



CITY OF WEST RICHLAND
STORMWATER MANAGEMENT PROGRAM
2015/2016



Douglas Property Swale in Operation during a Major Storm Event

TABLE OF CONTENTS

List of acronyms and abbreviations

1.0	Introduction and Background	1
2.0	Storm Water Utility	1
3.0	Permit Coverage Area	2
4.0	NPDES Phase II Permit Stormwater Management Program Requirements	2
4.1	Public Education and Outreach	2
4.2	Public Involvement and Participation	3
4.3	Illicit Discharge Detection and Elimination	3
4.4	Construction Site Stormwater Runoff Control	4
4.5	Post-Construction Stormwater Controls	5
4.6	Pollution Prevention and Good Housekeeping for Municipal Operations	5

Appendices

Appendix A	Public Education and Outreach West Richland Stormwater Program’s Education and Outreach Plan Wheat Weeks, Stormwater Education People Reached Final Report
Appendix B	Public Involvement and Participation Res. 14-08 Public Participation and Involvement Policy
Appendix C	Illicit Discharge Detection and Elimination Ord. 24-09 Illicit Discharge Detection and Elimination Illicit Discharge Summary Report
Appendix D	Construction and Post-Construction Stormwater Regulations Ord. 06-10 WRMC 13.86 Stormwater Management
Appendix E	S8 Monitoring and Program Evaluation

Acronyms and Abbreviations

BMP	Best Management Practice
Ecology	Washington State Department of Ecology
EPA	Environmental Protection Agency
IDDE	Illicit Discharge Detection and Elimination
MS4	Municipal Separate Storm Sewer System
NPDES	National Pollutant Discharge Elimination System
O&M	Operation & Maintenance
Permit	Eastern Washington Phase II Municipal Stormwater Permit
SWMP	Stormwater Management Program

Introduction and Background

In December of 1999, the Environmental Protection Agency (EPA) published Phase II of the National Pollutant Discharge Elimination System (NPDES) program requiring a permit for stormwater discharges to certain municipal separate storm sewer systems (MS4s) and construction sites greater than one acre of land. The Phase II regulations extended the permit requirements to all urbanized areas as defined by the US Census Bureau. West Richland is included in the Tri-Cities urbanized area. In Washington State, the Washington State Department of Ecology (Ecology) administers the NPDES program on behalf of EPA.

In 2005, the Washington State Legislature provided \$2.7 million to Ecology's Municipal Stormwater Grants Program as "seed" funds to help a limited number of Phase II municipalities begin to meet the new regulations. The Department of Ecology selected West Richland's application in July 2006 to receive a \$75,000 Storm Water Grant to assist the City with complying with Phase II requirements. The City earmarked the grant funds to inventory and map existing storm water facilities, establish a storm water utility, and if sufficient funds are available begin to develop a general storm water management plan.

On January 17, 2007, Ecology issued the Eastern Washington Phase II Municipal Storm Water Permit (hereinafter referred to as "permit"). The permit, which initially had an expiration of February 15, 2012, was extended through July 31, 2015 and contains certain requirements that must be met throughout its duration, one of which is a requirement that MS4s develop and implement a Storm Water Management Program (SWMP). Under the Phase II federal rules, stormwater permits are required to develop, implement, and enforce a stormwater management program designed to: 1) reduce the discharge of pollutants to the maximum extent practicable; 2) protect water quality; and 3) satisfy the appropriate water quality requirements of the Clean Water Act. Specifically, the Phase II regulations require that the stormwater management program include six plus two minimum control measures including: 1) public education and outreach; 2) public involvement and participation; 3) illicit discharge detection and elimination; 4) construction site stormwater runoff control; 5) post construction stormwater management in new and redevelopment; and 6) pollution prevention and good housekeeping practices for municipal operations plus requirements based on an approved total maximum daily load (TMDL) and evaluations of program compliance.

1.0 Stormwater Utility

In 2006, the City Council adopted Ordinance 37-06 creating City of West Richland's stormwater utility. The utility is responsible for the maintenance and operation of the City's stormwater facilities, street sweeping operations, and stormwater capital improvements. The utility is funded through a monthly service rate on all developed properties. Rates are primarily used to fund capital improvements and the maintenance and operation of the City's stormwater system.

In October 2008, the City Council adopted Ordinance 26-08 amending West Richland Municipal Code Section 13.080.060 Stormwater Rates and Charges. The Ordinance established the monthly stormwater rates for the next six years.

In March 2010, the City Council adopted Ordinance 3-10 amending West Richland Municipal Code Section 13.80.060 Stormwater Rates and Charges. The stormwater rates were revised to account for two Department of Ecology Stormwater Grants totaling approximately \$152,000 used to purchase a new Elgin Crosswind Street Sweeper. The Ordinance established the monthly stormwater rates through 2015.

In June 2012, the City Council adopted Ordinance 15-12 amending West Richland Municipal Code Section 13.080.060 Stormwater Rates and Charges. The stormwater rates were revised

based on an in-direct cost allocation to reimburse the General Fund for services provided to the 404 Storm Water Fund. Additionally, the Council decided to impose an internal tax to offset revenue loss to the General Fund over the years. The Ordinance establishes the monthly stormwater rates through 2016, unless amended.

2.0 Permit Coverage Area

The permit coverage area includes the entire corporate limits of the City of West Richland. Areas within the City's urban growth boundary but outside the City limits are under Benton County's jurisdiction until such time as these areas are annexed into the City. The City of West Richland's permit coverage area includes approximately 14,200 acres with a population of 13,960 (Office of Financial Management – April 2015).

3.0 NPDES Phase II Permit SWMP Requirements

The Eastern Washington Phase II Municipal Stormwater NPDES Permit required owners and operators to develop and fully implement a SWMP by August 16, 2011. The stormwater management program includes six plus two minimum control measures including: 1) public education and outreach; 2) public involvement and participation; 3) illicit discharge detection and elimination; 4) construction site stormwater runoff control; 5) post construction stormwater management for new and redevelopment; and 6) pollution prevention and good housekeeping practices for municipal operations plus requirements based on an approved total maximum daily load (TMDL) and evaluations of program compliance. The permit requires jurisdictions begin tracking costs to develop and implement their SWMP by January 1, 2009 and in February 2010 begin reporting annually on effectiveness of SWMP.

4.1 Public Education and Outreach (Permit Requirement S5.B.1)

The permit required that jurisdictions identify and characterize target audiences by February 16, 2010 and develop and fully implement a public education and outreach program by August 16, 2011 to distribute educational material to the community about the impacts of stormwater discharges to water bodies and the steps the public can take to reduce pollutants in stormwater.

