

National Pollutant Discharge Elimination System (NPDES) Phase II Permit

Whatcom County Public Works
Stormwater Division
Birch Bay Watershed and Aquatic Resources
Management (BBWARM) District Advisory Committee
June 19, 2013



Presentation Objectives

- Summarize NPDES Program and Permit
- Outline 2013-2018 requirements applicable to the Birch Bay Urban Growth Area
- Summarize Whatcom County responsibilities, the goals of BBWARM, and shared priorities

NPDES Phase II Program

- Environmental Protection Agency (EPA) created the **National Pollutant Discharge Elimination System (NPDES)** to address stormwater runoff. The NPDES Phase II Program began in 2007, and applies to small municipal separate storm sewer systems (MS4s).
 - A **small MS4** is a municipality having a **population less than 100,000** according to the U.S. Census.
- MS4s are conveyance systems owned and operated by a municipality that:
 - Owned and operated by a public entity that discharge to waters of the U.S.;
 - Designed or used to collect or convey stormwater (including roads, drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains);
 - Not a combined sewer; and
 - Not part of a Publicly Owned Treatment Works (POTW or "sewage treatment plant").

Permit Program Areas

NPDES Permit for Whatcom County

- 2007-2012 Permit (*With modification in 2009)
- 2012-2013 Permit (*Continuation of the previous year's permit)
- 2013-2018 Permit effective August 1, 2013

Program Areas

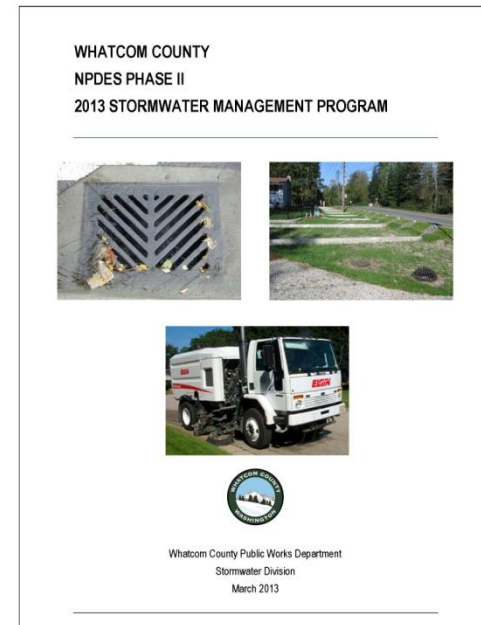
- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Controlling Runoff from New Development, Redevelopment, and Construction Sites
- Municipal Operations and Maintenance
- Compliance with Total Maximum Daily Load (TMDL) Requirements
- Monitoring and Assessment
- Reporting

NPDES Permit Compliance

- Submittal of Annual Compliance Report by March 31st of each year.
- Submittal of Stormwater Management Program (SWMP) document and appendices.

The SWMP is the official document that describes activities performed by Whatcom County to comply with Permit requirements, as well as describes what activities are planned for the following year.

The purpose is to be a planning, implementation, and reference guide informing the Department of Ecology, the public, and elected officials.

