

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 10-0008

WHEREAS, urban stormwater runoff is a significant contributor of pollution to the San Francisco Bay and Pacific Ocean; and

WHEREAS, the Federal Clean Water Act and a State of California National Pollution Discharge Elimination System (NPDES) Permit require the City and County of San Francisco to administer a Stormwater Management Program to reduce pollution in stormwater runoff in San Francisco's municipal separate storm sewer systems; and

WHEREAS, developing and administering a Stormwater Management Program to reduce the volume and rate of stormwater runoff delivered to the combined sewer areas of San Francisco will enhance compliance with NPDES permits issued by the State of California and USEPA for combined sewer discharges; and

WHEREAS, the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise and the Port of San Francisco (Port) have been charged with developing and implementing a stormwater management program that fulfills state and federal requirements for regulation of post-construction stormwater runoff control and provides the means to enforce the requirements of the program; and

WHEREAS, Port and SFPUC staff have developed the San Francisco Stormwater Design Guidelines (Guidelines), which define regulatory thresholds and requirements for development projects and offer San Francisco-specific approaches for stormwater management, including Low Impact Design (LID) solutions; and

WHEREAS, the SFPUC and the Port conducted an extensive community planning and public outreach effort in support of Guidelines development and incorporated input from community and technical stakeholders into the final Guidelines document; and

WHEREAS, the Guidelines require the use of LID wherever feasible and are therefore consistent with Mayor Gavin Newsom's policy goals to promote greening and sustainable development in San Francisco; and

WHEREAS, the Guidelines are designed to work within the context of existing San Francisco regulations and policies, and are consistent with the City's Building Code and Planning Code requirements;

WHEREAS, the proposed Stormwater Ordinance establishes an administrative framework to ensure compliance with requirements established in the Guidelines; and

WHEREAS, the Commission is authorized to adopt regulations for matters under its jurisdiction, in accordance with Charter sections 4.104(a)(1) and 8B.121(a); and


WHEREAS, as required by San Francisco Charter Section 4.104(a)(1), on November 25, 2009, the SFPUC provided public notice of the SFPUC public hearing on the proposed Guidelines; and

WHEREAS, on December 2, 2009 the Planning Department determined that the actions contemplated in this resolution were exempt from the California Environmental Quality Act ("CEQA") as a Class 8 categorical exemption under CEQA Guidelines Section 15308 as described in the determination contained in the SFPUC files for this matter, now, therefore, be it

RESOLVED, That the Commission, pursuant to its Charter authority to adopt rules and regulations, hereby adopts the San Francisco Stormwater Design Guidelines; and be it

FURTHER RESOLVED, That the Commission authorizes and directs the General Manager of the SFPUC to submit the Stormwater Management Ordinance to the San Francisco Board of Supervisors for consideration and adoption, as an amendment of the San Francisco Public Works Code.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of _____ *January 12, 2010*

A handwritten signature in blue ink, appearing to read "Michael Herold", written over a horizontal line.

Secretary, Public Utilities Commission