

**CITY OF BUCKLEY, WASHINGTON**

**ORDINANCE NO. 07- 23**

**AN ORDINANCE OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON,  
ADOPTING A NEW 2023 CITY OF BUCKLEY PHASE II NPDES STORMWATER  
MANAGEMENT PROGRAM.**

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**WHEREAS**, the Federal Environmental Protection Agencies phase II regulations went into effect in early 2003 and apply to all regulated small municipal separate storm sewer systems; and

**WHEREAS**, on August 1, 2019 Washington State Department of Ecology (Ecology) issued a Western Washington phase II municipal stormwater permits. The Phase II permit for Western Washington covers at least 80 cities and five counties; and

**WHEREAS**, Ecology determined that the City of Buckley was to be included under this Stormwater Phase II NPDES Permit coverage; and

**WHEREAS**, the newly reissued Phase II permit requires that each municipality meet the requirements of their NPDES permit. Each municipality's permit for discharging stormwater is designed to reduce the discharge of pollutants, protect water quality, and meet the requirements of the Clean Water Act.

**WHEREAS**, the newly reissued Phase II permits requires stormwater managers to develop a new "revised" *Stormwater Management Plan (SWMP)* that is a "forward only" looking document that describes what the City will do (not what was done in the past) during the next permit phase.

**WHEREAS**, the Phase II municipal permits require that permittees develop—and annually update—a Stormwater Management Program (SWMP) document to submit with the annual report; and

**WHEREAS**, City staff with assistance from engineers from Gray & Osborne have modified the City's previously adopted SWMP to meet the criteria established by Ecology and ensure compliance with the Phase II NPDES; and

**WHEREAS**, the City Council desires to adopt the newly revised 2023 Stormwater Management Program to comply with the Ecology Phase II NPDES Stormwater Permit requirements;

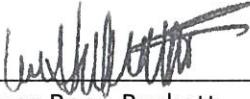
**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY,  
WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** The City of Buckley 2022 Stormwater Management Program is hereby repealed and replaced with the Phase II NPDES 2023 Stormwater Management Program, attached as Exhibit A and incorporated by this reference as if set forth in full.

**Section 2.** Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 3.** Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Passed by the City Council on the 28th day of March, 2023.

  
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Mayor Beau Burkett

Attest:



Treva Percival, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

PUBLISHED: April 5, 2023

EFFECTIVE: April 10, 2023

Exhibit A

# City of Buckley



## Stormwater Management Program



2023

## 1.0 INTRODUCTION

This document has been prepared to satisfy the Western Washington Phase II Municipal Stormwater Permit (Permit) requirement for the continued development and updating of the Stormwater Management Program (SWMP). The purpose of the SWMP is to reduce the discharge of pollutants from the municipal stormwater system to the maximum extent practicable and to protect water quality.

The National Pollutant Discharge Elimination System (NPDES) Permit is a federal permit that regulates stormwater and wastewater discharges to waters of the State. While it is a federal permit, the regulatory authority was delegated to the Washington State Department of Ecology (Ecology). In response, Ecology developed and issued the Western Washington Phase II Municipal Stormwater Permit. The Permit was issued by Ecology on January 17, 2007, 2013 and 2019. The current permit was issued August 1, 2019, and will be in effect until July 31, 2024. It is the intent of this SWMP to recognize the current permit requirements and to plan for these requirements where appropriate.

All municipalities affected by the permit must create and implement a SWMP which addresses the following required program elements:

- Stormwater Planning
- Public Education and Outreach
- Public Involvement and Participation
- MS4 Mapping and Documentation
- Illicit Discharge Detection and Elimination
- Controlling Run-Off from New Development, Redevelopment and Construction Sites
- Operations and Maintenance
- Source Control Program for Existing Development
- Total Maximum Daily Loads (TMDLs), if applicable to the jurisdiction

The City of Buckley SWMP will be updated annually and submitted with the City's Annual Report to Ecology. The City of Buckley is posting this document on the City web site, <http://www.cityofbuckley.com/>, so it can be viewed by the public. Comments on the City's SWMP can be made by submitting comments in writing to City of Buckley. Comments can be delivered or mailed to City of Buckley, PO Box 1960, 933 Main Street, Buckley, WA 98321 ATTN: Chris Banks, Public Works Director. Email comments may be sent to: [cbanks@cityofbuckley.com](mailto:cbanks@cityofbuckley.com).

## 2.0 STORMWATER PLANNING

The following section describes the Permit requirements related to Stormwater Planning and the planned activities the City intends to conduct to meet these requirements.

### 2.1 Permit Requirements

The 2019 Permit (Section S5.C.1) requires the City to:

- By August 1, 2020, each Permittee shall convene an inter-disciplinary team to inform and assist in the development, progress, and influence of this program.

- Coordination with long-range plan updates.
  - Each Permittee shall describe how stormwater management needs and protection/improvement of receiving water health are (or are not) informing the planning update processes and influencing policies and implementation strategies in their jurisdiction. The report shall describe the water quality and watershed protection policies, strategies, codes, and other measures intended to protect and improve local receiving water health through planning, or taking into account stormwater management needs or limitations.
  - On or before March 31, 2021, the Permittee shall respond to the series of Stormwater Planning Annual Report questions to describe how anticipated stormwater impacts on water quality were addressed, if at all, during the 2013-2019 permit term in updates to the Comprehensive Plan (or equivalent) and in other locally initiated or state-mandated, long-range land use plans that are used to accommodate growth or transportation.
  - On or before January 1, 2023, the Permittee shall submit a report responding to the same questions included above, to describe how water quality is being addressed, if at all, during this permit term in updates to the Comprehensive Plan (or equivalent) and in other locally initiated or state-mandated, long-range land use plans that are used to accommodate growth or transportation.
- Low impact development code-related requirements.
  - Permittees shall continue to require LID Principles and LID BMPs when updating, revising, and developing new local development-related codes, rules, standards, or other enforceable documents, as needed.
  - Annually, each Permittee shall assess and document any newly identified administrative or regulatory barriers to implementation of LID Principles or LID BMPs since local codes were updated in accordance with the 2013 Permit, and the measures developed to address the barriers. If applicable, the report shall describe mechanisms adopted to encourage or require implementation of LID principles or LID BMPs.
- Stormwater Management Action Planning (SMAP).
  - Permittees shall conduct a similar process and consider the range of issues outlined in the *Stormwater Management Action Planning Guidance* (Ecology, 2019; Publication 19-10-010). Permittees may rely on another jurisdiction to meet all or part of SMAP requirements at a watershed-scale, provided a SMAP is completed for at least one priority catchment located within the Permittee's jurisdiction.
  - *Receiving Water Assessment.* Permittees shall document and assess existing information related to their local receiving waters and contributing area conditions to identify which receiving waters are most likely to benefit from stormwater management planning.

