Municipal Code Section 14.20; and

WHEREAS, updating the City's Ordinances, authorizing the submittal of San Diego Bay (WQIP), approving and authorizing the submittal of the "City of Chula Vista JRMP document to the Regional Board by the due date of June 27, 2015, are requirements of the Municipal Permit; and

WHEREAS, non-compliance with said requirements will result in a violation of the Municipal Permit and 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 and authorizes the submittal of San Diego Bay (WQIP), approves and authorizes the submittal of the "City of Chula Vista Jurisdictional Runoff Management Program, June 2015 (JRMP) document, and authorizes submittal of subsequent JRMP reports and updates along with the WQIP annual report to the San Diego Regional Water Quality Control Board.

Presented by

Approved as to form by

Richard A. Hopkins
Director of Public Work

Glen R. Googins
City Attorney