

## AGENDA

**DES MOINES CITY COUNCIL  
ENVIRONMENT COMMITTEE  
City Council Chambers  
21630 11th Avenue S, Des Moines, Washington  
Thursday, November 9, 2023 - 5:00 PM**

**Environment Committee:**

Councilmember Jeremy Nutting; Councilmember Vic Pennington; Councilmember Gene Achziger

### **CALL TO ORDER**

### **APPROVAL OF MINUTES**

- Approval of minutes from the meeting of 09.14.2023

[09.14.23 Draft Environment Committee Minutes w header](#)

### **2024 NPDES PERMIT REISSUANCE**

*Staff will provide a presentation of the draft 2024 NDPES Permit and the new requirements that are being proposed.*

[New 2024 NPDES Permit and Program Requirements](#)

**DRAFT MINUTES – ENVIRONMENT COUNCIL COMMITTEE MEETING 09.14.2023**

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The meeting was called to order at 5:00 PM, Thursday, September 14<sup>th</sup> in the Council Chamber with the following in attendance:

**Council Members**

Jeremy Nutting (Chair)  
Vic Pennington (Vice Chair)  
Gene Achziger (absent)

**City Staff**

Andrew Merges – Public Works Director  
Tyler Beekley – Surface Water/Environmental Engineering Mngr.  
Tommy Owen – City Engineer  
Michael Posey – Engineering Technician  
Scott Wilkins – Harbormaster  
Taria Keane – City Clerk  
Jodi Grager – Admin. Assistant

Guests – Mayor Matt Mahoney, Councilmember Traci Buxton, Chuck Coleman

**AGENDA**

1. Approval of the minutes from the 06.08.2023 meeting
2. Source Control Program Update
3. Capital Improvement Plan Update

**MEETING:**

Motion to excuse Gene Achziger's absence approved.

1. Unanimous approval of the 06.08.2023 minutes.
2. Surface Water and Environmental Engineering Manager Tyler Beekley stated the committee's last update regarding this program was in May of 2022 with the implementation of this new requirement for the NPDES Permit. Michael Posey, Engineering Technician, reviewed Attachment #2. BEA Environmental is almost done inspecting the 40 downtown businesses. These businesses were selected through the SMAP project which focuses on the Massey Creek Basin. Business owners have been cooperative and positive regarding the education they received. For example, many business owners were unaware that they were responsible for catch basins on their private property and they should be performing annual inspections and cleaning.
3. Manager Beekley presented and reviewed Attachment #3 – The Capital Project Update. He mentioned that staff try to give a quarterly update to the committee. Details included:

- Construction is almost wrapped up on the 10<sup>th</sup> Ave S Pipe Project. This was completed by city crews, they nailed it! It is our intention to lay final pavement before the weather turns.
- The full closure of Kent-Des Moines Road for the culvert replacement project is scheduled to start tomorrow evening and run through 09.25.2023. Notification has been through WSDOT and they've been very proactive.
- The corridor improvement of 24<sup>th</sup> Ave S includes elements of surface water management. The project is underway.

There are several projects in the Planning, Engineering, ROW Acquisition phase:

- The Des Moines Memorial Drive (208<sup>th</sup>-212<sup>th</sup> Ave S) will essentially replace the stormwater system for better functionality. This project is currently paused due to complicated utility placements and limited staffing. A possible ILA with Highline Water District is being researched.
- Staff are hoping to combine the S 216<sup>th</sup> Pl/MVDS Pipe Upgrade project with the above project. It will involve filling in ditches and replacing old pipes.
- The KDM/16<sup>th</sup> Ave S is an old, under capacity system. There are some private property easement challenges and utility location conflicts. The ditch line will be filled in to create safer road shoulders for traffic and pedestrians.
- Consultants from Parametrix are preparing conceptual alternatives for the mouth of Massey Creek with the goal of transfiguring the area into a pocket estuary. Staff plan to present this information to committee next year. This is private property, it is hoped that the preliminary planning and design can progress and that there will be an opportunity to purchase the necessary land in the future. This is funded by King County grants.
- The City was recently awarded a grant for the Des Moines Creek Pocket Estuary Project. The funds should provide enough to move the project to 30% design. This is in the vicinity of the Marina Redevelopment and will require communication and cooperation amongst the teams of staff and consultants working these projects.
- The Deepdene Outfall Project stems from a landslide a few years back that knocked out the old outfall. Staff are working with the property owner to create a new easement for the replacement bluff outfall.

Meeting adjourned at 5:26 p.m.

