

July 30, 2002

Honorable Mayor and Members of
The Hermosa Beach City Council

Regular Meeting of
August 13, 2002

**AMENDMENT TO THE STORM WATER AND URBAN RUNOFF
POLLUTION CONTROL ORDINANCE**

Recommendation:

It is recommended that the City Council adopt the attached ordinance entitled ***AN ORDINANCE OF THE CITY OF HERMOSA BEACH AMENDING THE STORM WATER POLLUTION CONTROL FOR PLANNING AND CONSTRUCTION OF NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS AND AMENDING AND SUPPLEMENTING THE HERMOSA BEACH MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF*** amending the current ***Storm Water and Urban Runoff Pollution Control Regulations*** ordinance.

Background:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), issued a municipal Storm Sewer Permit to the County of Los Angeles (Los Angeles County MS4 Permit) in July 1996. The Permit designated Los Angeles County as the Principle Permittee, and eighty-five incorporated cities (including Hermosa Beach) as Co-Permittees, to control and minimize the discharge of pollutants associated with storm water and urban runoff. Subsequently, on November 26, 1996, the City Council adopted Ordinance No. 96-1165, establishing storm water controls and regulations for the City.

On January 26, 2000, the Regional Water Quality Control Board adopted Resolution No. R00-02, enacting the Standard Urban Storm Water Mitigation Plan (SUSMP), thereby expanding the region's required storm water control and regulation responsibilities by further addressing the issues of construction and development planning.

On January 9, 2001, the City Council adopted Ordinance No. 01-1211, amending the Municipal Code, thus providing for the Implementation of Storm Water and Urban Runoff Controls for Planning and Construction of New Development and Redevelopment.

Under the provisions of the Regional Board's new National Pollutant Discharge Elimination System (NPDES) Permit, No. CAS004001 (Order No. 01-182, dated December 13, 2001), Los Angeles County and the Co-Permittees have until September 1, 2002 to cause the new SUSMP regulations contained in the Permit to take effect.

Analysis:

In accordance with the terms of the Regional Board's mandate, the City Attorney has prepared the attached Ordinance for Council's review and adoption. The attached Ordinance provides the legal authority to enforce the new SUSMP requirements contained in the Permit, which include:

A. Planning Program Changes

1. Treatment of storm water and SUSMP requirements apply to all Planning “Priority” Projects.
2. Single-family homes are exempt from redevelopment requirements.
3. Hillside single-family homes under one acre of surface area are exempt from the numerical design criteria.
4. Numerical design criteria apply to projects that create 2,500 square feet or more of impervious surface areas within, adjacent to or discharging directly into an environmentally sensitive area.
5. “Maintenance Agreement and Transfer” requirements for all priority projects with structural and treatment control BMP’s (Best Management Practices) to ensure their upkeep and function in perpetuity.

B. Construction Program Changes

1. Applicants for construction sites, one acre and greater of disturbed area, are required to submit a Local Storm Water Pollution Prevention Plan (LSWPPP), on which the project engineer/architect and property owner or property owner’s agent must sign statements certifying they (in essence) are in compliance with applicable storm water pollution regulations. These sites must be inspected at least once during the rainy season (October 1 – April 15) and;
2. After March 10, 2003, construction sites one acre (currently five acres) or more, must obtain a State NPDES Permit and prepare a Storm Water Pollution Prevention Plan (SWPPP).

Fiscal Impact:

Since the implementation of the SUSMP requirements in August of 2000, the direct fiscal impact on the City has been minimal. The impact of the SUSMP requirements is directly proportional to the number of projects submitted that meet the threshold of applicability (a Planning “Priority” Project), of which the City has had few. The effect of amending the Storm Water and Urban Runoff Ordinance would similarly be related to the amount of priority projects applied for in the future.

Attachment: Ordinance

Respectfully submitted,

Concur:

Homayoun Behboodi
Associate Engineer

Harold C. Williams, P.E.
Director of Public Works/City Engineer

Noted for Fiscal Impact:

Concur:

Viki Copeland
Finance Director

Stephen R. Burrell
City Manager

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