

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

County of Placer

TO: BOARD OF SUPERVISORS
FROM: KEN GREHM / BOB COSTA

DATE: July 13, 2010

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

ACTION REQUESTED / RECOMMENDATION

Adopt a Resolution designating the Public Works Director as the Legally Responsible Person (LRP) for permitting under the State Water Board's Construction General Permit.

BACKGROUND / SUMMARY

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 who is responsible for the oversight and administration of the storm water discharge permit.

Since the Department of Public Works (DPW) 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 DPW, it is proposed that the Director of Public Works be the designated LRP.

ENVIRONMENTAL

This action is the filing of a grant application and is not a project as defined by the California Environmental Quality Act (CEQA).

FISCAL IMPACT

The requested action will have no fiscal impact; DPW's project design and construction budgets include funding for required permitting and oversight.

Attachment: Resolution

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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 PUBLIC WORKS AS
LEGALLY RESPONSIBLE PERSON FOR
DEPARTMENT OF PUBLIC WORKS
PROJECT PERMITTING UNDER THE
STATE WATER BOARD'S GENERAL
CONSTRUCTION PERMIT**

Resol. No:.....

Ord. No:.....

First Reading:.....

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 Public Works' 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 Public Works the LRP for construction activities implemented by the Department of Public Works which require permitting under the California Water Board's Construction General Permit.