

REPORT TO THE CITY COUNCIL



DATE: December 3, 2013

TITLE: First Amendment to the National Pollutant Discharge Elimination System Stormwater Discharge Permit Implementation Agreement

RECOMMENDATION

Approve the First Amendment to the National Pollutant Discharge Elimination System Stormwater Discharge Permit Implementation Agreement between the Riverside County Flood Control and Water Conservation District, the County of Riverside, the Coachella Valley Water District, and the Cities of Banning, Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, LaQuinta, Palm Desert, Palm Springs and Rancho Mirage.

DISCUSSION

The National Pollutant Discharge Elimination System (“NPDES”) is a federally mandated program to control non-point sources of runoff pollution. The Federal Water Pollution Control Act, amended in 1977 as the Clean Water Act, was again amended in 1987 to establish new control on industrial and municipal Storm Water Discharges, including requiring a NPDES permit for municipal separate storm water discharge (“NPDES MS4 Permit”). The City is currently a co-permittee with the Riverside County Flood Control and Water Conservation District, the County of Riverside, the Coachella Valley Water District, and the Cities of Banning, Cathedral City, Coachella, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage (collectively, “Co-Permittees”) under NPDES MS4 Permit issued by the California Regional Water Quality Control Board – Colorado River Basin Region (“CRWQCB”) pursuant to Order No. R7-2008-0001.

On or about September 17, 2008, the City Council approved the National Pollutant Discharge Elimination System Stormwater Discharge Permit Implementation Agreement (“2008 Implementation Agreement”) to join as a co-permittee of the NPDES MS4 Permit issued by the CRWQCB pursuant to Order No. R7-2008-0001. The 2008 Implementation Agreement sets forth the terms and conditions by which the Co-Permittees must perform and/or execute certain activities and responsibilities prescribed by the NPDES MS4 Permit.

On or about November 21, 2012, the Co-Permittees re-applied for an area-wide NPDES MS4 Permit in accordance with the permit requirements administered by the CRWQCB. On or about June 20, 2013, the CRWQCB Board approved the NPDES MS4 Permit pursuant to adopted Order No. R7-2013-0011.

This First Amendment to the 2008 Implementation Agreement will extend the term of the 2008 Implementation Agreement by one (1) year to allow for replacement agreement to be developed and written now that the new NPDES MS4 Permit has been adopted.

FISCAL IMPACT

There is no fiscal impact of this action. All City costs remain the same as said on the 2008 Implementation Agreement.

EXHIBIT(S)

1. National Pollutant Discharge Elimination System Stormwater Discharge Permit Implementation Agreement – Executed September 17, 2008.
2. First Amendment to the National Pollutant Discharge Elimination Stormwater Discharge Permit Implementation Agreement.