

RESOLUTION NO. 19/2013

**A RESOLUTION OF THE TOWN OF CORTE MADERA TOWN COUNCIL
AUTHORIZING THE TOWN MANAGER TO APPLY FOR COVERAGE UNDER THE
STATE WATER RESOURCES CONTROL BOARD'S PHASE II SMALL MUNICIPAL
SEPARATE STORM SEWER SYSTEMS (MS4) GENERAL PERMIT**

WHEREAS, the Federal Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into waters of the United States; and

WHEREAS, the CWA was amended in 1987 to address nonpoint source pollution, thereby requiring the U.S. Environmental Protection Agency (EPA) to issue National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges; and

WHEREAS, on December 8, 1999, U.S. Environmental Protection Agency (EPA) promulgated regulations under the authority of the CWA establishing Phase II of the NPDES stormwater program, thereby requiring municipalities serving populations less than 100,000 to implement a stormwater management program as a means to control polluted discharges from their municipal separate storm sewer systems; and

WHEREAS, the U.S. EPA delegates NPDES permitting authority to the California State Water Resources Control Board (State Board); and

WHEREAS, on April 30, 2003, the State Board adopted Water Quality Order No. 2003-005-DWQ, NPDES General Permit CAS000004 Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems ("Phase II Permit") to comply with Clean Water Act; and

WHEREAS, the Town of Corte Madera is currently covered by the State Board's 2003 Phase II Permit; and

WHEREAS, on February 5, 2013, the State Board adopted a revised Phase II Permit, which goes into effect on July 1, 2013; and

WHEREAS, the Town of Corte Madera is required to apply for coverage under the new Phase II Permit by the effective date of the Permit; and

WHEREAS, the application for coverage, known as the Notice of Intent (NOI), must be signed by a "Discharger" who is an executive officer or ranking elected official of the designated municipality; and

WHEREAS, the Discharger is responsible for reviewing, validating and certifying the NOI for accuracy and correctness and submitting it electronically using the Storm

Water Multi-Application, Reporting, and Tracking System (SMARTS) by July 1, 2013;
and

WHEREAS, the applicable NPDES permit fee, jurisdiction boundary map, and guidance document noting overall program planning and identification of all Permit requirements and responsible implementing parties must be submitted with the NOI; and

WHEREAS, through the SMARTS application process the Discharger may assign one or more Duly Authorized Representatives (DARs) to certify and submit annual reports on behalf of the Discharger.

NOW, THEREFORE, BE IT RESOLVED that the Town of Corte Madera hereby:

1. Authorizes the Town Manager/Town Engineer to serve as the Discharger and to apply for coverage under the Phase II Permit on behalf of the City of Belvedere, by electronically submitting a Notice of Intent via SMARTS. This authorization extends to other actions that may be necessary to complete and submit the NOI.
2. Authorizes the Town Manager/Town Engineer to assign one or more Duly Authorized Representatives to certify and submit annual reports on behalf of the Town Manager/Town Engineer.

I, the undersigned, hereby certify that the foregoing is a full, true and complete copy of a resolution duly passed and adopted by the Town Council of the Town of Corte Madera at a special meeting held on the 26th day of June, 2013 by the following vote:

AYES: Councilmembers Condon, Lappert, Ravasio

NOES: None

ABSENT: Mayor Furst



Michael Lappert, Vice Mayor

ATTEST:



Lisa Harper, Interim Town Clerk