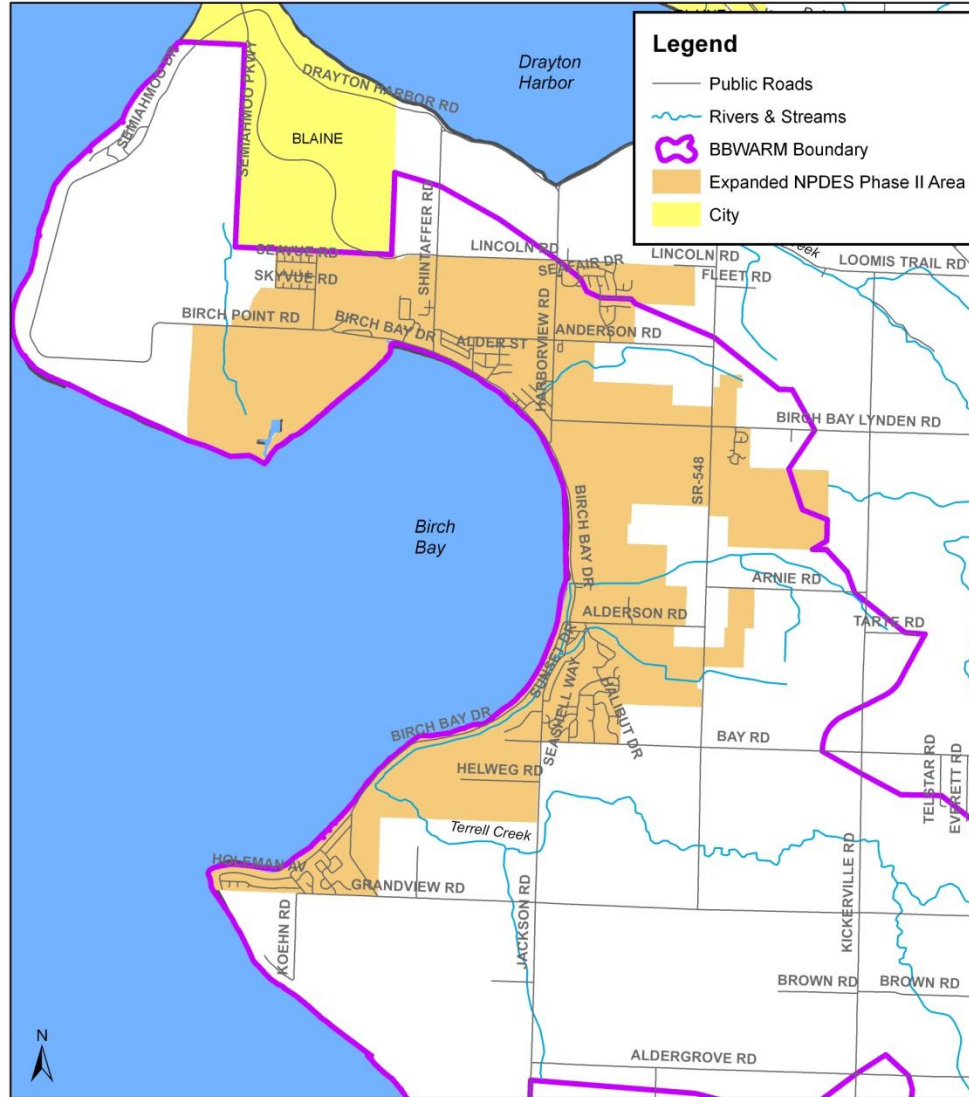


2013-2018 NPDES Permit

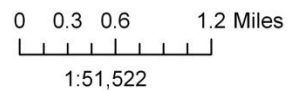
Effective August 1, 2013:

- Continue efforts required in the 2011-2012 Permit
- New requirements:
 - Increased inspection and monitoring requirements
 - Incorporation of Low Impact Development into regulations
 - Adoption of the 2012 Stormwater Management Manual for Western Washington (SWMMWW)
- **Expanded coverage area**
 - **Inclusion of the Birch Bay Urban Growth Area**
 - Other adjustments (additions and removals) based on the final 2010 Census Urban Area Criteria
- Lake Whatcom TMDL
- Regional Stormwater Monitoring Program (RSMP) option

Expanded NPDES Permit Coverage Area Effective August, 2013 Birch Bay UGA



Whatcom County Public Works
May 2013



Birch Bay UGA

Background for inclusion of Birch Bay Urban Growth Area

- Petition filed with Ecology in February 2012 to include the City of Blaine, and the unincorporated urban growth areas of Blaine and Birch Bay.
- Ecology evaluated other areas for designation based on 6 factors regarding the MS4, discharge into an impaired water body, and current regulations and programs. (Discretion for designating is given by the State.)

