

RESOLUTION

R 111-03

A RESOLUTION AUTHORIZING THE VILLAGE OF LOMBARD'S PARTICIPATION WITH THE COUNTY OF DU PAGE IN THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PHASE II COUNTYWIDE STORMWATER PERMIT PROCESS

WHEREAS, the Village of Lombard ("VILLAGE") and the County of DuPage ("COUNTY") are public agencies within the meaning of the Illinois "Intergovernmental Cooperation Act", as specified at 5 ILCS 220/1, et seq., and are authorized by Article 7 Section 10 of the Constitution of the State of Illinois to cooperate for public purpose; and

WHEREAS, pursuant to the authority granted by 55 ILCS 5/5-1062 and 5/5-15001, et seq., the COUNTY is authorized to take action to control flooding and to enter into agreements for the purposes of stormwater management and flood control; and

WHEREAS, the COUNTY has adopted the DuPage County Stormwater Management Plan which recognizes stream maintenance, erosion control and water quality as an integral part of the proper management of storm and flood waters; and

WHEREAS, the National Pollutant Discharge Elimination System ("NPDES") Phase II Stormwater Program is a mandate of the Clean Water Act and requires permit coverage for stormwater discharges from certain regulated small municipal separate storm sewer systems; and

WHEREAS, it has been determined that all municipalities in DuPage County, along with the COUNTY, will be required to apply for a NPDES Phase II stormwater permit; and

WHEREAS, the NPDES Phase II stormwater permit requires that all applicants submit an Application or Notice of Intent to the Illinois Environmental Protection Agency (IEPA) along with a stormwater management plan ("PLAN") that identifies the best management practices ("BMPs") and measurable goals for the six (6) minimum control measures, a timetable for implementation and the person(s) responsible for implementation; and

WHEREAS the six (6) minimum control measures that need to be addressed by permit applicants are:

1. Public education and outreach on stormwater impacts;
2. Public involvement/participation;
3. Illicit discharge detection and elimination;
4. Construction site stormwater runoff control;
5. Post-construction stormwater management in new development and redevelopment; and
6. Pollution prevention/good housekeeping for municipal operations; and

WHEREAS, the NPDES allows municipalities to identify "local qualifying programs" as a mechanism to meet the NPDES Phase II permitting requirements; and

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WHEREAS, local qualifying programs are defined as a local, State or Tribal municipal stormwater program that imposes requirements that are equivalent to those of the NPDES Phase II minimum measures; and

WHEREAS, the purpose of the Intergovernmental Cooperation Act and Article 7, Section 10 of the State of Illinois Constitution includes fostering cooperation among governmental bodies; and

WHEREAS, VILLAGE has worked through the DuPage Mayors and Managers Conference's Regulatory Issues Committee with the COUNTY to research different permitting methods and has concluded that pursuing a countywide general permit and co-permitting with the COUNTY is the most prudent approach; and

WHEREAS, a countywide general permit has the benefits of reducing duplication of efforts and costs associated with program development and implementation and creating a partnership between municipalities and the COUNTY to prioritize for maximum effectiveness the limited funding available for water quality improvement; and

WHEREAS, the COUNTY and the member municipalities of the DuPage Mayors and Managers Conference are prepared to jointly develop a PLAN that will outline the development of or utilization of local qualifying programs to meet the requirements of the six (6) minimum control measures prior to the application deadline of March 10, 2003, including measurable goals for each best management practice identified and a schedule for implementation;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The VILLAGE shall collectively participate with the COUNTY and other DuPage County municipalities in the National Pollutant Discharge Elimination System Phase II Countywide Stormwater Permit process.

SECTION 2: The VILLAGE shall, notwithstanding its initial participation, retain the right to withdraw from collective participation in the National Pollutant Discharge Elimination System Phase II Countywide Stormwater Permit process, upon providing written notice of said withdrawal to the following:

Ms. Nancy J. Wolfe
Chief Civil Bureau
Office of the DuPage County States Attorney
505 North County Farm Road
Wheaton, IL 60187

and

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Mr. Mark Baloga
Executive Director
DuPage Mayors & Managers
1220 Oak Brook Road
Oak Brook, IL 60523-2203

SECTION 3: The VILLAGE'S Director of Public Works is hereby authorized to sign the NPDES Phase II permit application or Notice of Intent as the VILLAGE'S authorized representative.

SECTION 4: This Resolution shall be in full force and effect from and after its adoption and approval, as provided by law.

Adopted this 20th day of February, 2003, pursuant to a roll call vote as follows:

Ayes: Trustees DeStephano, Tross, Koenig, Sēbby, Florey, Soderstrom

Nayes: None

Absent: None

Approved by me this 20th day of February, 2003.


William J. Mueller, Village President

ATTEST:


Suzan L. Kramer, Village Clerk