Minutes respectfully submitted by: Jodi Grager, Admin Asst



## 2024 NPDES PROGRAM UPDATE NOVEMBER 2023

### New 2024 NPDES Permit and Program Requirements

The City's current NPDES permit expires on July 31, 2023 and on August 1, 2024 a new permit will be issued and become effective. Formal drafts of the new permit have been issued and final permits will be reissued in July after the Department of Ecology considers all public comments and makes the final changes. The summary below highlights the significant new requirements under the new permit.

#### 1) Stormwater Planning

- No later than December 31, 2028, Permittees shall adopt and implement tree canopy goals and policies to support stormwater management and water quality improvement in receiving waters.
- No later than December 31, 2026, Permittees shall complete a Stormwater Management Action Plan (SMAP) for at least one new high-priority catchment area or additional actions for an existing SMAP.

#### 2) Public Education and Outreach

- No later than July 1, 2025, each Permittee shall evaluate the effectiveness of an ongoing behavior change campaign. Permittees shall document lessons learned and recommendations for which option to select from below and no later than September 1, 2026, begin to implement the strategy developed.
  1. Develop a strategy and schedule to more effectively implement the existing campaign;
  2. Develop a strategy and schedule to expand the existing campaign to a new priority audience or BMPs; or
  3. Develop a strategy and schedule for a new priority audience and BMP behavior change campaign.

#### 3) Public Involvement and Participation

- Annually, Permittees shall document specific public involvement opportunities provided to overburdened communities. No later than December 31, 2026, document methods used to identify overburdened communities.

#### 4) MS4 Mapping & Documentation

- No later than December 31, 2027, develop a methodology to map and assess acreage of MS4 tributary basins to outfalls or discharge points that have stormwater treatment and flow control facilities owned or operated by the Permittee.

- No later than December 31, 2028, begin mapping of Permittee-owned or operated properties with tree canopy based on available, existing data.

**5) Illicit Discharge Detection and Elimination**

- *New Code:* Commercial, industrial, and multi-story residential structures constructed or remodeled between the years 1950 and 1980 (i.e. those most likely to have PCB containing building materials), **shall be assessed for PCB-containing materials prior to routine building washdown. Structures confirmed or suspected to have PCB-containing materials shall not discharge washdown to the MS4.** The Permittee shall reduce these discharges through, at minimum, public education activities or water conservation efforts, or both. Single-family residential buildings are exempt from PCB assessment. Structures built or renovated between 1950-1980 and determined to be without PCB- containing materials may conduct routine building washdown (without detergents) as described above.

**6) Controlling Runoff from Construction Sites**

- No later than June 30, 2027, each Permittee shall adopt and make effective a new stormwater design manual.

**7) Stormwater Management for Existing Development (new section)**

Each Permittee shall implement a Program to control or reduce stormwater discharges to waters of the State from areas of existing development. The Program shall aim to focus on strategic stormwater investments over longer planning timeframes.

- Permittees shall implement stormwater facility retrofits, or tailored SWMP actions that meet the assigned equivalent acreage requirement, using one or a combination of the following:
  - Strategic stormwater investments identified in the SMAP; and/or
  - Opportunistic stormwater investments identified by leveraging projects outside of SMAP areas to improve stormwater management and infrastructure.
- The City of Des Moines' assigned equivalent acreage is 3.3 and is based on population.
- No later than March 31<sup>st</sup>, 2028, Permittees shall fully fund, start construction, or completely implement project(s) that meet the assigned equivalent acreage and submit documentation with the Annual Report.

**8) Source Control Program for Existing Development**

*No substantial changes proposed.*

## 9) Operations and Maintenance

- No later than July 1, 2027, develop and implement a municipal street sweeping program to target high-priority areas and times during the year that would reasonably be expected to result in the maximum water quality benefits to receiving waters.
  - Sweep high-priority areas at least once between July and September each year and two additional times a year as determined by the Permittee to provide additional water quality benefits. For calendar year 2027, only one sweeping event is required.
  - High-priority areas, include:
    - a. High-traffic roads, such as arterials;
    - b. Accessible curb and gutter streets - permittees may need to implement parking restrictions or other effective methods to optimize pollutant removal;
    - c. Areas with significant tire wear, e.g. roundabouts, high traffic intersections, municipal-operated parking lots;
    - d. Areas with significant tree canopy with seasonal leaf litter drop;
    - e. Municipal roads that serve commercial or industrial land use areas; and
    - f. MS4 basins that discharge to surface receiving waters that support salmonids.
  - Annually sweep at least 90% of high-priority areas within the MS4 drainage areas.