- By March 31, 2022, Permittees shall submit a watershed inventory and include a brief description of the relative conditions of the receiving waters and the contributing areas. The watershed inventory shall be submitted as a table with each receiving water name, its total watershed area, the percent of the total watershed area that is in the Permittee's jurisdiction, and the findings of the stormwater management influence assessment for each basin. Indicate which receiving waters will be included in the S5.C.1.d.ii prioritization process. Include a map of the delineated basins with references to the watershed inventory table.
  - Identify which basins are expected to have a relatively low Stormwater Management Influence for SMAP. See the guidance document for definition and description of this assessment.
  - Basins having relatively low expected Stormwater Management Influence for SMAP do not need to be included in S5.C.1.d.ii-iii (Receiving Water Prioritization and the SMAP).
- *Receiving Water Prioritization.* Informed by the assessment of receiving water conditions in (i), above, and other local and regional information, Permittees shall develop and implement a prioritization method and process to determine which receiving waters will receive the most benefit from implementation of stormwater facility retrofits, tailored implementation of SWMP actions, and other land/development management actions (different than the existing new and redevelopment requirements). The retrofits and actions shall be designed to: 1) conserve, protect, or restore receiving waters through stormwater and land management strategies that act as water quality management tools, 2) reduce pollutant loading, and 3) address hydrologic impacts from existing development as well as planned for and expected future buildout conditions.
  - No later than June 30, 2022, document the prioritized and ranked list of receiving waters.
  - The Permittee shall document the priority ranking process used to identify high priority receiving waters. The Permittee may reference existing local watershed management plan(s) as source(s) of information or rationale for the prioritization.
  - The ranking process shall include the identification of high priority catchment area(s) for focus of the Stormwater Management Action Plan (SMAP) in (iii), below.
- Stormwater Management Action Plan (SMAP).
  - No later than March 31, 2023, Permittees shall develop a SMAP for at least one high priority catchment area from the Receiving Water Prioritization, above, that identifies all of the following:
    - A description of the stormwater facility retrofits needed for the area, including the BMP types and preferred locations.

- Land management/development strategies and/or actions identified for water quality management.
- Targeted, enhanced, or customized implementation of stormwater management actions related to permit sections within S5, including:
  - IDDE field screening,
  - Prioritization of Source Control inspections,
  - O&M inspections or enhanced maintenance, or
  - Public Education and Outreach behavior change programs.

Identified actions shall support other specifically identified stormwater management strategies and actions for the basin overall, or for the catchment area in particular.

- If applicable, identification of changes needed to local long-range plans, to address SMAP priorities.
- A proposed implementation schedule and budget sources for:
  - Short-term actions (*i.e.*, actions to be accomplished within six years), and
  - Long-term actions (*i.e.*, actions to be accomplished within seven to 20 years).
- A process and schedule to provide future assessment and feedback to improve the planning process and implementation of procedures or projects.

## **2.2 Planned Activities**

Future activities planned to meet the Stormwater Planning requirement of the permit are listed in Table 2-1.

**Table 2-1**  
**Planned Activities for Stormwater Planning**

Task ID	Task Description	Schedule
<b>LID Code-Related Requirements</b>		
SP-LID-1	Continue to require LID principles/BMPs when updating codes	Ongoing
SP-LID-2	In a report, assess/document newly identified administrative or regulatory barriers to implementing LID (since 2013); List measures developed to address the barriers; Describe mechanisms adopted to encourage LID (if applicable)	Annually - By March 31 <sup>st</sup>
<b>Stormwater Management Action Planning (SMAP)</b>		
SP-SMAP-3	Stormwater Management Action Plan (SMAP): Develop a SMAP for at least one high priority catchment area. Include: <ul style="list-style-type: none"> <li>• possible retrofit locations</li> <li>• land management strategies</li> <li>• targeted stormwater management actions (IDDE field screening, prioritized source control inspections, O&amp;M inspections/enhanced maintenance, education)</li> <li>• If needed, ID changes needed to local long-range plans to address SMAP priorities</li> <li>• Implementation schedule and budget for 6-years and 20-years</li> <li>• Process/schedule to provide future assessment/feedback to improve planning process and implementation of procedures or projects.</li> </ul>	Mar. 31, 2023

### **3.0 PUBLIC EDUCATION AND OUTREACH PROGRAM**

The following section describes the Permit requirements related to Public Education and Outreach and the planned activities the City intends to conduct to meet these requirements.

### 3.1 Permit Requirements

The 2019 Permit (Section S5.C.2) requires the City to:

- Each Permittee shall implement an education and outreach program for the area served by the MS4. The program design shall be based on local water quality information and target audience characteristics to identify high priority target audiences, subject areas, and/or BMPs. Based on the target audience's demographic, the Permittee shall consider delivering its selected messages in language(s) other than English, as appropriate to the target audience.
- **General awareness.** To build general awareness, Permittees shall annually select at a minimum one target audience and one subject area from what is listed below:
  - **Target audiences:** General public (including overburdened communities, or school age children) or businesses (including home-based, or mobile businesses). Subject areas:
    - General impacts of stormwater on surface waters, including impacts from impervious surfaces.
    - Low impact development (LID) principles and LID BMPs.
  - **Target audiences:** Engineers, contractors, developers, or land use planners. Subject areas:
    - Technical standards for stormwater site and erosion control plans.
    - LID principles and LID BMPs.
    - Stormwater treatment and flow control BMPs/facilities
  - Permittees shall provide subject area information to the target audience on an ongoing or strategic schedule.
- **Behavior change.** To affect behavior change, Permittees shall select, at a minimum, one target audience and one BMP.
  - **Target Audiences:** Residents, landscapers, property managers/owners, developers, school age children, or businesses (including home-based or mobile businesses).
  - **BMPs:**
    - Use and storage of: pesticides, fertilizers, and/or other household chemicals.
    - Use and storage of: automotive chemicals, hazardous cleaning supplies, carwash soaps, and/or other hazardous materials.
    - Prevention of illicit discharges.
    - Yard care techniques protective of water quality.
    - Carpet cleaning.
    - Repair and maintenance BMPs for: vehicles, equipment, and/or home/buildings.
    - Pet waste management and disposal.
    - LID Principles and LID BMPs.

- Stormwater facility maintenance, including LID facilities.
  - Dumpster and trash compactor maintenance.
  - Litter and debris prevention.
  - Sediment and erosion control.
  - (Audience specific) Source control BMPs (refer to S5.C.8).
  - (Audience specific) Locally-important, municipal stormwater-related subject area.
- No later than July 1, 2020, each Permittee shall conduct a new evaluation of the effectiveness of an ongoing behavior change campaign (required under S5.C.1.a.ii and S5.C.1.c of the 2013 Permit). Permittees shall document lessons learned and recommendations for which option to select from S5.C.2.a.ii.(c). Permittees that develop a strategy for a new audience and different BMP may forgo this evaluation if it will not add value to the overall behavior change program.
- Based on the recommendation from the evaluation listed above, by February 1, 2021, each Permittee shall follow social marketing practices and methods, similar to community-based social marketing, and develop a campaign that is tailored to the community, including development of a program evaluation plan. Each Permittee shall:
  - Develop a strategy and schedule to more effectively implement the existing campaign; or
  - Develop a strategy and schedule to expand the existing campaign to a new target audience or BMPs; or
  - Develop a strategy and schedule for a new target audience and BMP behavior change campaign.
- No later than April 1, 2021, begin to implement the strategy above.
- No later than March 31, 2024, evaluate and report on:
  - The changes in understanding and adoption of targeted behaviors resulting from the implementation of the strategy; and
  - Any planned or recommended changes to the campaign in order to be more effective; describe the strategies and process to achieve the results.
- Permittees shall use results of the evaluation to continue to direct effective methods and implementation of the ongoing behavior change program.
- Stewardship. Each Permittee shall provide and advertise stewardship opportunities and/or partner with existing organizations (including nonpermittees) to encourage residents to participate in activities or events planned and organized within the community, such as: stream teams, storm drain marking, volunteer monitoring, riparian plantings, and education activities.

