



CITY OF KIRKLAND
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MEMORANDUM

To: Transportation Commission

From: Kelli Jones, Surface Water Manager
Rachel Konrady, Surface Water Planning Supervisor

Date: April 19, 2024

Subject: DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PHASE II MUNICIPAL STORMWATER PERMIT 2024-2029 AND DRAFT
STORMWATER MANUAL BRIEFING

RECOMMENDATION:

It is recommended that the Transportation Commission be briefed on changes proposed within the draft NPDES Phase II Municipal Stormwater Permit for 2024-2029 and the Draft 2024 Ecology Stormwater Design Manual that may impact transportation capital projects.

BACKGROUND:

The City of Kirkland operates its stormwater system under the NPDES Western Washington Phase II Municipal Stormwater Permit ("NPDES Permit"). The NPDES Permit requires the implementation of programs that are designed to manage and control stormwater runoff so that it does not pollute downstream waters. The permit is required through the Clean Water Act and is administered by the Department of Ecology in the State of Washington.

Ecology typically updates the NPDES permit on a 5-year cycle. The current NPDES Permit is effective from August 1, 2019 to July 31, 2024. In preparation for the 2024 – 2029 NPDES Permit, Ecology reviewed and monitored stormwater data gathered and scientific discoveries during the previous permit term. This information can improve our understanding of stormwater impacts and how regional implementation of programs and practices could more effectively manage stormwater. For example, one discovery during the current permit cycle was the specific chemical that causes pre-spawn mortality syndrome in coho salmon and other non-lethal impacts to many other aquatic species. This is a tire-wear particle, 6PPD-quinone, which prevents tires from degrading and is ubiquitously used in tire manufacturing. This chemical is transported from roads through the stormwater system to our streams, lakes and wetlands.

Ecology conducted a number of public involvement processes in preparation for the 2024 – 2029 NPDES permit. It began in 2022 with listening sessions, followed by a release of preliminary draft language and an informal comment period in early 2023, and was followed by the release of the formal draft permit and manual and a formal comment period in the summer

and fall of 2023. Kirkland participated in all public involvement sessions provided by Ecology. We anticipate the release of the final permit in June or July of 2024, with an effective start date of August 1, 2024.

DISCUSSION:

Despite ever increasing management, stormwater remains the leading pollution threat to lakes, rivers, streams, and marine waters in urbanized areas. To continue to make progress towards improving the health of our streams, lakes and wetlands, the draft NPDES Permit and Draft Stormwater design manual have multiple new programs proposed, as well as new requirements within existing programs. These proposed changes will have varying degrees of impact to the Surface Water Utility as well as the City more broadly, in particular, the Transportation Division, Capital Improvement Program Division, the Streets and Grounds Division, and the Stormwater Maintenance Division. These proposed changes, specific to the Transportation Division, are highlighted within Attachment A and will be the focus of the presentation. Please keep in mind these are draft changes and may change within the final version.

The changes as proposed will have budget impacts. The Surface Water Division is having conversations with other Divisions and Departments about the proposed new programs and requirements and will continue working through a full assessment of financial impacts when the final permit and manual are released. Based on the draft versions, Transportation projects will be uniquely impacted. Staff are already planning ahead by increasing the expected budget for certain types of transportation projects within the Transportation Strategic Plan. The current Transportation CIP list will also be reviewed for strategic advancement of projects.

Staff provided comments, reviewed through the City Manager's Office, during the formal comment period for the draft NPDES Permit and Stormwater Manual this past fall. These comments included but are not limited to a request and rationale for additional time to prepare before new manual requirements get adopted, and recommendations for how to exclude transportation projects that strive to reduce vehicle use from certain manual requirements. Ecology is required to respond to all comments provided during the formal comment permit.

NEXT STEPS:

Staff are collaboratively reviewing current and proposed Transportation capital projects for potential stormwater impacts and to propose strategic advancement of projects.

Ecology is getting ready to release the final NPDES Permit and final Stormwater Design Manual in June or July.

ATTACHMENT:

1. Attachment A – Overview of Most Impactful Draft NPDES Permit and Draft Manual Changes
2. Attachment B – Executive Summary of Draft Stormwater Design Manual Changes