

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, SEPTEMBER 20, 2011**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, September 20, 2011, commencing at 7:10 a.m.

Present: Council Member Hansen, Council Member Katzakian, Mayor Pro Tempore Mounce, and Mayor Johnson

Absent: Council Member Nakanishi

Also Present: City Manager Bartlam, City Attorney Schwabauer, and City Clerk Johl

B. Topic(s)

B-1 Receive Information on the Draft Phase II Small MS4 Stormwater General Permit Update (PW)

Compliance Engineer Kathryn Garcia provided a brief overview regarding the draft Phase II Small MS4 stormwater general permit update as set forth in the staff report.

Susan Mora Loyko of WGR Southwest, Inc. provided a PowerPoint presentation regarding the draft storm water permit. Specific topics of discussion included overview of storm water regulations, evolution of Lodi's storm water program, proposed mandates, challenges for Lodi, options, and agencies voicing concerns.

In response to Council Member Hansen, Deputy Public Works Director Charlie Swimley stated the State Board is the parent agency to the various regional boards and their mandate authority is derived by their appointment and not through legislation.

In response to Mayor Johnson, Ms. Loyko stated the current discussion involves the draft permit in its current form and the results for the City if it is implemented.

In response to Council Member Hansen, Ms. Loyko stated the delays are primarily on the State side and the City will continue operating under the current permit until the new permit is issued.

In response to Mayor Johnson, Mr. Swimley stated an example of potential hot spots in the City could be the Municipal Service Center and truck stops.

Discussion ensued amongst the City Council regarding providing technical assistance and funding to businesses that may have eligible programs under the draft permit.

In response to Mayor Johnson, Ms. Loyko stated the City already has its own public outreach system and the additional public outreach that is being mandated has not been defined.

In response to Mayor Johnson and Mayor Pro Tempore Mounce, Mr. Hood stated he will repost the news story link referenced in the presentation on the City's Facebook.

In response to Council Member Hansen, Ms. Loyko provided an overview of the agencies and groups that are voicing their concerns regarding the costs associated with the draft permit for local agencies. Ms. Loyko stated there are always third party environmental groups that are involved with these types of efforts.

In response to Council Member Hansen and Mayor Pro Tempore Mounce, Ms. Loyko stated implementation of the permit starts in February 2012 and there is a 30-day public comment period in October/November.

In response to Council Member Hansen, Ms. Loyko and City Manager Bartlam confirmed that the cost estimate associated with the new draft permit is approximately an additional \$1 million per year for the City, which does not include the cost to local businesses.

In response to Council Member Hansen, Public Works Director Wally Sandelin stated there should be no significant impact to the new water treatment plant, which is fully compliant with the new development standards.

C. Comments by Public on Non-Agenda Items

None.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 7:55 a.m.

ATTEST:

Randi Johl
City Clerk



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Receive Information on the Draft Phase II Small MS4 Stormwater General Permit Update

MEETING DATE: September 20, 2011

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Receive information on the Draft Phase II Small MS4 Stormwater General Permit update.

BACKGROUND INFORMATION: The existing Phase II Small MS4 Stormwater General Permit (General Permit) was adopted by the State in April 2003 and expired in May 2008. Although the current General Permit expired, it remains in effect until a new General Permit is issued or it is rescinded by the State Water Board.

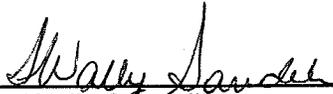
On June 7, 2011, the State Water Board staff released the Draft Phase II Small MS4 Stormwater General Permit for public review and comment. The potential costs to comply with the Draft General Permit requirements are significant to businesses and municipalities. Comments on the Draft General Permit were received by the State Water Board until noon, September 8, 2011. It is expected that a second draft will be released for a 30-day public comment period on October 2, 2011.

WGR Southwest will make a presentation to the City Council regarding the Draft General Permit including the following:

- Brief History of the Phase II MS4 Permit and Storm Water Management Program in Lodi
- Proposed changes in the Draft Phase II MS4 Permit
- Potential impacts to the City of Lodi's Stormwater budget and staffing requirements
- What are the City's options?

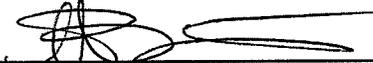
FISCAL IMPACT: Not applicable.

FUNDING: Not applicable.



F. Wally Sandelin
Public Works Director

Prepared by Kathryn Garcia, Compliance Engineer
FWS/KMG/pmf
cc: Deputy Public Works Director – Utilities

APPROVED: 

Konrad Bartlam, City Manager

City of Lodi

Shirtsleeve Meeting

Draft Storm Water Permit



WGR Southwest, Inc.
Susan Mora Loyko
Compliance Specialist
September 20, 2011

Draft Phase II Storm Water Permit

Presentation Overview

- Storm Water Regulations Overview
- Lodi's Storm Water Program
- Proposed Mandates
- Challenges for Lodi
- Options



Draft Phase II Storm Water Permit

Overview of Storm Water Regulations

- Clean Water Act
- Federal, State and Regional Authority
- Phase I and II MS4 Permits
- Storm Water Management Program
 - Public Outreach
 - Public Participation
 - Illicit Connection/Illegal Discharges
 - Construction
 - Municipal Operations
 - Post Construction



Draft Phase II Storm Water Permit

Evolution of Lodi's Storm Water Program

- Existing Phase II MS4 General Permit issued on April 30, 2003.
 - City of Lodi named as needing permit coverage.
 - The City prepared its Storm Water Management Program (SWMP) in January 2003.
 - The City revised its SWMP this year to update it and make it consistent with actual operations.
- The State Water Resources Control Board has proposed a draft renewal of the Phase II MS4 Permit .