### 3.2 Planned Activities

Future activities planned to meet the Public Education and Outreach requirement of the permit are listed in Table 3-1.

**Table 3-1**  
**Planned Activities for Public Education and Outreach Program**

Task ID	Task Description	Schedule
EDUC-1	Provide stewardship opportunities on City's website (Conservation District Events, other storm related community events); Document opportunities advertised.	Ongoing
EDUC-2	Provide general stormwater education on City's website such as LID guidance, car wash brochure, and stormwater maintenance tips (document)	Ongoing
EDUC-3	Select "general public" as the audience and "general stormwater education" to focus education on for general awareness.	Annually
EDUC-4	Work on educating businesses on general stormwater BMPs such as providing a restaurant BMP brochure on the City's website.	Ongoing
EDUC-9	Report on changes in understanding/adoption of targeted behavior and recommended changes to the dumpster outreach campaign so that it may be more effective	By March 31, 2024

## 4.0 PUBLIC INVOLVEMENT AND PARTICIPATION PROGRAM

The following section describes the Permit requirements related to Public Involvement and Participation and the planned activities the City intends to conduct to meet these requirements.

### 4.1 Permit Requirements

The 2019 Permit (Section S5.C.3) requires the City to:

- Permittees shall create opportunities for the public, including overburdened communities, to participate in the decision-making processes involving the development, implementation and update of the Permittee's SMAP and SWMP.
- Each Permittee shall post on their website their SWMP Plan and the annual report, required under S9.A, no later than May 31 each year. All other submittals shall be available to the public upon request.

### 4.2 Planned Activities

Future activities planned to meet the Public Involvement and Participation requirement of the permit are listed in Table 4-1.

**Table 4-1**

#### **Planned Activities for Public Involvement and Participation**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
PI-1	Hold public meeting on the Annual SWMP via the City Council	By May (each year)
PI-2	Post final SWMP and Annual Report to City Website	By April 30th (each year)
PI-3	Post final SWMP in City Hall foyer.	By April 30 <sup>th</sup> (each year)
PI-4	Post public opportunities to get involved on City website (i.e. links to Conservation District, Pierce County, Dept. of Ecology, etc.); Document opportunities advertised and provide with Annual Report.	Ongoing
PI-5	Hold public meeting on the new SMAP via the City Council	March 31, 2023

## 5.0 MS4 MAPPING AND DOCUMENTATION

The following section describes the Permit requirements related to MS4 Mapping and Documentation and the planned activities the City intends to conduct to meet these requirements.

### 5.1 Permit Requirements

The 2019 Permit (Section S5.C.4) requires the City to:

- *Ongoing Mapping:* Each Permittee shall maintain mapping data for the features listed below:
  - Known MS4 outfalls and known MS4 discharge points.
  - Receiving waters, other than groundwater.
  - Stormwater treatment and flow control BMPs/facilities owned or operated by the Permittee.
  - Geographic areas served by the PermitteeMS4 that do not discharge stormwater to surface waters.
  - Tributary conveyances to all known outfalls and discharge points with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems. The following features or attributes (or both) shall be mapped:
    - Tributary conveyance type, material, and size where known.
    - Associated drainage areas.
    - Land use.
  - Connections between the MS4 owned or operated by the Permittee and other municipalities or public entities.
  - All connections to the MS4 authorized or allowed by the Permittee after February 16, 2007.
- *New Mapping:* Each Permittee shall:
  - No later than January 1, 2020, begin to collect size and material for all known MS4 outfalls during normal course of business (e.g. during field screening, inspection, or maintenance) and update records.
  - No later than August 1, 2023, complete mapping of all known connections from the MS4 to a privately owned stormwater system.
- No later than August 1, 2021, the required format for mapping is electronic (e.g. Geographic Information System, CAD drawings, or other software that can map and store points, lines, polygons, and associated attributes), with fully described mapping standards.

- To the extent consistent with national security laws and directives, each Permittee shall make available to Ecology, upon request, available maps depicting the information required above.
- Upon request, and to the extent appropriate, Permittees shall provide mapping information to federally recognized Indian Tribes, municipalities, and other Permittees. This Permit does not preclude Permittees from recovering reasonable costs associated with fulfilling mapping information requests by federally recognized Indian Tribes, municipalities, and other Permittees.

## 5.2 Planned Activities

Future activities planned to meet the MS4 Mapping and Documentation requirement of the permit are listed in Table 5-1.

**Table 5-1**

### **Planned Activities for MS4 Mapping and Documentation**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
MAP-1	Maintain stormwater basemap in electronic format	Ongoing
MAP-3	Complete mapping of all known connections from the MS4 to a privately owned storm system.	By Aug. 1, 2023

## **6.0 ILLICIT DISCHARGE DETECTION AND ELIMINATION**

The following section describes the Permit requirements related to Illicit Discharge Detection and Elimination (IDDE) and the planned activities the City intends to conduct to meet these requirements.

### **6.1 Permit Requirements**

The 2019 Permit (Section S5.C.5) requires the City to:

- The program shall include procedures for reporting and correcting or removing illicit connections, spills and other illicit discharges when they are suspected or identified. The program shall also include procedures for addressing pollutants entering the MS4 from an interconnected, adjoining MS4.

Illicit connections and illicit discharges must be identified through, but not limited to: field screening, inspections, complaints/reports, construction inspections,

maintenance inspections, source control inspections, and/or monitoring information, as appropriate.

- Permittees shall inform public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste.
- Each Permittee shall implement an ordinance or other regulatory mechanism to effectively prohibit non-stormwater, illicit discharges into the PermitteeMS4 to the maximum extent allowable under state and federal law.
  - Allowable Discharges: The regulatory mechanism does **not** need to prohibit the following categories of non-stormwater discharges:
    - Diverted stream flows
    - Rising groundwaters
    - Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(b)(20))
    - Uncontaminated pumped groundwater
    - Foundation drains
    - Air conditioning condensation
    - Irrigation water from agricultural sources that is commingled with urban stormwater
    - Springs
    - Uncontaminated water from crawl space pumps
    - Footing drains
    - Flows from riparian habitats and wetlands
    - Non-stormwater discharges authorized by another NPDES or state waste discharge permit
    - Discharges from emergency firefighting activities in accordance with S2 Authorized Discharges
- Conditionally Allowable Discharges: The regulatory mechanism may allow the following categories of non-stormwater discharges only if the stated conditions are met:
  - Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4.
  - Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through, at a minimum, public education activities and water conservation efforts.
  - Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm

or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.