The City has partnered with the Cities of Richland, Kennewick and Pasco to identify target audiences and develop a joint public education and outreach program for the Greater Tri-City Area. The Cities kick-started the regional stormwater public education and outreach program by having a stormwater information booth at the August 2008 Benton-Franklin County Fair in Kennewick, Washington. The 2008 booth was so well received by the general public the Cities began a stormwater information booth at the March 2009 Home & Garden Show at the TRAC facility in Pasco, Washington. The City has continued its public outreach and education through these venues to the present day and plans to continue attending these annual events as time and resources permit as part of our collective stormwater public education and outreach program.

Also integrated into this collective public education and outreach program is an ongoing contract agreement with the Franklin Conservation District to present information in the classrooms of our local schools. Since 2009 the District has presented its "Water On Wheels" program, and as of September 2012, an additional stormwater component that focuses in on stormwater management and the surrounding issues. Additionally, since January 2009 to the present, the Cities continue to partner with the local Home Builders Association to host an annual Construction Stormwater Workshop to provide information to local contractors and developers. Attached in Appendix A is a copy of the City's Public Education and Outreach Plan, which includes a summary of target audiences.

Information for engineers, construction contractors, developers, development review staff, and land use planners regarding technical standards, development of stormwater site plans and

erosion control plans, and stormwater Best Management Practices (BMPs), as well as information about training available on how to install and maintain erosion and sediment control and apply BMPS, is provided by the City as part of City Development Guidelines.

4.2 Public Involvement and Participation (Permit Requirement S5.B.2)

The permit requires jurisdictions to satisfy the public involvement and participation criteria by providing ongoing opportunities for public involvement and participation. To comply with this requirement, jurisdictions must: 1) adopt a policy or program to create opportunities for the public to provide comments during the development and implementation of the City's SWMP by February 16, 2008 and 2) make the latest version of the SWMP available to the public by May 31, 2008 and annually thereafter.

The West Richland City Council adopted Resolution 14-08 on June 16, 2008 establishing a public participation and involvement policy for the City's Stormwater Utility and Stormwater Management Plan. A copy of Resolution 14-08 is attached in Appendix B. The resolution designates the City Council as the primary forum for soliciting and receiving public participation and involvement in the development, implementation, and updates of the City's SWMP and Stormwater Utility including development and adoption of all required ordinances and regulatory mechanisms. The resolution directed the Public Works Director to seek public participation in the development, implementation, and update of the City's Storm Water Management Program complying with all permit requirements and considering the following general public involvement goals: 1) Build understanding of the program and credibility for the process leading to decision, 2) Establish and maintain productive partnerships with citizens, other public and private agencies, developers, businesses, and organizations that have a stake in or have shown interest in the program, 3) Promote early involvement with stakeholders in identifying issues and opportunities, 4) Provide information to the public, developers, businesses, and media, and 5) Maintain a record of public involvement in the decision making process.

Annually on or before May 31, the City makes available to the public, upon request, hard-copies of the latest version of the City's SWMP. The City's website, www.westrichland.org includes a Stormwater Section with the City's SWMP and annual stormwater reports submitted to Ecology.

4.3 Illicit Discharge Detection and Elimination (Permit Requirement S5.B.3)

The permit requires each jurisdiction to develop, implement, and enforce a program to detect and eliminate illicit discharges into the City's municipal separate storm sewer systems (MS4s). The Illicit Discharge Detection and Elimination (IDDE) program shall be comprised of the following measures listed below to address permit requirements.

- **MS4 Mapping.** The City was required to develop a map of the MS4 showing the location of all known and new connections to the MS4 authorized or approved by the City; all known outfalls; the names and locations of all waters of the State that receives discharges from these outfalls; and areas served by discharges to the ground. The permit required the mapping be 1/3 complete by February 16, 2010, 2/3 complete by February 16, 2011, and the mapping be 100% completed by February 16, 2012. In December 2007, the City contracted with Benton County to construct and maintain a city-wide GIS mapping system. City staff collected MS4 data for inclusion into the GIS map. The mapping of the City's MS4 system was completed and submitted to Ecology on December 30, 2008; nearly 3 years before the February 2012 deadline. The City continually updates the MS4 data and map as new stormwater infrastructure is installed.
- **IDDE Ordinance or Resolution.** The City was required to adopt an ordinance or other regulatory mechanism by August 16, 2009 to prohibit non-stormwater

discharges into the City's MS4. The ordinance needed to establish the legal authority to carry out inspections, surveillance, monitoring, and enforcement procedures necessary to ensure compliance. An ordinance meeting the permit requirements was to be adopted before the August 16, 2009 deadline. On August 3, 2009, the West Richland City Council adopted Ordinance 24-09 that prohibits non-stormwater discharges into the City's MS4. A copy of Ordinance 24-09 is attached in Appendix C.

- **Illicit Discharge Detection Program.** The City was required to develop and implement an ongoing program to detect and address non-stormwater discharges into the City's MS4, including spills, illicit connections and illegal dumpings. The permit required the program to be fully implemented by August 16, 2011. On August 3, 2009, the West Richland City Council adopted Ordinance 24-09 that prohibits non-stormwater discharges into the City's MS4. A copy of Ordinance 24-09 is attached in Appendix C.
- **Illicit Discharge Spill Response Plan.** An illicit discharge spill response plan has been developed and implemented identifying the appropriate actions to take when an illicit discharge spill occurs. The plan includes recordkeeping and reporting requirements so each spill, the response, and the outcome are documented. As part of this plan, the City has established a public hotline to report spills and illicit discharges. The City has established a 24 hour public hotline (509) 967-5434 prior to the February 16, 2009 deadline. The City has also been documenting reports received of illicit discharges or spills. Please see Appendix C for a summary.
- **Staff Training.** General training for City staff, office and field personnel, responsible for the identification, investigation, enforcement, cleanup, and reporting of illicit discharges has been developed and administered by August 16, 2009. On May 13, 2009, seven City staff members from the engineering, sanitary sewer, and stormwater departments attended an all day IDDE & O&M Training at the City of Kennewick's Municipal Services Building. On May 18, 2011 additional IDDE training was attended at the Washington State Parks Headquarters located in Wenatchee, Washington. Follow-up training will be provided as needed to address changes in procedures, methods, or staffing.

4.4 Construction Site Stormwater Runoff Control (Permit Requirement S5.B.4)

The permit requires jurisdictions develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the City's MS4 from construction activities disturbing greater than or equal to one acre and to construction projects of less than one acre that are part of a common plan of development or sale. The Construction Site Stormwater Runoff Control program shall be comprised of the following measures listed below to address permit requirements.