Current Status of Birch Bay Urban Growth Area

- Effective August 1, 2013, Birch Bay UGA will be part of the coverage area.
- Birch Bay will have to comply with the deadlines associated with the 2013 Permit.
- Staff is coordinating with Ecology on the timing of Birch Bay UGA complying with *current* requirements of the Permit (e.g. catch basin inspections, illicit discharge and elimination, development standards, etc.).
- Staff will maintain ongoing coordination on the shared priorities of the BBWARM Advisory Committee and NPDES Phase II requirements.

How compliance is met for all Phase II areas through Administrative Programs

- **Public Education and Outreach:** Whatcom County maintains the NPDES website, coordinates workshops, provides local source control outreach from Health Department, develops stormwater related education for identified groups specified in Permit (e.g. illicit discharge info regarding homeowner practices such as lawn maintenance and servicing vehicles).
- **Public Involvement and Participation:** Whatcom County provides opportunities for program review, comment, and public testimony.
 - NPDES website, press releases, public comment sessions at Whatcom County Council meetings.
- **Illicit Discharge Detection and Elimination:** Whatcom County responds to all illicit discharge reports, takes corrective actions, and tracks incidents for compliance reporting.
 - Illicit discharges caused by development activities are responded to by Planning & Development Services, and illicit discharges caused by other means are responded to by the Health Department.
 - Whatcom County maintains a stormwater hotline.

Continued

- **Controlling Runoff from New Development, Redevelopment, and Construction Sites:** Whatcom County Planning & Development Services and Public Works Engineering Services administer all development regulations. Regulations that meet the requirements of the NPDES Phase II Permit are proposed through the legislative process and implemented through the permitting process.
- **Municipal Operations and Maintenance:** Whatcom County inspects and maintains catch basins on public right-of-ways, publically-owned facilities (e.g. swales and ponds), County ditches, etc.
- **Compliance with Total Maximum Daily Load (TMDL) Requirements:** Only applicable to the Lake Whatcom watershed. Not applicable in Birch Bay UGA.
- **Monitoring and Assessment:** Whatcom County submits all monitoring data and information gathered for the NPDES Phase II areas. (Currently includes Lake Whatcom tributary monitoring and stormwater facility monitoring.)
 - Whatcom County has the option of participating in a Regional Stormwater Monitoring Program (RSMP) to meet monitoring requirements of the Permit. Deadline to opt in is December 1, 2013.
- **Reporting:** Whatcom County tracks and reports on all tasks within the Permit, and submits an Annual Compliance Report to the Department of Ecology.

Coordination between Whatcom County and BBWARM

- **Public Education and Outreach**
 - Whatcom County will expand outreach efforts to include the Birch Bay UGA. Staff will coordinate with BBWARM to remove duplicative efforts. Outreach and Education above and beyond Permit requirements may be explored by BBWARM.
- **Public Involvement**
 - Whatcom County will expand relevant notifications for public involvement to include the Birch Bay UGA, and notify BBWARM.
- **Illicit Discharge Detection and Elimination (IDDE)**
 - Whatcom County will expand IDDE reporting to the Department of Ecology to include the Birch Bay UGA.

Continued

- **Controlling Runoff from New Development, Redevelopment, and Construction Sites**
 - Whatcom County land use regulations proposed for the NPDES Phase II Areas follow the legislative process to amend Title 20 of the Whatcom County Code. Staff will coordinate with BBWARM to receive input and provide updates.
- **Municipal Operations and Maintenance**
 - Whatcom County will expand the inspection and repair schedule of the MS4 facilities (e.g. county-owned catch basins, swales, etc.) in the Birch Bay UGA.
- **Monitoring and Assessment**
 - Whatcom County staff will be presenting to the Whatcom County Council in the fall a recommendation regarding participation in the Regional Stormwater Monitoring Program (RSMP).

Continued

- **Reporting**

- Whatcom County will expand reporting requirements to the Department of Ecology to include the Birch Bay UGA. Staff will coordinate with BBWARM on Birch Bay UGA-specific information.

Questions?

Whatcom County NPDES Phase II website:

<http://www.npdes.whatcomcounty.org/home>

(2013 SWMP, presentation, and links)

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