- Street and sidewalk wash water, water used to control dust, and routine external building washdown that does not use detergents. The Permittee shall reduce these discharges through, at a minimum, public education activities and/or water conservation efforts. To avoid washing pollutants into the MS4, Permittees shall minimize the amount of street wash and dust control water used.
- Other non-stormwater discharges. The discharges shall be in compliance with the requirements of a pollution prevention plan reviewed by the Permittee, which addresses control of such discharges.
- The Permittee shall further address any category of discharges above if the discharges are identified as significant sources of pollutants to waters of the State.
- The ordinance or other regulatory mechanism shall include escalating enforcement procedures and actions.
- Each Permittee shall implement an ongoing program designed to detect and identify non-stormwater discharges and illicit connections into the PermitteeMS4. The program shall include the following components:
  - Procedures for conducting investigations of the PermitteeMS4, including field screening and methods for identifying potential sources. These procedures may also include source control inspections.

The Permittee shall implement a field screening methodology appropriate to the characteristics of the MS4 and water quality concerns. Screening for illicit connections may be conducted using *Illicit Connection and Illicit Discharge Field Screening and Source Tracing Guidance Manual* (Herrera Environmental Consultants, Inc.; May 2013), or another methodology of comparable or improved effectiveness. The Permittee shall document the field screening methodology in the Annual Report.

- All Permittees shall complete field screening for an average of 12% of the MS4 each year. Permittees shall annually track total percentage of the MS4 screened beginning August 1, 2019.
- A publicly listed and publicized hotline or other telephone number for public reporting of spills and other illicit discharges.

- An ongoing training program for all municipal field staff, who, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge and/or illicit connection to the MS4, on the identification of an illicit discharge and/or connection, and on the proper procedures for reporting and responding to the illicit discharge and/or connection. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staffing. Permittees shall document and maintain records of the trainings provided and the staff trained.
- Each Permittee shall implement an ongoing program designed to address illicit discharges, including spills and illicit connections, into the PermitteeMS4. The program shall include:
  - Procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found by or reported to the Permittee. Procedures shall address the evaluation of whether the discharge must be immediately contained and steps to be taken for containment of the discharge.
  - Procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures.
  - Procedures for eliminating the discharge, including notification of appropriate authorities (including owners or operators of interconnected MS4s); notification of the property owner; technical assistance; follow-up inspections; and use of the compliance strategy developed pursuant to S5.C.5.c.iv, including escalating enforcement and legal actions if the discharge is not eliminated.
  - Compliance with the provisions in (i), (ii), and (iii), above, shall be achieved by meeting the following timelines:
    - Immediately respond to all illicit discharges, including spills, which are determined to constitute a threat to human health, welfare, or the environment, consistent with General Condition G3.
    - Investigate (or refer to the appropriate agency with the authority to act) within 7 days, on average, any complaints, reports, or monitoring information that indicates a potential illicit discharge.
    - Initiate an investigation within 21 days of any report or discovery of a suspected illicit connection to determine the source of the

connection, the nature and volume of discharge through the connection, and the party responsible for the connection.

- Upon confirmation of an illicit connection, use the compliance strategy in a documented effort to eliminate the illicit connection within 6 months. All known illicit connections to the MS4 shall be eliminated.
- Permittees shall train staff who are responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, including spills, and illicit connections, to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements or staffing. Permittees shall document and maintain records of the training provided and the staff trained.
- Recordkeeping: Each Permittee shall track and maintain records of the activities conducted to meet the requirements of this Section. In the Annual Report, each Permittee shall submit data for the illicit discharges, spills and illicit connections including those that were found by, reported to, or investigated by the Permittee during the previous calendar year. The data shall include the information specified in Appendix 12 and WQWebIDDE. Each Permittee may either use their own system or WQWebIDDE for recording this data. Final submittals shall follow the instructions, timelines, and format as described in Appendix 12.

## 6.2 Planned Activities

Future activities planned to meet the Illicit Discharge and Detection and Elimination requirement of the permit are listed in Table 6-1.

**Table 6-1**

**Planned Activities for Illicit Discharge Detection and Elimination**

Task ID	Task Description	Schedule
IDDE-1	Maintain IDDE program for reporting, correcting and/or removing illicit connections or spills. Document issues identified through field screening, inspections, complaints/reports, construction inspections, maintenance inspections, source control inspections and/or monitoring. Maintain documented procedures for addressing illicit discharges/connections.	Ongoing
IDDE-2	<b>For spills:</b> <ul style="list-style-type: none"><li>• Per Section G3, provide notice to Ecology and other spill response authorities within 24 hours of knowledge of a discharge/spill that is a <u>threat to human health, welfare or the environment</u>.</li><li>• Per Section S4.F.1., within 30 days, write a letter to Ecology of the incident, identifying the water quality violation.</li><li>• Document <u>any</u> spill/discharge or illicit connection to Ecology's online WQWebIDDE.</li></ul>	As needed
IDDE-3	Provide general public with information related to IDDE including hotline on City website. List actions in Annual Report.	Ongoing
IDDE-4	Implement/Review ordinance to prohibit illicit discharges including escalating enforcement actions.	Ongoing
IDDE-5	Continue to use the <i>Illicit Connection and Illicit Discharge Field Screening and Source Tracing Guidance Manual</i> for field screening. Cite this source in Annual Report.	Ongoing
IDDE-6	Field Screen average of 12% of system for IDDE each year (Maintain records of which areas have been field screened and date inspected). This is typically done through cb inspections.	12% of total system (annually)
IDDE-7	Maintain hotline for reporting spills/illicit discharges; Document all calls and within the Annual Report, note how the hotline was advertised.	Ongoing
IDDE-8	Renew IDDE training for field staff and public employees (Track each training session with names of employees, their positions, and date).	November 2024
IDDE-9	Include WQWebIDDE report with Annual Report	March 31 <sup>st</sup> , annually

## **7.0 CONTROLLING RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT, AND CONSTRUCTION SITES**

The following section describes the Permit requirements related to controlling runoff from new development, redevelopment and construction sites. It also describes the planned activities the City intends to conduct to meet these requirements.

### **7.1 Permit Requirements**

The 2019 Permit (Section S5.C.6) requires the City to:

- Implement an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects.
- Each Permittee shall adopt and make effective a local program, no later than June 30, 2022, that meets the requirements of S5.C.6.b(i) through (iii), below, and shall apply to all applications submitted:
  - On or after July 1, 2022.
  - Prior to January 1, 2017, that have not started construction by January 1, 2022.
  - Prior to July 1, 2022, that have not started construction by July 1, 2027.
- The ordinance or other enforceable mechanism shall include, at a minimum:
  - The Minimum Requirements, thresholds, and definitions in Appendix 1, or the 2013 Appendix 1 amended to include the changes identified in Appendix 10, or Phase I program approved by Ecology and amended to include Appendix 10, for new development, redevelopment, and construction sites. Adjustment and variance criteria equivalent to those in Appendix 1 shall be included. More stringent requirements may be used, and/or certain requirements may be tailored to local circumstances through the use of Ecology-approved basin plans or other similar water quality and quantity planning efforts. Such local requirements and thresholds shall provide equal protection of receiving waters and equal levels of pollutant control to those provided in Appendix 1.
  - The local requirements shall include the following requirements, limitations, and criteria that, when used to implement the minimum requirements in Appendix 1 (or program approved by Ecology under the 2019 Phase I Permit) will protect water quality, reduce the discharge of pollutants to the MEP, and satisfy the State requirement under Chapter 90.48 RCW to apply AKART prior to discharge:
    - Site planning requirements

- BMP selection criteria
- BMP design criteria
- BMP infeasibility criteria
- LID competing needs criteria
- BMP limitations

Permittees shall document how the criteria and requirements will protect water quality, reduce the discharge of pollutants to the MEP, and satisfy State AKART requirements.