- **Ordinance or resolution.** The City was required to adopt an ordinance or other regulatory mechanism by February 16, 2010 to require erosion and sediment controls, and other construction-phase stormwater pollution controls at new development projects. On April 5, 2010, the City formally adopted Ordinance 6-10 that requires erosion and sediment controls, and other construction-phase stormwater pollution controls at new development projects. These types of issues are also currently covered during a project's SEPA process. A copy of Ordinance 6-10 is attached in Appendix D.
- **Construction Stormwater Pollution Prevention Plans (Construction SWPPP).** The City was required to adopt and implement procedures for site plan reviews which incorporate consideration of potential water quality impacts, procedures for site inspection, and enforcement of construction stormwater

pollution control measures. On April 5, 2010, the City formally adopted Ordinance 6-10 that requires erosion and sediment controls, and other construction-phase stormwater pollution controls at new development projects. These types of issues are also currently covered during a project's SEPA process. A copy of Ordinance 6-10 is attached in Appendix D.

- **Information for Contractors on Erosion & Sediment Control Training.** As of the effective date of the permit, February 16, 2007, the City was required to provide information to construction site operators about training available on how to install and maintain effective erosion and sediment controls and how to comply with the requirements of Appendix 1 and apply the BMPs described in Chapter 7 of the Stormwater Management Manual for Eastern Washington (2004). The City is also required to keep copies of the information provided to construction site operators. The City has provided information to construction site operators meeting the aforementioned requirements.

4.5 Post Construction Stormwater Controls (Permit Requirement S5.B.5)

The permit requires jurisdictions develop, implement, and enforce a program to address post-construction stormwater runoff to the City's MS4 from new development and redevelopment projects disturbing greater than or equal to one acre and to construction projects of less than one acre that are part of a common plan of development or sale. The program shall ensure that controls to prevent or minimize water quality impacts are in place and shall be comprised of the following measures listed below to address permit requirements.

- **Ordinance or resolution.** The City was required to adopt an ordinance or other regulatory mechanism by February 16, 2010 to require post-construction controls at new development and redevelopment projects. On April 5, 2010, the City formally adopted Ordinance 6-10 that requires erosion and sediment controls, and other post-construction stormwater pollution controls at new development projects. A copy of Ordinance 6-10 is attached in Appendix D.
- **Construction Stormwater Pollution Prevention Plans (Construction SWPPP).** The City was required to adopt and implement procedures for site plan reviews which incorporate consideration of potential water quality impacts, procedures for site inspection, and enforcement of construction stormwater pollution control measures. On April 5, 2010, the City formally adopted Ordinance 6-10 that requires erosion and sediment controls, and other post-construction stormwater pollution controls at new development projects. A copy of Ordinance 6-10 is attached in Appendix D.
- **Information for Design Professionals.** As of the effective date of the permit, February 16, 2007, the City is required to provide information to design professionals about training available on how to comply with the requirements of Appendix 1 and apply the BMPs described in the Stormwater Management Manual for Eastern Washington (2004). The City is also required to keep copies of the information provided to design professionals. The City has provided information to design professionals meeting the aforementioned requirements.

4.6 Pollution Prevention and Good Housekeeping for Municipal Operations (Permit Requirement S5.B.6). The permit requires jurisdictions to develop and implement an operations and maintenance plan that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. The Operation and Maintenance (O&M) plan shall be comprised of the following measures listed below to address permit requirements.

- **Operation and Maintenance Plan.** The City was required to develop a schedule of municipal Operation and Maintenance (O&M) activities by February 16, 2011 and implement an O&M schedule by August 16, 2011. The schedule does include BMPs that, when applied to the municipal activity or facility, will protect water quality, reduce the discharge of pollutants to the maximum extend practicable (MEP), and satisfy State requirements under RCW Chapter 90.48 to apply all known, available, and reasonable methods of prevention, control, and treatment (AKART). An O&M Plan that meets the permit requirements was developed and implemented by August 19, 2011.
- **Staff Training.** General training for City staff was provided to those who have primary construction or operations and maintenance job functions likely to impact stormwater quality. On March 10, 2011 three City staff overseeing operations, stormwater and streets attended a Stormwater Supervisor Training Course at the City of Moses Lake, Washington meeting the requirements of the August 16, 2011 deadline that addressed the importance of protecting water quality, permit requirements, operation and maintenance requirements, inspection procedures, job performance activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns, including potential illicit discharges. Follow-up training shall be attended and provided as needed to address changes in procedures, methods and or staffing. Since the initial 2011 trainings several courses and events have been attended through various venues that have pertained to stormwater and stormwater management.



Appendix A
Public Education and Outreach

**WEST RICHLAND
STORMWATER PROGRAM**

EDUCATION AND OUTREACH PLAN

Education and Outreach Plan

The Nation Pollutant Discharge Elimination System (NPDES) Phase II permit program requires local governments to apply for a permit to discharge stormwater runoff from a municipal separate storm sewer system (MS4s). This program is a federal requirement developed under the Clean Water Act. The Washington State Department of Ecology (Ecology) is responsible for administering the NPDES program in this state. The program requires the development of local controls to reduce stormwater pollutant discharges to surface water. The City of West Richland is required to comply with the requirements of that program.

As part of the efforts to comply with the Eastern Washington Phase II Municipal Stormwater Permit issued by Ecology, the City of West Richland has developed an education and outreach plan (“Plan”). This Plan is an important element of the local and regional efforts to develop a stormwater management program (SWMP). Outreach will be focused on both the general public and targeted audiences of stakeholders.

The public education and outreach component is designed to educate the public about stormwater and actions they may take to prevent stormwater pollution.

Public Education and Outreach Plan

The objective of this public education plan is to develop and implement a public education and outreach program to distribute educational materials to the community and or conduct equivalent outreach activities on the impacts of stormwater discharges to water bodies, and the steps the public may take to reduce pollutants in stormwater. Outreach and educational efforts include a multimedia approach and are targeted to specific audiences for increased effectiveness.

