Agenda Item No: 1.h

PLACENTIA CITY COUNCIL AGENDA REPORT

Meeting Date: March 17, 2026

Submitted by: Cheryl Miller

From: Public Works

Subject:
APPROVAL OF AMENDED AND RESTATED NPDES STORMWATER PERMIT IMPLEMENTATION AGREEMENT

Financial Impact:
Fiscal Impact:
The City's financial contribution will be calculated annually based on its proportional share of land area and population, as outlined in the Agreement. Costs will be included in the City's annual budget for stormwater compliance.

Summary:
The City is a Permittee under the Municipal Separate Storm Sewer System (MS4) permit issued by the California Regional Water Quality Control Board (Santa Ana Region). The original NPDES Stormwater Permit Implementation Agreement (D90-094), which was executed in 1990 and amended in 1993 and 2002 (D02-048), established a cooperative framework for implementing the Orange County Stormwater Program to meet MS4 permit requirements and improve surface water quality. The Agreement allowed for collaboration, consistency, and cost sharing of regional compliance strategies, municipal staff training, watershed monitoring and reporting efforts, and other MS4 program elements required of each of the Permittees.

While the current Agreement has achieved many significant water quality improvements to local beaches and inland waters, state regulatory requirements issued through the MS4 permits have changed significantly since the Agreement was last updated. Watershed-specific water quality priorities have become increasingly complex requiring targeted solutions including structural treatment projects to meet ongoing and forthcoming compliance requirements.

The proposed Agreement restates and updates the original Agreement to reflect current regulatory requirements, administrative practices, and programmatic needs. It continues the collaborative approach among the Permittees to implement regional stormwater management strategies, but it also provides added flexibility in designing and developing watershed-specific strategies, programs, and projects using corresponding shared cost sub-budget scales. As part of the shared cost budget approval process, the amended and restated Agreement also formalizes the consultation process with the Orange County City Managers Association

(OCCMA) each year, which updates and improves the existing annual budget collaboration process already implemented with OCCMA.

Recommendation:
Recommended Action: It is recommended that the City Council:

1. Approve the Amended and Restated National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Implementation Agreement ("Agreement") between the County of Orange, Orange County Flood Control District (District), and participating Orange County cities (collectively called Permittees); and
2. Authorize the City Administrator to execute the Agreement and any related documents necessary to implement the terms of the Agreement.

Strategic Plan Statement:
There is no specific strategic planning goal associated with this agenda item.

Discussion:
Key provisions of the amended and restated Agreement include:

- Continued designation of the County as the administrator of the regional Orange County Stormwater Program.
- Clarification of responsibilities for each Permittee, including compliance reporting, monitoring, and implementation of Best Management Practices (BMPs).
- Engagement with the OCCMA for strategic input on compliance and funding.
- Provides an updated collaborative review process for annual operating budgets, including allowing for new sub-budgets to be established with smaller groups of Permittees to support development of targeted water quality projects and programs.
- Continues the existing cost sharing formula between Permittees based on land area and population, with the District contributing 10% and the County and Cities sharing the remaining 90% for the annual operating budget countywide. For new sub-budgets, the same approach will be used to share costs amongst those participating agencies.

Attachments
Stormwater Implementation Agreement.docx