Permittees who choose to use the requirements, limitations, and criteria, above, in the *Stormwater Management Manual for Western Washington*, or a Phase I program approved by Ecology, may cite this choice as their sole documentation to meet this requirement.

- The legal authority, through the approval process for new development and redevelopment, to inspect and enforce maintenance standards for private stormwater facilities approved under the provisions of this Section that discharge to the PermitteeMS4.
- The program shall include a permitting process with site plan review, inspection and enforcement capability to meet the standards listed in (i) through (iv) below, for both private and public projects, using qualified personnel (as defined in *Definitions and Acronyms*). At a minimum, this program shall be applied to all sites that meet the minimum thresholds adopted pursuant to what is listed above.
  - Review of all stormwater site plans for proposed development activities.
  - Inspect, prior to clearing and construction, all permitted development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 – *Determining Construction Site Sediment Damage Potential*. As an alternative to evaluating each site according to Appendix 7, Permittees may choose to inspect all construction sites that meet the minimum thresholds adopted pursuant to S5.C.6.b.i, above.
  - Inspect all permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. Enforce as necessary based on the inspection.
  - Each Permittee shall manage maintenance activities to inspect all stormwater treatment and flow control BMPs/facilities, and catch basins, in new residential developments every six months, until 90% of the lots are constructed (or when construction has stopped and the site is fully stabilized), to identify maintenance needs and enforce compliance with maintenance standards as needed.
  - Inspect all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater facilities. Verify that a maintenance plan is

completed and responsibility for maintenance is assigned for stormwater treatment and flow control BMPs/facilities. Enforce as necessary based on the inspection.

- Compliance with the inspection requirements in (ii) through (v), above, shall be determined by the presence and records of an established inspection program designed to inspect all sites. Compliance during this permit term shall be determined by achieving at least 80% of required inspections. The inspections may be combined with other inspections provided they are performed using qualified personnel.
- The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.
- An enforcement strategy shall be implemented to respond to issues of non-compliance.

- The program shall make available, as applicable, the link to the electronic *Construction Stormwater General Permit* Notice of Intent (NOI) form for construction activity and, as applicable, a link to the electronic *Industrial Stormwater General Permit* NOI form for industrial activity to representatives of proposed new development and redevelopment. Permittees shall continue to enforce local ordinances controlling runoff from sites that are also covered by stormwater permits issued by Ecology.
- Each Permittee shall ensure that all staff whose primary job duties are implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. Follow-up training must be provided as needed to address changes in procedures, techniques or staffing. Permittees shall document and maintain records of the training provided and the staff trained.

## 7.2 Planned Activities

Future activities planned to meet the Control Runoff from New Development, Redevelopment and Construction Sites requirement of the permit are listed in Table 7-1.

Table 7-1

**Planned Activities for Controlling Runoff from New Development, Redevelopment and Construction Sites**

Task ID	Task Description	Schedule
CTRL-1	Maintain ordinance that addresses runoff from new development, redevelopment and construction site projects including the adoption of Appendix 1 of the Permit (which includes adoption of the Stormwater Management Manual for Western Washington); Cite code reference in Annual Report	Ongoing
CTRL-2	Maintain ordinance allowing inspection and enforcement of maintenance standards for private stormwater facilities	Ongoing
CTRL-3	Review site plans for compliance with City Code (Keep track of number of site plans reviewed)	Ongoing
CTRL-4	Inspect construction sites prior to and during construction for erosion control (Maintain inspection records; see CTRL-6).	Ongoing
CTRL-5	Provide post construction inspections prior to approval for compliance with City Code and to verify a maintenance plan is in place. (Maintain inspection records; see CTRL-6).	Ongoing
CTRL-6	Maintain records of inspections (Include name of inspector, date, findings, warning letters, notices of violations, enforcement actions).	Ongoing <i>(Need to complete 80% of scheduled inspections)</i>
CTRL-7	Make available (via website and developer checklist) the electronic links to Ecology's Construction Stormwater General Permit Notice of Intent and the Industrial Stormwater General Permit Notice of Intent to developers.	Ongoing
CTRL-8	Train staff in the site plan review process, inspections, and enforcement. Maintain records of this training and names of staff trained.	Ongoing/New Hires

## 8.0 OPERATIONS AND MAINTENANCE

The following section describes the Permit requirements related to the City's stormwater operation and maintenance practices. It also describes the planned activities the City intends to conduct to meet these requirements.

### 8.1 Permit Requirements

The 2019 Permit (Section S5.C.7) requires the City to:

- Each Permittee shall implement maintenance standards that are as protective, or more protective, of facility function than those specified in the *Stormwater Management Manual for Western Washington* or a Phase I program approved by Ecology. For facilities which do not have maintenance standards, the Permittee shall develop a maintenance standard. No later than June 30, 2022, Permittees shall update their maintenance standards as necessary to meet the requirements of this Section.
  - The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facility's required condition at all times between inspections. Exceeding the maintenance standard between inspections and/or maintenance is not a permit violation.
  - Unless there are circumstances beyond the Permittee's control, when an inspection identifies an exceedance of the maintenance standard, maintenance shall be performed:
    - Within 1 year for typical maintenance of facilities, except catch basins.
    - Within 6 months for catch basins.
    - Within 2 years for maintenance that requires capital construction of less than \$25,000.

Circumstances beyond the Permittee's control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work. For each exceedance of the required timeframe, the Permittee shall document the circumstances and how they were beyond their control.

- Maintenance of stormwater facilities regulated by the Permittee
  - The program shall include provisions to verify adequate long-term O&M of stormwater treatment and flow control BMPs/facilities that are permitted and constructed pursuant to S.5.C.6.c and shall be maintained in accordance with S5.C.7.a.

The provisions shall include:

- Implementation of an ordinance or other enforceable mechanism that:

- Clearly identifies the party responsible for maintenance in accordance with maintenance standards established under S5.C.7.a.
- Requires inspection of facilities in accordance with the requirements in (b), below.
- Establishes enforcement procedures.
- Annual inspections of all stormwater treatment and flow control BMPs/facilities that discharge to the MS4 and were permitted by the Permittee according to S5.C.6.c, including those permitted in accordance with requirements adopted pursuant to the 2007-2019 Ecology municipal stormwater permits, unless there are maintenance records to justify a different frequency.

Permittees may reduce the inspection frequency based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 – *Certification and Signature*.