Components of the Public Education and Outreach Program

The components of the public outreach and education program are described in this section:

- Information for the general public about the importance of improving water quality and protecting beneficial uses of waters of the State; potential impacts from stormwater discharges; methods for avoiding, minimizing, reducing and/or eliminating the adverse impacts of stormwater discharges; and actions individuals may take to improve water quality, including encouraging participation in local stewardship activities.
- Information for business and the general public about preventing illicit discharges, including 1) what constitutes illicit discharges, 2) the impacts from illicit discharges, and 3) the proper management and disposal of toxic materials.
- Information for engineers, construction contractors, developers, development review staff, municipal maintenance personnel, and land use planners about technical standards, development of stormwater site plans and erosion control plans, and stormwater best management practices for reducing adverse impacts from stormwater runoff during construction.

Identify and Characterize Target Audiences

The NPDES Phase II stormwater permit requires permittees to identify and provide outreach to target audiences. The city maintains our own list(s) of target audiences, including residents, visitors, students, schools, public employees, businesses, industries, construction contractors, and developers. The individual list may be combined into a quad-city regional list to identify shared

contracts. Each city will be responsible for communicating to their respective target audiences, except for shared contacts which may be contacted at the regional or semi-regional level to avoid duplicative efforts.

The permit required that target audiences be identified and characterized by February 16, 2010. A general list of commercial businesses is provided in Attachment A and will be updated annually.

City's Website

The City's website is used to support public education and outreach efforts by providing a description of the Storm Water Management Plan, downloadable education materials, such as brochures, and a schedule of upcoming program activities.

Educational and Outreach Materials

The City will prepare educational and outreach materials to distribute to target audiences that will accomplish three main goals:

- Educate the public about general stormwater issues,
- Educate the public about illicit discharges and best management practices that may prevent them,
- Educate the public about what they may do to help reduce stormwater runoff and reduce water pollution.

General Stormwater Education and Outreach Materials

Education and outreach materials related to personal stewardship are targeted to all City residents. The intent is to provide the public and businesses with general stormwater information and best management practices which may be implemented to lessen impacts on stormwater. The educational materials may be developed regionally and semi-regionally. Materials will be posted on the City's website and also distributed as hard copies, as appropriate.

General Stormwater Informational Brochures

Target Audience: All Residents

Content of Message: Explanation of what stormwater is, why stormwater may be a problem, practices that may protect water quality, and practices that should be avoided.

Delivery Mechanism(s): These brochures will be available at City offices, at appropriate public events, and as a billing insert when appropriate. They may be delivered every two to three years to re-inform residences of stormwater issues and water quality efforts.

Stormwater Education Workshop(s) for Construction Sites

Target Audience: Construction Contractors and Developers.

Content of Message: Storm drain discharge to water bodies, stormwater treatment requirements prior to discharge, control of stormwater runoff from construction sites, explanation of the impacts stormwater may have on surface water, understanding of stormwater drainage in the Quad City area.

Delivery Mechanism(s): Workshops with the Home Builders Association.

Franklin Conservation District (Wheat Week & Water on Wheels) Programs

Target Audience: Elementary and Middle School Students (Grades K-8th)

Content of Message: Wheat Week focuses on the impacts of water, soil, watersheds, energy, systems, salmon and wheat, in our lives. Water on Wheels focuses on water, soil and energy conservation. The overall program has also introduced a stormwater component that focuses in on the stormwater management and it surrounding issues. The programs help kids better understand our natural resources.

Delivery mechanism(s): Message content is given through a series of lesson, involving games, hands on demonstrations and experiments.

Illicit Discharge Education and Outreach Materials

Education and outreach materials related to illicit discharges will be available for all residents within the permit coverage area, and specific materials will be made available to target homeowners and commercial businesses. The intent is to educate the public about illicit discharges and provide them with a mechanism to report such discharges.

Best Management Practices for Illicit Discharges Brochure – Residential Activities

Target Audiences: All City residents.

Content of Messages: What illicit discharges are, the typical homeowner action that may result in illicit discharges, best management practices for illicit discharges and actions and precautions for those who live along drainage areas. The procedure for residents to report illicit discharges.

Delivery Mechanism(s): Brochures may be distributed as a utility bill insert and to residents setting up new utility accounts as well as at appropriate public events. Brochures will be made available at the City offices.

Commercial Business Brochure Addressing Illicit Discharges

Target Audience: Commercial businesses.

Content of Message: What illicit discharges are, general best management practices for illicit discharges, and how to report illicit discharges. Specific best management practices for commercial properties, industrial operations, and agricultural operations will also be provided in the brochure.

Delivery mechanism(s): Brochures will be delivered to new businesses and existing businesses upon renewing their City business license information. The brochures will also be available at the City offices.

Attachment A

Target Audience: General List of Commercial Businesses

The City of West Richland has developed a target list of commercial businesses as part of their public education efforts. The commercial businesses include the following types of businesses:

- Restaurants
- Wineries and Distilleries
- Home Health Care Facilities
- Child Care Facilities
- Grocery Stores and Outlets
- Health Services
- Distributing and Freight Services
- Manufacturing Services
- Antique Shops
- Cleaning, Maintenance, Laundry, and Restoration Services
- Lawn Care
- Electrical, Plumbing, Refrigeration and Heating Services
- Beauty Salons and Barber Shops
- Construction Services
- Transportation Services:
 - Sales and Recreational
 - Rentals
 - Trucking Services
 - Gas Stations
 - Repair and Service
 - Car Washes

Franklin Conservation District Education Report
Water on Wheels (January - May 2015)

Water on Wheels (Jan - May 2015)	# Students	# Teachers	# Of Lessons
Kennewick			
Bethlehem Lutheran School	194	10	9
Cascade Elementary	75	3	3
Cottonwood Elementary	469	22	19
Lincoln Elementary	82	4	4
Vista Elementary	21	1	1
Westgate Elementary	99	8	4
Kennewick Total	940	48	40
Pasco			
James McGee Elementary	126	9	6
Livingston Elementary	133	6	6
Robert Frost Elementary	226	11	7
Pasco Total	485	26	19
Richland			
Badger Mountain Elementary	128	4	4
Jason Lee Elementary	510	22	22
Lewis and Clark Elementary	79	4	3
Sacajawea Elementary	244	9	9
Tapteal Elementary	108	9	5
White Bluffs Elementary	587	33	24
Richland Total	1656	81	67
West Richland			
Tapteal Elementary	98	5	4
West Richland Total	98	5	4
Grand Total	3179	160	130