Fox News Report which aired on August 17, 2011

Draft Phase II Storm Water Permit

Proposed Mandates

- New ordinances
 - Mandated City O&M assessments
 - Enforcement Response Plan
 - Spill Response Plan
 - Pesticide, herbicide and fertilizer management
 - Additional public outreach
 - City funded financial incentives
 - Community surveys
 - Citizens advisory groups
 - Community Based Social Marketing
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Draft Phase II Storm Water Permit

Proposed Mandates

- Compliance inspections
 - Commercial and Industrial Facilities
 - Inventory and Assess all within the first year
 - Annual Inspections
 - Implementation and Retrofit of Stormwater BMPs
 - Increased construction inspections
 - All phases of construction required to be inspected
 - Rain Event, Bi-weekly, and Monthly site inspections
- City-owned facilities
 - Inventory and assess all facilities within two years
 - Weekly, Quarterly, and Annual Inspections
 - Mandated remediation

Draft Phase II Storm Water Permit

Proposed Mandates

- Watershed characterization studies
 - Increased field screening and analytical monitoring
 - Receiving water sampling
 - Including Biological Assessment and Toxicity testing
 - Annually calculate runoff, pollutant loads, and BMP removal efficiencies
 - Extensive storm drain maintenance provision
 - Annual monitoring of drainage structures
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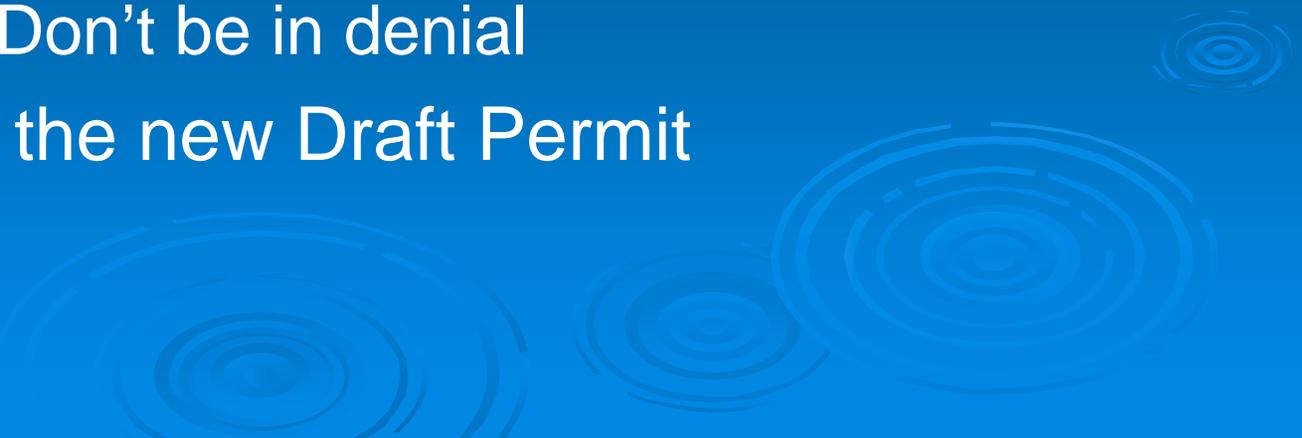
Draft Phase II Storm Water Permit

Challenges for Lodi

- Increased staffing - \$200,000
- Annual industrial/commercial inspections - \$75,000
- Receiving water monitoring - \$100,000
- Construction permit review certification - \$50,000
- Increased public education/outreach – \$75,000
- Increased cleaning of storm drains, lines, pump stations - \$250,000
- Develop a trash reduction program - \$200,000 to \$500,000

Draft Phase II Storm Water Permit

Options

- Don't comply – (not an option)
 - Become active in the Adoption Process
 - Voice concerns to the State
 - Educate and Collaborate
 - Outreach to the Business Community
 - Collaborate with other Agencies
 - Prepare – Don't be in denial
 - Comply with the new Draft Permit
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Draft Phase II Storm Water Permit

Agencies Voicing Concerns

- Agencies voicing concern
 - Over 80 Agencies request time extension
 - Statewide Storm Water Coalition Delegation Letter
 - 48 Agencies as signatories
 - CASQA
- Bi-Partisan Legislative Request to State Board
 - Legislative request for time extension
 - 15 Legislators as signatories
 - Legislative request for cost benefit analysis of the draft Phase II Permit
 - Letter expected to be sent to State Board this month

Questions/Comments