- Compliance with the inspection requirements in (b), above, shall be determined by the presence and records of an established inspection program designed to inspect all facilities, and achieving at least 80% of required inspections.
- The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.
- Maintenance of stormwater facilities owned or operated by the Permittee.
  - Each Permittee shall implement a program to annually inspect all municipally owned or operated stormwater treatment and flow control BMPs/facilities, and taking appropriate maintenance actions in accordance with the adopted maintenance standards.

Permittees may reduce the inspection frequency based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 – *Certification and Signature*.

- Each Permittee shall spot check potentially damaged stormwater treatment and flow control BMPs/facilities after major storm events (24 hour storm event with a 10 year or greater recurrence interval). If spot checks indicate widespread damage/maintenance needs, inspect all stormwater treatment and flow control BMPs/facilities that may be affected. Conduct repairs or take appropriate maintenance action in accordance with maintenance standards established above, based on the results of the inspections.
- Each Permittee shall inspect all catch basins and inlets owned or operated by the Permittee every two years. Clean catch basins if the inspection indicates cleaning is needed to comply with maintenance standards established in the *Stormwater Management Manual for Western Washington*. Decant water shall be disposed of in accordance with Appendix 6 –*Street Waste Disposal*.

The following alternatives to the standard approach of inspecting all catch basins every two years may be applied to all or portions of the system:

- The catch basin inspection schedule of every two years may be changed as appropriate to meet the maintenance standards based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records for catch basins, the Permittee may substitute written statements to document a specific, less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experiences and shall be certified in accordance with G19 –*Certification and Signature*.
- Inspections every two years may be conducted on a basis whereby 25% of catch basins and inlets within each circuit are inspected to identify maintenance needs. Include an inspection of the catch basin immediately upstream of any MS4 outfall, discharge point, or connections to public or private storm systems, if applicable. Clean all catch basins within a given circuit for which the inspection indicates cleaning is needed to comply with maintenance standards established under S5.C.7.a, above.
- The Permittee may clean all pipes, ditches, and catch basins and inlets within a circuit once during the permit term. Circuits selected for this alternative must drain to a single point.
- Compliance with the inspection requirements in S5.C.7.c.i-iii, above, shall be determined by the presence of an established inspection program achieving at least 95% of required inspections.

- Implement practices, policies, and procedures to reduce stormwater impacts associated with runoff from all lands owned or maintained by the Permittee, and road maintenance activities under the functional control of the Permittee. No later than December 31, 2022, document the practices, policies, and procedures. Lands owned or maintained by the Permittee include, but are not limited to: streets, parking lots, roads, highways, buildings, parks, open space, road right-of-ways, maintenance yards, and stormwater treatment and flow control BMPs/facilities.

The following activities shall be addressed:

- Pipe cleaning
- Cleaning of culverts that convey stormwater in ditch systems
- Ditch maintenance
- Street cleaning
- Road repair and resurfacing, including pavement grinding
- Snow and ice control
- Utility installation
- Pavement striping maintenance
- Maintaining roadside areas, including vegetation management
- Dust control
- Application of fertilizers, pesticides, and herbicides according to the instructions for their use, including reducing nutrients and pesticides using alternatives that minimize environmental impacts
- Sediment and erosion control
- Landscape maintenance and vegetation disposal
- Trash and pet waste management
- Building exterior cleaning and maintenance
- Implement an ongoing training program for employees of the Permittee whose primary construction, operations, or maintenance job functions may impact stormwater quality. The training program shall address the importance of protecting water quality, operation and maintenance standards, inspection procedures, relevant SWPPPs, selecting appropriate BMPs, ways to perform their job activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staffing. Permittees shall document and maintain records of training provided. The staff training records to be kept include dates, activities or course descriptions, and names and positions of staff in attendance.
- Implement a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the *Industrial Stormwater General Permit* or another NPDES permit that authorizes stormwater discharges associated with the activity.

As necessary, update SWPPPs no later than December 31, 2022, to include the following information. At a minimum, the SWPPP shall include:

- A detailed description of the operational and structural BMPs in use at the facility and a schedule for implementation of additional BMPs when needed. BMPs selected must be consistent with the *Stormwater Management Manual for Western Washington*, or a Phase I program approved by Ecology. The SWPPP must be updated as needed to maintain relevancy with the facility.
- At minimum, annual inspections of the facility, including visual observations of discharges, to evaluate the effectiveness of the BMPs, identify maintenance needs, and determine if additional or different BMPs are needed. The results of these inspections must be documented in an inspection report or check list.
- An inventory of the materials and equipment stored on-site, and the activities conducted at the facility which may be exposed to precipitation or runoff and could result in stormwater pollution.
- A site map showing the facility's stormwater drainage, discharge points, and areas of potential pollutant exposure.
- A plan for preventing and responding to spills at the facility which could result in an illicit discharge.

- Maintain records of the activities conducted to meet the requirements of this Section.

## **8.2 Planned Activities**

Future activities planned to meet the Municipal Operations and Maintenance requirement of the permit are listed in Table 8-1.

**Table 8-1**  
**Planned Activities for Municipal Operations and Maintenance**

Task ID	Task Description	Schedule
O&M-1	Maintain records of inspections and maintenance activities. List number of stormwater treatment and flow control facilities that were 1) located in the City, 2) were inspected and 3) were maintained in Annual Report	Ongoing
O&M-2	<p>Provide annual inspections of all public stormwater treatment and flow control BMPs/facilities</p> <ul style="list-style-type: none"> <li>▪ Maintain inspection records; see O&amp;M-1</li> <li>▪ Document if a reduced inspection frequency is used</li> <li>▪ If inspection reveals that a maintenance standard is not being maintained, need to perform maintenance: <ul style="list-style-type: none"> <li>○ within 1 year (all facilities except public catch basins)</li> <li>○ within 6 months (public catch basins) or</li> <li>○ within 2 years (maintenance that requires capital construction of less than \$25,000).</li> </ul> </li> <li>▪ Document when/if maintenance standard could not be met on time and attach to Annual Report.</li> </ul>	Ongoing
O&M-3	Provide annual inspections of all private stormwater treatment and flow control BMPs/facilities. Document results/enforcements and provide follow-up inspections as needed. Any maintenance activity shall be recorded.	Ongoing
O&M-4 / CTRL-2	Maintain ordinance identifying responsible party for maintaining private flow control and water quality facilities and that allows inspection and enforcement of maintenance standards of these facilities	Ongoing
O&M-5	Spot check treatment and flow control facilities/BMPs and repair if necessary.	After 24-hour/10-year storms (Ongoing)

Task ID	Task Description	Schedule
O&M-1	Maintain records of inspections and maintenance activities. List number of stormwater treatment and flow control facilities that were 1) located in the City, 2) were inspected and 3) were maintained in Annual Report	Ongoing
O&M-2	<p>Provide annual inspections of all public stormwater treatment and flow control BMPs/facilities</p> <ul style="list-style-type: none"> <li>▪ Maintain inspection records; see O&amp;M-1</li> <li>▪ Document if a reduced inspection frequency is used</li> <li>▪ If inspection reveals that a maintenance standard is not being maintained, need to perform maintenance: <ul style="list-style-type: none"> <li>○ within 1 year (all facilities except public catch basins)</li> <li>○ within 6 months (public catch basins) or</li> <li>○ within 2 years (maintenance that requires capital construction of less than \$25,000).</li> </ul> </li> <li>▪ Document when/if maintenance standard could not be met on time and attach to Annual Report.</li> </ul>	Ongoing
O&M-6	Train staff in O&M operations, inspection procedures, reporting water quality concerns, SWPPPs, and on efforts to reduce pollutants to runoff. Maintain records of this training, names/positions of staff trained and dates training was held.	Ongoing/New Hires
O&M-7	Inspect catch basins and inlets; Document total number of cbs, how many inspected and how many cleaned with the Annual Report.	Inspect 50% annually ( <i>all cbs to be inspected every 2 years beginning Aug. 1, 2019</i> ). All cbs to be inspected by Aug. 1, 2023.

