

TO: James L. App, City Manager
FROM: Joseph M. Deakin, Public Works Director
SUBJECT: Storm Water Management
DATE: March 4, 2003

NEEDS: For the City Council to consider adopting the Storm Water Management Plan and authorizing its submittal to the Regional Water Quality Control Board by March 10, 2003.

FACTS:

1. In 1972, the Federal Water Pollution Control Act, also referred to as the Clean Water Act (CWA), was amended to provide that the discharge of pollutants to waters of the United States from any point source is unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The 1987 amendments to the CWA established a framework for regulating storm water discharges under the NPDES Program. Consequently, in 1990, the United States Environmental Protection Agency (U.S. EPA) promulgated Phase I storm water regulations for permitting storm water discharges from industrial sites (including construction sites that disturb five acres or more) and from municipal separate storm sewer systems serving a population of 100,000 people or more.
2. On December 8, 1999, U.S. EPA promulgated Phase II storm water regulations requiring permits for storm water discharges from municipalities and regions over 25,000 population and from construction sites disturbing between 1 and 5 acres of land. Subsequent regulatory notices include Paso Robles as a required permittee.
3. The EPA's Storm Water Phase II Rule establishes a Storm Water Management Program that is intended to improve the surface waterways by reducing the quantity of pollutants that storm water carries into storm sewer systems. Common pollutants include silts, oil and grease from roadways, pesticides from lawns, sediment from construction sites, and carelessly discarded trash, such as cigarette butts, paper wrappers, and plastic bottles. When deposited into nearby waterways, these pollutants can impair the waterways, escalating to potentially discouraging recreational use of the resource, contaminating drinking water supplies, and interfering with the habitat for aquatic organisms, wildlife and plants.
4. The U.S. EPA published the final rule with regards to NPDES Phase II requirement for municipalities. The City of Paso Robles is required to submit a Notice of Intent (NOI) to comply with the EPA ruling, along with the preparation of a Storm Water Management Plan (SWMP).

The Storm Water Management Plan must include how the City intends to address the six items required by the Permit. The City will have up to 5 years to implement programs once the Plan is approved by the Regional Water Quality Control Board, the six items are:

- Public Education and/or Outreach on Storm Water Impacts
- Public Participation and Involvement
- Illicit Discharge Detection and Elimination Procedures
- Construction Site Run-Off Control Procedures
- Post-Construction Run-Off Control Procedures
- Pollution Prevention/Good Housekeeping

5. On February 4, 2003, the City Council directed staff to circulate the Draft Storm Water Management Plan to solicit comments from the public. All comments received are addressed in the final report.

ANALYSIS

AND

CONCLUSION: The City's SWMP will address the quality of water that would be discharged to the County's natural creeks and rivers. To develop the plan, the City must identify all sources of water that would discharge into the natural creeks and rivers. The City must then develop Best Management Practices (BMP) to address and implement ongoing activities to monitor, measure and perhaps reduce pollutant loads. The plan must be comprehensive to satisfy and meet regulatory requirements.

The Final Storm Water Management Plan is attached and will be submitted to the Regional Board by March 10th.

POLICY

REFERENCE: 1972 Federal Water Pollution Control Act (also referred to as the Clean Water Act); 1999 US E.P.A. Storm Water Phase II Rules & Regulations

FISCAL

IMPACT: The Draft SWMP identifies BMP's that must be implemented providing an anticipated date of completion. Implementation cost estimates are attached. Funding sources outside the General Fund are uncertain. The City applied for a Water Bond Prop 50 Grant in the amount of \$400,000. Since Grant Funding is uncertain, a request for appropriation to implement BMP's will be integrated in the upcoming FY 2003/2004 Budget and 4-year Capital Improvement Program.

OPTIONS:

- a. Adopt Resolution No. 03-xx:
 - 1) adopting the Final Storm Water Management Plan; and
 - 2) directing staff to submit the SWMP to the Regional Water Quality Control Board.
- b. Amend, modify or reject the above option.

Attachments (3)

- 1) Resolution No. 03-xx
- 2) Final Report
- 3) Preliminary Cost Estimate

RESOLUTION NO. 03-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ADOPTING THE FINAL STORM WATER MANAGEMENT PLAN AND DIRECTING STAFF
TO SUBMIT THE STORM WATER MANAGEMENT PLAN (SWMP) TO THE REGIONAL
WATER QUALITY CONTROL BOARD

WHEREAS, in 1972, the Federal Water Pollution Control Act, also referred to as the Clean Water Act (CWA), was amended to provide that the discharge of pollutants to waters of the United States from any point source is unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit; and

WHEREAS, on December 8, 1999, the United States Environmental Protection Agency (U.S. EPA) promulgated Phase II storm water regulations requiring permits for storm water discharges from municipalities and regions over 25,000 population and from construction sites disturbing between 1 and 5 acres of land; and

WHEREAS, the EPA's Storm Water Phase II Rules establishes a Storm Water Management Program that is intended to improve the surface waterways by reducing the quantity of pollutants that storm water carries into storm sewer systems; and

WHEREAS, in order to meet NPDES Phase II requirements for municipalities, the City of Paso Robles is required to submit a Notice of Intent (NOI) to comply with the EPA ruling, along with the preparation of a SWMP; and

WHEREAS, on February 4, 2003, the City Council directed staff to circulate the Draft Storm Water Management Plan for solicitation of comments from the public; and

WHEREAS, all comments received are addressed in the final report.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of Paso Robles does hereby adopt the Final Storm Water Management Plan.

SECTION 2. The City Council of the City of Paso Robles does hereby direct staff to submit the SWMP to the Regional Water Quality Control Board.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of February 2003 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Frank R. Mecham, Mayor

Sharilyn M. Ryan, Deputy City Clerk

A COPY OF THE
FINAL
STORM WATER
MANAGEMENT PLAN
IS AVAILABLE FOR
REVIEW IN THE LIBRARY
AND CITY CLERK'S OFFICE