Water on Wheels Quad Cities Sept – Dec 2015

Water on Wheels - Quad Cities	# Students	# Teachers	# Lessons Taught
Kennewick	714	29	26
Cascade Elementary	182	7	6
Cottonwood Elementary	124	4	4
Ridge View Elementary	192	8	8
Sunset View Elementary	84	4	4
Vista Elementary	44	2	2
Westgate Elementary	88	4	2
Pasco	899	39	38
Emerson Elementary	23	1	1
Franklin Elementary	267	10	12
James McGee Elementary	91	4	4
McClintock Elementary	206	8	8
Robert Frost Elementary	86	6	4
St. Patrick's Catholic School	45	2	2
Whittier Elementary	181	8	7
Richland	460	19	19
Christ the King School	50	2	2
Orchard Elementary	300	12	12
White Bluffs Elementary	110	5	5
Grand Total	2073	87	83

Wheat Weeks Quad Cities Sept – Dec 2015

Wheat Weeks - Quad Cities	# Students	# Teachers	# of Weeks
Kennewick	93	4	1
Cascade Elementary	93	4	1
Pasco	438	17	6
Chess Elementary	76	3	1
Edwin Markham Elementary	56	2	1
Emerson Elementary	83	3	1
James McGee Elementary	100	4	1
Kingspoint Christian School	10	1	1
Mark Twain Elementary	113	4	1
Richland	200	9	2
Badger Mountain Elementary	110	6	1
Jason Lee Elementary	90	3	1
Grand Total	731	30	9

Franklin Conservation District Education Report
Wheat Week (Jan - May 2015)

Wheat Week (Jan - May 2015)	# Students	# Teachers	# of Weeks
Kennewick			
Cascade Elementary School	98	4	1
Lincoln Elementary	85	4	1
Sunset View Elementary	81	3	1
Vista Elementary	63	3	1
Kennewick Total	327	14	4
Pasco			
Emerson Elementary	111	4	1
Longfellow Elementary	96	5	1
Maya Angelou Elementary	109	4	1
Ruth Livingston Elementary	141	6	1
Pasco Total	457	19	4
Richland			
Badger Mountain Elementary	119	5	1
Jefferson Elementary	60	2	1
Lewis & Clark Elementary	81	3	1
Richland Total	260	10	3
West Richland			
Tapteal Elementary	114	4	1
West Richland Total	114	4	1
Grand Total	1158	47	12

FREE



Day 1: What is Wheat?

Students explore the wheat plant as a system of parts. Discuss implication of inputs and outputs to the system and how that affects the plant. Learn what makes wheat grow as they create their own wheat terrariums to observe throughout the week.

What is Wheat Week? Wheat Week is a series of five lessons, delivered over the course of one week, educating students about systems, water, soil, pollution, and energy as well as how they impact our daily lives.

Day 2: Water in our World:

Explore the water cycle, including precipitation, evaporation, condensation and collection through classroom participation. Students model the water cycle as they play a game and travel to various locations as a drop of water.

Conservation Education Lessons For 4th and 5th Grade Classrooms

Day 3: Amazing Soils:

Differentiate between the three soil textures (sand, silt and clay) based on particle size and permeability through a hands-on demonstration. Discover how soil is made. Discuss the properties of soil and their importance to farmers and community members.

Who can receive Wheat Week? Any school can request Wheat Week. Teachers are asked to plan together so each day several classrooms can receive the daily lesson.

Day 4: Does Watershed?:

Discover what a watershed is and how we affect the watersheds we live in. Students create individual paper watershed models and learn about the impacts of land planning, pollutants, and stormwater.

All Wheat Week lessons are aligned with Next Generation Science Standards. Each lesson takes approximately 1 hour and all supplies are provided.

Day 5: Wheat Energy:

Discover the importance of renewable and non-renewable energy. Learn about solar, wind and hydroelectric power. Students thresh a wheat plant to discover its energy source for humans and how it is transferred to us.

For more information or to schedule Wheat Week for your classroom please contact:

Kara Kaelber

Kara-Kaelber@conservewa.net

Appendix B
Public Involvement and Participation

**CITY OF WEST RICHLAND
RESOLUTION NO. 14- 08**

**A RESOLUTION OF THE CITY OF WEST RICHLAND,
WASHINGTON, ESTABLISHING A PUBLIC PARTICIPATION
AND INVOLVEMENT POLICY FOR THE STORM WATER UTILITY**

WHEREAS, in 1999, the Environmental Protection Agency (EPA) introduced Phase II of the National Pollutant Discharge Elimination System (NPDES) program requiring a permit for storm water discharges to certain municipal separate storm water systems (MS4s) and construction sites greater than one acre of land; and

WHEREAS, in Washington State, the Washington State Department of Ecology (Ecology) administers the NPDES program on behalf of EPA; and

WHEREAS, on January 17, 2007, Ecology issued the Eastern Washington Phase II Municipal Storm Water Permit (hereinafter referred to as "permit"); and

WHEREAS, the permit, which expires on February 15, 2012 contains certain requirements that must be met throughout its duration, one of which is a requirement that MS4s implement a Storm Water Management Program (SWMP) composed of the following six elements: 1) Public education and outreach, 2) Public involvement and participation, 3) Illicit discharge detection and elimination, 4) Construction site storm water runoff control, 5) Post-construction storm water management for new development and redevelopment, and 6) Pollution prevention and good housekeeping for municipal operations; and

WHEREAS, each element of the SWMP has specific milestones/deadlines to be met by the City; and

WHEREAS, the City Council seeks and values public participation in all programs administered by the City; and

WHEREAS, development and implementation of the City's SWMP will result in new City regulations requiring compliance by persons living, developing, and conducting business in the City; and

WHEREAS, development and implementation of the City's SWMP will result in new City services funded through revenue derived from persons living, developing, and conducting business in the City;

NOW, THEREFORE, The City Council of the City of West Richland, Washington, does hereby resolve as follows:

Section 1. The City Council hereby directs the Public Works Director to seek public participation in the development, implementation, and update of the City's Storm Water Management Program complying with all permit requirements and considering the following general public involvement goals: 1) Build understanding of the program and credibility for the process leading to decision, 2) Establish and maintain productive partnerships with citizens, other public and private agencies, developers, businesses, and organizations that have a stake in or have shown interest in the program, 3) Promote early involvement with stakeholders in identifying issues and opportunities, 4) Provide information to the public, developers, businesses, and media, and 5) Maintain a record of public involvement in the decision making process.

Section 2. The City Council is hereby designated as the primary forum for soliciting and receiving public participation and involvement in the development, implementation, and updates of the City's SWMP and Storm Water Utility including development and adoption of all required ordinances and regulatory mechanisms.

Section 3. This resolution shall be in effect immediately upon approval.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON,** this 16th day of June, 2008.


