

DATE: March 2, 2015

TO: Mayor Balducci and Councilmembers

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SUBJECT: NPDES Municipal Stormwater Permit Annual Report

The National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit (Permit) requires municipalities to submit an annual report by March 31 of each year during the permit term. Management of the city-wide Permit is provided by the Utilities Department, with oversight from a Steering Committee reporting to the City Manager's Office. This memorandum provides background information on the Permit, and briefs Council on the:

- NPDES Permit Annual Report
- Environmental Services Commission's recommendation on the NPDES 2015 Stormwater Management Program Plan.

No action is required of Council tonight. A Resolution authorizing the City Manager to sign and certify the NPDES annual report is scheduled for Council action on March 16 under the Consent Calendar.

Background

The NPDES municipal stormwater permits are federal Clean Water Act permits. The goal of the federal Clean Water Act (CWA) is to protect water quality and restore waters of the nation for "fishable, swimmable" uses. The permit requirements are intended to reduce pollutants discharged from the municipal storm drainage systems into rivers, streams and lakes to help achieve this goal. The federal Environmental Protection Agency delegated permit authority to state environmental agencies. In Washington, this is the state Department of Ecology. Ecology issued the first Phase II permit in 2007. Bellevue is one of over eighty-five Western WA Phase II municipal permittees.

The Permit specifies best management practices (BMPs) and requirements, collectively referred to as the Stormwater Management Program (SWMP or Program) and grouped under the following Program components:

- Program Administration
- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Controlling Runoff from New Development, Redevelopment, and Construction Sites
- Municipal Operations and Maintenance
- Monitoring and Assessment.

Permit requirements are phased in over the 5-year permit term and apply to functions across municipal organizations. Within Bellevue government, departments take the lead for

implementing permit conditions that apply to their programs and, for permit conditions which apply to multiple department functions, a lead department will manage implementation of the condition through cross-departmental coordination or teams.

Ecology issued a new 5-year NPDES Phase II Permit (2013-2018), effective August 1, 2013. Ecology recently modified the permit and the new Ecology Stormwater Management Manual in response to the state Pollution Control Hearings Board appeal rulings. The bulk of the changes addressed low impact development technical implementation challenges and the remainder addressed permit definitions and the lack of notice and a meaningful opportunity to review draft Permit documents. The modified permit became effective January 16, 2015.

The new Permit retains the first NPDES Permit's Stormwater Management Program structure and phased implementation approach. It continues the first Permit's Program requirements and builds upon them by increasing certain requirements or adding some significant new requirements as described in Attachment A. One of the requirements it continues is the requirement for submittal of an annual report to the state Department of Ecology.

Annual Report and Permit Status

The NPDES Annual Report contains two-parts: a Compliance Report, which documents the City's Permit compliance activities for the preceding calendar year (2014), and a Stormwater Management Program Plan (SWMP Plan), which identifies the actions to be implemented by the City in the coming year (2015) to assure continued compliance with the Permit. Copies of the report are available in the Council Document Library and at <http://www.bellevuewa.gov/stormwater-runoff-management.htm>. The report is required to be signed by a municipality's principal executive officer or ranking elected official. For Bellevue, the City Manager, authorized by City Council, signs and certifies annual reports.

Bellevue maintained compliance with permit conditions in 2014. In 2015, Bellevue will continue implementing the first Permit's ongoing Program requirements and new and increased phased Program requirements by the permit compliance deadlines described in Attachment A.

Public Meeting and Environmental Services Commission Recommendation

A public meeting, including a presentation, on the draft 2015 Stormwater Management Program Plan was held by the Environmental Services Commission (ESC) on January 15, 2015. No comments were received at the public meeting.

The ESC recommends submittal of the 2015 Stormwater Management Program Plan (Attachment B).

Next Steps

Council action on a Resolution authorizing the City Manager to sign and certify the NPDES Annual Report for submittal to the Washington State Department of Ecology by the March 31 deadline is scheduled for the March 16 Consent Calendar. Council's adoption of this Resolution will allow the City to maintain Permit compliance.

Attachments

Attachment A: New and Increased Program Requirements in the 2013-2018 Permit
Attachment B: Environmental Services Commission Transmittal

Available in Council Document Library

NPDES Annual Report (2015 SWMP Plan and 2014 Compliance Report)