## 9.0 SOURCE CONTROL PROGRAM FOR EXISTING DEVELOPMENT

The following section describes the Permit requirements related to the Source Control Program for Existing Development and the planned activities the City intends to conduct to meet these requirements.

### 9.1 Permit Requirements

The 2019 Permit (Section S5.C.8) requires the City to:

- The Permittee shall implement a program to prevent and reduce pollutants in runoff from areas that discharge to the MS4. The program shall include:
  - Application of operational source control BMPs, and if necessary, structural source control BMPs or treatment BMPs/facilities, or both, to pollution generating sources associated with existing land uses and activities.
  - Inspections of pollutant generating sources at publicly and privately owned institutional, commercial and industrial sites to enforce implementation of required BMPs to control pollution discharging into the MS4.
  - Application and enforcement of local ordinances at sites, identified pursuant to S5.C.8.b.ii, including sites with discharges authorized by a separate NPDES permit.
  - Permittees that are in compliance with the terms of this Permit will not be held liable by Ecology for water quality standard violations or receiving water impacts caused by industries and other Permittees covered, or which should be covered under an NPDES permit issued by Ecology.
  - Practices to reduce polluted runoff from the application of pesticides, herbicides, and fertilizers from the sites identified in the inventory.
- **Minimum performance measures:**
  - No later than August 1, 2022, Permittees shall adopt and make effective an ordinance(s), or other enforceable documents, requiring the application of source control BMPs for pollutant generating sources associated with existing land uses and activities (see Appendix 8 to identify pollutant generating sources).

The requirements of this subsection are met by using the source control BMPs in the SWMMWW, or a Phase I Program approved by Ecology. In

cases where the manual(s) lack guidance for a specific source of pollutants, the Permittee shall work with the owner/operator to implement or adapt BMPs based on the best professional judgement of the Permittee.

Applicable operational source control BMPs shall be required for all pollutant generating sources. Structural source control BMPs, or treatment BMPs/facilities, or both, shall be required for pollutant generating sources if operational source control BMPs do not prevent illicit discharges or violations of surface water, groundwater, or sediment management standards because of inadequate stormwater controls. Implementation of source control requirements may be done through education and technical assistance programs, provided that formal enforcement authority is available to the Permittee and is used as determined necessary by the Permittee, in accordance with S5.C.8.b.iv, below.

- No later than August 1, 2022, the Permittees shall establish an inventory that identifies publicly and privately owned institutional, commercial, and industrial sites which have the potential to generate pollutants to the MS4. The inventory shall include:
  - Businesses and/or sites identified based on the presence of activities that are pollutant generating (refer to Appendix 8).
  - Other pollutant generating sources, based on complaint response, such as: home-based businesses and multi-family sites.
- No later than January 1, 2023, Permittees shall implement an inspection program for sites identified pursuant to S5.C.8.b.ii, above.
  - All identified sites with a business address shall be provided information about activities that may generate pollutants and the source control requirements applicable to those activities. This information shall be provided by mail, telephone, electronic communications, or in person. This information may be provided all at one time or spread out over the permit term to allow for tailoring and distribution of the information during site inspections.
  - The Permittee shall annually complete the number of inspections equal to 20% of the businesses and/or sites listed in their source control inventory to assess BMP effectiveness and compliance with source control requirements. The Permittee may count follow-up compliance inspections at the same site toward the 20% inspection rate. The Permittee may select which sites to inspect each year and is not required to inspect 100% of sites over a 5-year period. Sites may be prioritized for inspection based on their land use category, potential for pollution generation, proximity to receiving waters, or to address an identified pollution problem within a specific geographic area or sub-basin.
  - Each Permittee shall inspect 100% of sites identified through credible complaints.

- Permittees may count inspections conducted based on complaints, or when the property owner denies entry, to the 20% inspection rate.
- No later than January 1, 2023, each Permittee shall implement a progressive enforcement policy that requires sites to comply with stormwater requirements within a reasonable time period as specified below:
  - If the Permittee determines, through inspections or otherwise, that a site has failed to adequately implement required BMPs, the Permittee shall take appropriate follow-up action(s), which may include phone calls, reminder letters, emails, or follow-up inspections.
  - When a Permittee determines that a site has failed to adequately implement BMPs after a follow-up inspection(s), the Permittee shall take enforcement action as established through authority in its municipal codes or ordinances, or through the judicial system.
  - Each Permittee shall maintain records, including documentation of each site visit, inspection reports, warning letters, notices of violations, and other enforcement records, demonstrating an effort to bring sites into compliance. Each Permittee shall also maintain records of sites that are not inspected because the property owner denies entry.
  - A Permittee may refer non-emergency violations of local ordinances to Ecology, provided, the Permittee also makes a documented effort of progressive enforcement. At a minimum, a Permittee's enforcement effort shall include documentation of inspections and warning letters or notices of violation.
- Permittees shall train staff who are responsible for implementing the source control program to conduct these activities. The ongoing training program shall cover the legal authority for source control, source control BMPs and their proper application, inspection protocols, lessons learned, typical cases, and enforcement procedures. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staff. Permittees shall document and maintain records of the training provided and the staff trained.

## 9.2 Planned Activities

Future activities planned to meet the Source Control Program requirement of the permit are listed in Table 9-1.

**Table 9-1**  
**Planned Activities for Business Source Control Inspection**

Task ID	Task Description	Schedule
BUS-3	Implement business source control inspection program including education (via mail/phone/in-person) about source control BMPs. Document all inspections (including follow-ups) with business category, number of times inspected and if enforcement actions were taken in a single list. Include this list with the Annual Report. Also document records of sites where the owner denies entry.	Begin by Jan. 1, 2023; annually inspect 20% of inventory ( <i>follow-up inspections can count toward the 20%</i> )
BUS-4	Inspect all complaint-based businesses for pollution generating sources and installed BMPs	Ongoing
BUS-6	Train staff on conducting business source control inspections including inspection protocols, lessons learned, and enforcement procedures.	By Jan. 1, 2023 (Ongoing every year/New Hires)

## 10.0 COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD (TMDL) REQUIREMENTS

The following section describes the Permit requirements related to the City's participation associated with the Buckley River Tributaries' Total Maximum Daily Load (TMDL). It also describes the planned activities the City intends to conduct to meet these requirements.