Dale E. Jackson, Mayor

ATTEST:


Julie Richardson, City Clerk

APPROVED AS TO FORM:


Terry Tanner, City Attorney

Appendix C
Illicit Discharge Detection and Elimination

CITY OF WEST RICHLAND

Illicit Discharge Summary Report

2010 Discharges:

September 27, 2010 a fuel spill in a residential neighborhood was reported to the City. City staff inspected the site, placed absorbent socks on the area, and the asphalt was removed and replaced. There were no other agencies notified of the situation.

2011 Discharges:

September 27, 2011 a anti-freeze spill occurred near the intersection of Bombing Range Rd. and Victoria Ct. when a truck hose broke spilling approximately 2 gallons of anti-freeze. City staff inspected the site, cleaned the spill with floor dry, swept and disposed of material. There were no other agencies notified.

2012 Discharges:

March 7, 2012 employees of Entrust Community Services dumped approximately 40 gallons of pollutants associated with the stripping and waxing of the floors of the West Richland Police Department into the City's parking lot storm drainage system. Due to the unknown pollutants dumped, elevated groundwater in the immediate area and proximity to the Yakima River, the violation was considered an immediate threat to health, safety, and well-being of the public. The City's illicit detection and elimination crew was dispatched to abate the discharge. City crews removed the pollutants from the catch basin and drywell drainage system using a shop-vac and a 55-gallon drum to contain the pollutants until they could be disposed of properly.

2013 Discharges:

April 24, 2013 Western Materials (WM) had a hydraulic hose break on one of there rigs spraying hydraulic oil on the roadway near 6199 Teak Lane. The City initially responded and cleaned up the spill preventing any oil from entering the storm drain system. Western Materials was contacted about the incident and Joe Ness (WM dispatcher) arrived and helped clean up the spill. The City provided a bag of floor dry and spent an hour cleaning the spill. WM was also advised that they would need to call the spill response number and report the spill and notify the City once the spill had been reported. The City received notification from Joe that the spill had been reported and WM also removed contaminated soil from the lot.

April 28, 2013 Goodman & Mehlenbacher Enterprises, Inc. (GAME) had a diesel leak from their water truck that was parked at the end of Belmont Blvd. one lot north of 1399 Belmont. The diesel leaked into the gutter and off the end of the roadway into the soil. Chuck with GAME was contacted about the spill and advised that the spill would need to be reported to Ecology and the City would need to receive notification that the spill was reported. The City did receive notification that the spill had been reported and GAME cleaned up the diesel in the gutter pan and removed all contaminated soils storing the soil on plastic sheeting at their shop until it could be disposed of properly.

October 4, 2013 Dakota Concrete was pouring a concrete patio at 6003 Kilawea Drive. Upon completion of pumping concrete their concrete pumper truck began washing out their equipment out in the roadway near two catch basins (CB's). The CB's were roughly located at 6003 and 6102 Kilawea Drive. The concrete residue was all over the roadway, in the gutter pan, being highly visible on the roadway and in the CB's. The City arrived after receiving a tip from a City resident and found Dakota Concrete still at the scene. The City talked with Dakota Concrete about the discharges and explained that this was unacceptable and considered an illicit discharge and could be subject to punitive fines, giving them direction on how they would need to rectify the situation. They acknowledge that they would take care of the mess, but unfortunately did not comply that day, or the over the next couple of days when give repeated opportunities. The City then stepped in and cleaned up the discharge sweeping and washing the roadway and then vactoring out the CB's, removing 4" of solidified concrete on the bottom of the CB. The City has an agreement with the City of Kennewick to use/bring waste material to their decant facility, which is were the City takes its waste material.

2014 Discharges:

July 29, 2014, Viking Homes in contract with Columbia Pumping had a hydraulic hose break and leak out onto the roadway near 6043 Holly Way. The Contractor was made aware of the leak and issues associated with the spill and their responsibility to clean it up. The driver of the pump truck (Columbia Pumping) decided to wash the spill into the gutter. The City called Viking Homes to inform them that the situation was potentially more severe and now needed to isolate the nearest catch basin and vactor any catch basin where the wash water had reached. When the City was able to meet with the contractor on-site it was determined that due to the large amount of sediment and sand in the gutter line that none of the wash water, or hydraulic fluid had made it into any of the catch basins being absorbed be much of the sand and sediment in the gutter pan. They were informed at that time that they would need to shovel out all the contaminated sediment and sand and dispose of properly. They were also required to apply absorbent material over the oil spots in the roadway. The total area was approximate 25 square feet at three different spots on the roadway. The City observed the contractor spreading out the absorbent material and scooping out the sand and sediment into 5-gallon buckets for disposal.

Current Outfall Summary Report

Bombing Range Road Outfall:

This outfall was initially installed as part of the *Bombing Range Road Reconstruction Project* in 1998 prior to the City being required to obtain a National Pollutant Discharge Elimination System (NPDES) Phase-II Permit which requires local governments to apply for coverage when discharging stormwater runoff from a Municipal Separate Storm Sewer System, or MS4 to "waters of the state". The City has considered how to eliminate this outfall which discharges to the Columbia Irrigation District (CID) canal and subsequently into the Columbia River since being subject to the conditions of the NPDES Phase-II permit, but until as of recently the City hasn't had the funding to accomplish this task. In May of 2012 the

City was awarded a stormwater grant that will now allow the City to retrofit this system and eliminate all stormwater discharge at this outfall.

Since receipt of the grant from Ecology, the City's been involved in the planning and design of a retrofit system that would eliminate the outfall as part of the ***Bombing Range Outfall Elimination Project***. The new stormwater collection and conveyance system for the Bombing Range Road corridor system will collect, store, treat and infiltrate all collected road runoff on-site. The City will accomplish these goals through the use of large underground corrugated metal pipe (CMP) storage and infiltration facilities in combination with continuous deflection separator (CDS) systems that will perform these functions. These proposed changes to this existing system will allow the City to discontinue the use of the outfall by disconnecting and abandoning the outfall structure from the new system.

Luanne Estates Outfall:

The City became aware of an outfall that collects stormwater runoff from an existing 47 lot development known as Luanne Estates during efforts to update the City MS4 map. This outfall was install several decades ago and discharges to the Yakima River Flood Plain, or what appears to have been a small tributary of the Yakima River. It is usually dry throughout the year only seeing runoff, or water during months of high water, or flooding. The City initially submitted a stormwater grant application to the Department of Ecology for the FY 2011 State Stormwater Grant, but wasn't initially selected in part due to scoring and in part due to funding availability. However, in 2013 more funding become available the City's project was selected by Ecology to be a recipient for grant funding.

