

**MEMORANDUM  
DEPARTMENT OF FACILITY SERVICES  
COUNTY OF PLACER**

To: **BOARD OF SUPERVISORS**

Date: **JUNE 22, 2010**

From:  **JAMES DURFEE**

Subject: **STATE WATER RESOURCES CONSTRUCTION GENERAL PERMIT  
DESIGNATION OF LEGALLY RESPONSIBLE PERSON (LRP)**

**ACTION REQUESTED / RECOMMENDATION:** Adopt a Resolution designating the Department of Facility Services Director, or his designee, as the Legally Responsible Person (LRP) for permitting under the State Water Board's Construction General Permit.

**BACKGROUND:** The National Pollutant Discharge Elimination System (NPDES), established through the federal Clean Water Act, is intended to reduce pollutant discharges to the nation's surface waters. Within California, the NPDES program is administered by the State Water Board and its nine Regional Water Quality Control Boards. The state's implementation of the storm water quality program includes permitting of certain industrial activities, municipalities, and construction sites.

For all construction activities involving the disturbance of one acre, or more, the State Water Board requires permit coverage, either through an individual storm water discharge permit issued to the owner, or through coverage under the State's Construction General Permit. A recently revised Construction General Permit becomes effective on July 1, 2010.

The new Construction General Permit includes a requirement for designating a "Legally Responsible Person" (LRP). The LRP is a representative of the land owner who has authority to make binding commitments and fiscal decisions relating to the permitted construction activity, and is responsible for reviewing, certifying and submitting the Permit Registration Documents (PRDs) and all subsequent reports and documents to the State and Regional Water Boards. It is within the LRP's authority to designate Approved Signatory(s) to also discharge these responsibilities.

Since the Department of Facility Services (DFS) constructs projects that may exceed the State's permitting threshold, coverage under the Construction General Permit will be requested. Designation of an LRP is required when applying for coverage under that permit. For projects conducted by DFS, it is proposed that the Director of Facility Services be the designated LRP.

**ENVIRONMENTAL CLEARANCE:** This action is the filing of NPDES documentation with the State of California and is not a project as defined by the California Environmental Quality Act (CEQA).

**FISCAL IMPACT:** The requested action will have no fiscal impact; capital project design and construction budgets include funding for required permitting and oversight.

ATTACHMENT: RESOLUTION

JD:JS:SH

CC: COUNTY EXECUTIVE

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**Before the Board of Supervisors  
County of Placer, State of California**

**In the matter of: A RESOLUTION DESIGNATING  
THE DIRECTOR OF FACILITY SERVICES AS  
LEGALLY RESPONSIBLE PERSON FOR  
DEPARTMENT OF FACILITY SERVICES  
PROJECT PERMITTING UNDER THE STATE  
WATER BOARD'S GENERAL CONSTRUCTION  
PERMIT**

Resol. No:.....

The following RESOLUTION was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held \_\_\_\_\_,  
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:

\_\_\_\_\_  
Chairman, Board of Supervisors

\_\_\_\_\_  
Clerk of said Board

**WHEREAS**, the Department of Facility Services construction activities may be subject to permitting under the California Water Board's Construction General Permit, and

**WHEREAS**, said permit requires the applicant to designate a "Legally Responsible Person" (LRP),

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Supervisors of the County of Placer, State of California, that this Board designates the Director of Facility Services, or his designee, as the LRP for construction activities implemented by the Department of Facility Services which require permitting under the California Water Board's Construction General Permit.