### 10.1 Permit Requirements

The 2019 Permit (Appendix 2) requires the City to:

- Designate areas discharging via the MS4 to Spiketon Creek as high priority areas for illicit discharge detection and elimination. Complete IDDE screening for bacteria sources in 100% of these sub-basins July 31, 2024, and implement the schedules and activities identified in S5.C.5 of the Western Washington Phase II Permit, in response to any illicit discharges found. Investigation must include activities for both the dry season (May through September) and the wet season (October through April). The results of all bacterial screening conducted in these sub-basins shall be included in the annual reports submitted to Ecology.

## 10.2 Planned Activities

Future activities planned to meet the TMDL requirement of the permit are listed in Table 10-1.

**Table 10-1**

### Planned Activities for TMDL Requirements

Task ID	Task Description	Schedule
TMDL-1/ IDDE-6	Prioritize IDDE inspections (Task IDDE-6) for discharges to Spiketon Creek higher than other locations throughout the City.	Ongoing <i>(Volunteer monitoring annually)</i>

## 11.0 MONITORING

The following section describes the Permit requirements related to monitoring. It also describes the planned activities the City intends to conduct to meet these requirements.

### 11.1 Permit Requirements

The 2019 Permit (Section S8) requires the City to:

- Describe any monitoring related studies conducted throughout the year in the Annual Report.
- Reporting involved with the Regional Stormwater Management Program is not necessary as part of the Annual Report. The regional program includes status and trends monitoring, stormwater management program effectiveness studies, and source identification/diagnostic monitoring.

### 11.2 Planned Activities

Future activities planned to meet the monitoring requirement of the permit are listed in Table 11-1.

**Table 11-1**  
**Planned Activities for Monitoring Requirements**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
MON-1	Opt into Regional Stormwater Management Program by paying the following fee categories: <ul style="list-style-type: none"> <li>• Status and Trends Monitoring</li> <li>• Stormwater Program Effectiveness</li> <li>• Source Identification and Diagnostic Monitoring</li> </ul>	Aug. 15 <sup>th</sup> , each year

## **12.0 REPORTING REQUIREMENTS**

The following section describes the Permit requirements related to reporting. It also describes the planned activities the City intends to conduct to meet these requirements.

### **12.1 Permit Requirements**

The 2019 Permit (Section S9) requires the City to:

- Submit an Annual Report by March 31<sup>st</sup> of each year. The report will include:
  - Copy of the current SWMP
  - Annual Report Form (per Ecology)
  - Attachments (summaries, descriptions, reports, etc.)
  - Certification and signature
  - Notice if the City is relying on another entity to assist with permit requirements
  - Notification of any annexations, incorporations or jurisdictional boundary changes
- Keep all records related to the permit and the SWMP for at least five years.
- All records related to the permit shall be available to the public at reasonable times during business hours.

### **12.2 Planned Activities**

Future activities planned to meet the monitoring requirement of the permit are listed in Table 12-1.

**Table 12-1**  
**Planned Activities for Reporting Requirements**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
REP-1	Submit Annual Report	March 31 <sup>st</sup> , each year
REP-2 / TMDL-1	Include TMDL Summary with Annual Report	March 31 <sup>st</sup> , each year
REP-3	Attach letters notifying Ecology of relying on another entity to satisfy one or more permit obligations.	March 31 <sup>st</sup> , each year

## **13.0 COMPLIANCE WITH UNDERGROUND INJECTION CONTROL (UIC) WELL PROGRAM REQUIREMENTS**

The UIC Program rule, chapter 173-218 WAC, is the regulatory authority for underground injection control wells in Washington. This section describes the requirements of the UIC well program.

### **13.1 UIC Program Requirements**

To use the presumptive approach to meet UIC program rule authorization for municipal Class V UIC wells, jurisdictions have the option of applying the Stormwater Management Program (SWMP) that complies with their MS4 Permit to the areas served by their municipal UIC wells.

The requirements include:

- Register all UIC wells, existing (in use before February 3, 2006) and new, with Ecology.
- Complete well assessment for all existing wells in use prior to February 3, 2006.
- Site, design, construct, operate, and maintain new UIC wells according to the specifications throughout the 2019 Stormwater Management Manual for Western Washington (SWMMWW) Section I-4 Underground Injection Wells
- Fulfill source control and O&M requirements for both new and existing UIC wells by:
  - O&M according to the specifications of SWMMWW Section I-4.
  - Source control activities (including targeted education and outreach) that are well-suited for land uses associated with the UIC wells and to the specifications in the SWMMWW.
  - Provide illicit discharge detection and elimination (IDDE) programs in areas served by the UIC wells to prevent pet waste and control other sources of pathogens.

## **13.2 Current Activities**

The City currently has no municipal Class V UIC wells. If constructed, they will meet the requirements of the UIC Program by applying the SWMP to the entire MS4, including areas served by UIC facilities.

**Table 13-1**  
**Planned Activities for UIC Well Reporting Requirements**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
O&M-1	Maintain records of inspections and maintenance activities. List number of stormwater treatment and flow control facilities that were 1) located in the City, 2) were inspected and 3) were maintained in Annual Report.	Ongoing
O&M-2	Provide annual inspections of all public stormwater treatment and flow control BMPs/facilities. <ul style="list-style-type: none"> <li>▪ Maintain inspection records; see O&amp;M-1.</li> <li>▪ Document if a reduced inspection frequency is used.</li> <li>▪ If inspection reveals that a maintenance standard is not being maintained, need to perform maintenance: <ul style="list-style-type: none"> <li>○ within 1 year (all facilities except public catch basins)</li> <li>○ within 6 months (public catch basins) or</li> <li>○ within 2 years (maintenance that requires capital construction of less than \$25,000).</li> </ul> </li> <li>▪ Document when/if maintenance standard could not be met on time and attach to Annual Report.</li> </ul>	Ongoing
UIC-1	For new UIC wells, registration forms are submitted 60 days prior to construction to allow for a full review of the application by Ecology and the City. All UIC wells will comply with all siting design, and treatment requirements through either the presumptive approach or the demonstrative approach.	Ongoing / As needed
UIC-2	Once installed, the City will provide operations and maintenance of all UIC wells per the specifications in SWMMWW I-4.11.	As needed

Task ID	Task Description	Schedule
UIC-3	The City's Source Control Program will target pollution generating sources that potentially contribute storm runoff to the UIC wells. The City will inspect 100% of source control complaints utilizing BMP educational materials and illicit discharge violations as needed.	Ongoing
UIC-4	The City's Municipal Code 13.06 outlines storm water management regulations and provides a mechanism to take enforcement actions for any code violations.	Ongoing
UIC-5 / IDDE-1	The City implements an IDDE program to promote no other liquids other than stormwater to drain to UIC wells and to reduce potential pollutants in stormwater in general.	Ongoing
UIC-6 / IDDE-3	The City's general public education program helps to identify and correct sources of stormwater pollution. Sampling results are used to identify and eliminate the sources of pollution. Staff also investigate any spill complaints and address them with best management practices as appropriate in a timely manner.	Ongoing
UIC-7 / BUS-3	Continue to implement Source Control and IDDE programs to identify and correct any potential sources of pollution.	Ongoing