Since receipt of the grant from Ecology, the City began the process of designing a retrofit system to eliminate the outfall from this collection and conveyance system as part of the ***Yakima River Outfall Elimination Project***. These proposed changes to this existing system will allow the City to discontinue the use of the outfall. It is the City's goal to have this project designed by 2014 and constructed early 2015.

Ironton Drive Outfall:

The City became aware of another outfall to the CID canal that collects runoff from Ironton Drive and discharges, or outfalls to the canal. This portion of the City was installed years ago and there were no records or knowledge of this outfall. Through continual updating of the City's MS4 maps and some ongoing construction activities nearby the City was able to identify this issue and has since been awarded a grant from Ecology to retrofit this system to eliminate the outfall. The plan is to begin the design of the retrofit by fall of 2015 and construct in 2016.

Eliminated Outfall Summary Report

Yakima River Bridge Crossing Outfall:

In April of 2011, as part of the City's ***Van Giesen Water and Sewer Enhancements Project***, the City eliminated this outfall to the Yakima River from a thought to be abandoned stormwater system. The City discovered this outfall near the Yakima River bridge which connects the City of West Richland to the City of Richland during preliminary design and planning of the City water/sewer project. It was

through this investigative work that the City discovered there was still one remaining catch basin that had not been disconnected from this old existing stormwater system that discharge directly to the Yakima River. Once discovered the City eliminated the possibility of stormwater discharges from this outfall by intercepting the stormwater line next to the City's detention pond and installing a drywell system to capture and infiltrate any future runoff this isolated catch basin may capture, thus eliminating the outfall from the City's MS4 system.

Bombing Range Road Outfall:

On December 1, 2014 the Bombing Range Road Outfall was officially eliminated as part of the ***Bombing Range Outfall Elimination Project*** and the project was closed out. This outfall discharged to the CID canal, but now conveys runoff to an underground infiltration gallery where it is pre-treated, stored and infiltrated into the ground. The installed systems have been operating as intended and have been an effective solution to eliminate the outfall.

Yakima River (Fern Loop) Outfall:

On April 15, 2015 the Yakima River Outfall was officially eliminated. This project was a Washington State Department of Ecology funded project. The project consisted of installing catch basins, stormwater pipe and infiltration trench. The stormwater system was originally piped together and was piped directly to the Yakima River. The stormwater system has now been broke up into smaller basins and each one of the new basins handles its stormwater for that basin.

**CITY OF WEST RICHLAND
ORDINANCE NO. 24-09**

**AN ORDINANCE OF THE CITY OF WEST RICHLAND, WASHINGTON, RELATING TO
ILLICIT DISCHARGE DETECTION AND ELIMINATION ADDING CHAPTER 13.82 TO
THE WEST RICHLAND MUNICIPAL CODE**

WHEREAS, on January 17th, 2007 the Washington State Department of Ecology issued a general permit, the National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington, commonly known as the Eastern Washington NPDES Phase II Municipal Stormwater Permit; and

WHEREAS, the Eastern Washington NPDES Phase II Municipal Stormwater Permit requires the City of West Richland to develop, implement and enforce a program by August 16, 2009 to detect and eliminate illicit discharges in the municipal separate storm sewer system (MS4); and

WHEREAS, on June 18th, 2008, the West Richland City Council adopted Resolution 14-08 establishing a public participation and involvement policy for the City' Stormwater Utility and Stormwater Management Plan (SWMP); and

WHEREAS, Resolution 14-08 designates the City Council as the primary forum for soliciting and receiving public participation and involvement in the development, implementation, and updates of the City's SWMP and Stormwater Utility including development and adoption of all required ordinances and regulatory mechanisms; and

WHEREAS, the West Richland City Council on July 6, 2009 adopted Resolution 11-09 setting July 20, 2009 as the date for a public hearing on the proposed ordinance adding Chapter 13.82 Illicit Discharge Detection and Elimination to the West Richland Municipal Code; and

WHEREAS, the West Richland City Council held a duly advertised public hearing on July 20, 2009, at which the public was given an opportunity to participate and provide comment, and the comments were reviewed and considered by the City Council;

NOW, THEREFORE, the City Council of the City of West Richland, Washington does hereby resolve as follows:

Section 1. Chapter 13.82, "Illicit Discharge Detection and Elimination", which follows, is hereby added to the West Richland Municipal Code and shall read as follows.

Chapter 13.82
Illicit Discharge Detection and Elimination

Sections:

13.82.010	Purpose
13.82.020	Definitions
13.82.030	Administration
13.82.040	Prohibition of Illicit Discharges
13.82.050	Allowable Discharges
13.82.060	Conditional Discharges
13.82.070	Prohibition of Illicit Connections
13.82.080	Compliance with other NPDES Permits
13.82.090	Notification of Spills
13.82.100	Enforcement Procedures
13.82.110	Appeal Notice of Violation
13.82.120	Abatement by the City
13.82.130	Injunction

13.82.010 Purpose.

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of the City of West Richland, Washington through the regulation of non-stormwater discharges to the storm drainage system in compliance with the provisions of the Federal Water Pollution Control Act (Clean Water Act), Title 33 United States Code, Section 1251 et seq., and the State of Washington Water Pollution Control Law, Chapter 90.48 Revised Code of Washington. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with the requirements of the Washington State Department of Ecology issued National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington, commonly known as the Eastern Washington NPDES Phase II Municipal Stormwater Permit. The objectives of this ordinance are:

1. To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by stormwater dischargers by any user;
2. To prohibit illicit connections and discharges to the municipal separate storm sewer system; and
3. To establish legal authority to carry out all inspections, surveillance, and monitoring procedures necessary to ensure compliance with this ordinance.

13.82.020 Definitions

For the purposes of Chapter 13.82 of the West Richland Municipal Code (WRMC), the following definitions apply:

- A. "Best Management Practices" or "BMPs" shall mean schedules of activities, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and structural or managerial practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters,

or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

- B. "City" shall mean the City of West Richland, Washington, a municipal corporation.
- C. "Clean Water Act" means the federal Water Pollution Control Act (33 USC Section 1251 et seq.) and any subsequent amendments thereto.
- D. "Construction Activities" means any activities subject to the National Pollutant Discharge Elimination System (NPDES) construction permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating and demolition.
- E. "Director" shall mean the Public Works Director and/or designees.
- F. "Discharge" means adding, introducing, releasing, leaking, spilling, casting, throwing or emitting any pollutant to waters of the state or placing any pollutant in a location where it is likely to pollute waters of the state.
- G. "Ecology" means the Washington State Department of Ecology.
- H. "Erosion" means the process by which ground surface is worn away by action of wind, water, ice or gravity.
- I. "Groundwater" means water in a saturation zone or stratum beneath the surface of the land or below a surface water body.
- J. "Hazardous Substance" means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- K. "Hyper-chlorinated" means water that contains more than 10 mg/L chlorine.
- L. "Illicit Connection" means any drain or conveyance, whether on the surface or subsurface, which allow an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater and wash water to enter the storm drain system and any connection to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted or approved by the city or any government agency. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps or equivalent records and approved by the City.

