

Discussion of Ordinance No. 768:

Amendments for the National Pollutant Discharge Elimination System (NPDES) Low Impact Development (LID) Requirement

November 21, 2016



Purpose

- Introduce proposed code amendments for NPDES Permit LID Requirement
- Discuss and Answer Council's Questions
- Adoption on December 12, 2016



NPDES Permit

- **Western Washington Phase II Municipal Stormwater Permit (NPDES Permit)**
 - Permit authorizes discharge of stormwater runoff from MS4 into the State's Surface Waters (streams, rivers, lakes, sounds, wetlands etc)
- **2013 – 2018 NPDES Phase II Permit**
 - Broad ranging requirements
 - S5.C.4F- Low Impact Development (LID) Code-Related Requirements
 - “No later than December 31, 2016, Permittee shall review revise and make effective their local development-related codes, rules, standards or other enforceable documents to incorporated and require LID principles and LID BMPs”
- **Intent** – LID the preferred and commonly used approach for site development.



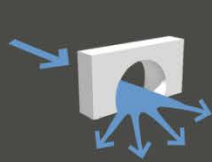
Low Impact Development (LID)

LID is a stormwater and land use management strategy that strives to mimic nature

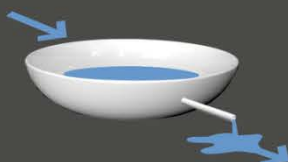


mechanical

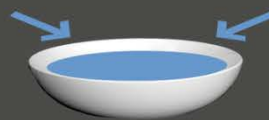
biological



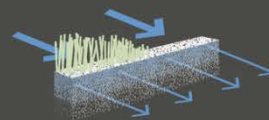
flow control



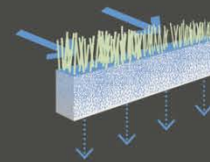
detention



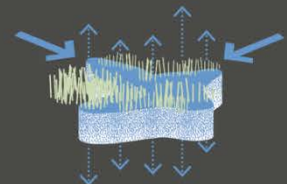
retention



filtration



infiltration



treatment

slow —————> spread —————>

flow control: The regulation of stormwater runoff flow rates.

detention: The temporary storage of stormwater runoff in underground vaults, ponds, or depressed areas to allow for metered discharge that reduce peak flow rates.

retention: The storage of stormwater runoff on site to allow for sedimentation of suspended solids.

filtration: The sequestration of sediment from stormwater runoff through a porous media such as sand, a fibrous root system, or a man-made filter.

infiltration: The vertical movement of stormwater runoff through soil, recharging groundwater.

treatment: Processes that utilize phytoremediation or bacterial colonies to metabolize contaminants in stormwater runoff.

Process

- Reviewed all city codes, standards and policy
 - To Identify areas encouraging and discouraging LID
 - For consistency and housekeeping
- Revisions proposed to Shoreline Municipal Codes(SMC)
 - SMC Title 13.10 – Surface Water Utility
 - SMC Title 13.12 – Flood Plain Management
- Proposed Ordinance No. 768
 - Will make enforceable LID related code updates



Proposed Amendment

57 Amendments grouped into:

- **38 - Administrative revisions (Adm.)** are “housekeeping” amendments, aimed at “cleaning up” the codes to provide consistency.
- **19 - Regulatory revisions (Reg.)** are mainly to update the codes and strengthen the language around LID consistent with the new emphasis on LID in the NPDES Permit.



Selected Proposed Amendments

No.	Code section	Revisions	Adm	Reg
2-19	13.10.105 Definitions	A number of definitions were revised and added to maintain consistency with terminology in the NPDES Permit and the Stormwater Manual, including a shift to using “hard surfaces” in some specific instances.	9	10
22	13.10.200 Stormwater Manual adoption	Recommended to provide the City administrative control over when an updated Stormwater Manual becomes effective for City use (e.g. 2012 Stormwater Manual not required to be adopted until 2016)	2	1
24	13.10.200.B Low impact development	Recommended to strengthen the language around LID consistent with the new emphasis in the NPDES Permit.		1
43-45	13.10.340 Inspections & investigations	Recommended to highlight types of inspections authorized by the section and to explicitly call out inspections on private property.	2	3

Policy Discussion

- No policy implications at this time
- Future Policy Implications will be presented in the 2017 Surface Water Master Plan and Rate Study Discussion
 - Policy #1 – “Hard Surfaces” versus “Impervious Surfaces” for Surface Water Management fees
 - Policy #2 – LID Facilities – Inspections and Enforcements

Next Steps

- Staff will revise the proposed Code amendments based on tonight's discussion.
- Council Adoption of Ordinance No. 786 for December 12, 2016.



Closing

- Proposed Amendments are to fulfil NPDES Phase II Permit Requirement
- Any potential impacts will be evaluated in the 2017 Surface Water Master Plan Update and brought before Council for further discussion
- Questions?