- M. "Illicit Discharge" or "Illegal Discharge" means any direct or indirect non-stormwater discharge to the City's separate storm sewer system (MS4), except as expressly allowed by this chapter.
- N. "Industrial Activity" means any activities subject to the NPDES Industrial Permits as defined in 40 CFR Section 122.26(b)(14).
- O. "Industrial Waste" means any liquid, gaseous, solid, slurry or other waste substance or any combinations of these resulting from any process or industry, manufacturing, trade or business.
- P. "Municipal Separate Storm Sewer System" or "MS4" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):
 - a. Owned or operated by the City of West Richland;
 - b. Designed or used for collecting or conveying stormwater;
 - c. Which is not part of a Publicly Owned Treatment Works (POTW).
- Q. "National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit" means a permit issued by the Washington State Department of Ecology under authority delegated pursuant to 33 USC Section 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.
- R. "Non-Point Source" means a diffuse source of pollution that does not result from a pollutant discharge at a specific single location (such as a single pipe) but generally results from human or human induced activities which introduce pollutants into waters of the state through land runoff, precipitation, atmospheric deposition or percolation.
- S. "Non-Storm Water Discharge" means any discharge to the storm drain system that is not composed entirely of storm water.
- T. "Point Source" means any discernable confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock or other vessel or other floating craft, from which any pollutant is or maybe discharged.
- U. "Pollutant" means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes and solvents, oil and other automotive fluids, non-hazardous liquid, solid wastes and yard wastes, refuse rubbish, garbage, litter or other discarded or abandoned objects, articles and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries and concrete rinses); and noxious or offensive matter of any kind.
- V. "Premises" means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

- W. "Sediment" means soils or other particulate materials eroded or otherwise separated by parent materials and transported or deposited by the action of wind, water, ice or gravity or by illegal dumping.
- X. "Storm Drain System" means the City's municipal storm drain system that discharges to the waters of the State.
- Y. "Stormwater" means runoff during and following precipitation and snowmelt events, including surface runoff and drainage.
- Z. "Waters of the State" means any surface watercourses and water bodies as defined in 40 CFR § 122.2 including all natural waterways and defined channels and depressions in the earth that may carry water.

13.82.030 Administration

The Director shall administer, implement and enforce the provisions of this chapter.

13.82.040 Prohibition of Illicit Discharges

No person shall discharge or cause to be discharged into the waters of the State via the City's storm drain system, other than as provided for herein, any materials, contaminants or pollutants, other than stormwater.

No person shall connect any apparatus discharging any pollutant, in any quantity, to any part of the storm drain system or waters of the state except as explicitly authorized by an approved NPDES discharge permit or by an approved plan for compliance or BMP.

The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES Permit, waiver, or waste discharge order issued by Ecology, provided that the discharge is in full compliance with all requirements of the permit, waiver, or order.

13.82.050 Allowable Discharges

Discharges from the following activities shall be considered allowable discharges unless the Director determines the type of discharge, whether singly or in combination with others is causing, or is likely to cause, pollution of waters of the state. They include but are not limited to:

1. diverted stream flows;
2. rising ground water;
3. uncontaminated ground water infiltration;
4. uncontaminated pumped ground water;
5. foundation drains;
6. air conditioning condensation;
7. irrigation water from agricultural sources that is commingled with urban stormwater; springs;
8. water from crawl space pumps;
9. footing drains;
10. flows from riparian habitats and wetlands;
11. discharges for fire fighting activities; and

12. potable water, including water from routine water line flushing and fire hydrant maintenance.

13.82.060 Conditional Discharges

The following types of conditional discharges shall not be considered illegal or illicit discharges for the purposes of this chapter if the discharges meet the stated conditions, or unless the Director determines the type of discharge, whether singly or in combination with others is causing, or is likely to cause, pollution of waters of the state:

- A. Hyper-chlorinated water discharges shall be de-chlorinated to a concentration of 0.1 ppm or less, pH adjusted to between 5.5 and 9.0, if necessary and in volumes and velocities controlled to prevent re-suspension of sediments in the storm drain system;
- B. Swimming pool and hot tub water discharges. Water discharges shall be de-chlorinated to a concentration of 0.1 ppm or less, pH adjusted to between 5.5 and 9.0, if necessary and in volumes and velocities controlled to prevent re-suspension of sediments in the storm drain system;
- C. Other conditional discharges including non-stormwater discharges in compliance with the requirements of a stormwater pollution prevention plan, reviewed and approved by the Director, which addresses control of such discharges by applying approved BMPs to prevent contaminants from entering waters of the state.

13.82.070 Prohibition of Illicit Connections

The construction, use, maintenance or continued existence of illicit connections to the MS4 is prohibited. This includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

13.82.080 Compliance with other NPDES Permits

Any person or company subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Director prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan.

13.82.090 Notification of Spills

As soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of substances in volumes that exceed during any 24 hour period of time, the reportable quantity (RQ) values listed at Title 40 Code of Federal Regulations Part 302, Table 304.2, which are resulting or may result in illegal discharges of pollutants discharging into the MS4 or waters of the State from said facility, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release.

In the event of such a release of a hazardous substance said person shall immediately notify emergency response officials of the occurrence via emergency dispatch services (911). In the event of a release of non-hazardous substances, said person shall notify the City's Public Works Department in person or by phone, email or fax within 24 hours. If the discharge of prohibited

materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

13.82.100 Enforcement Procedures

When the Director finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the Director may order compliance through one or more of the following procedures. The Director may, at his discretion choose the following enforcement procedures appropriate to the violation:

- A. **Verbal Warning.** The Director, or his designee, may direct compliance with this ordinance through a verbal warning issued to the violator. A verbal warning will include specific information describing the violation, specific actions required to remedy the violation, an expected time for performance and referral to technical guidance available to the violator.
- B. **Written Warning.** The Director, or his designee, may direct compliance with this ordinance through a written warning issued to the violator. A written warning will include specific information describing the violation, specific actions required to remedy the violation, an expected time for performance and referral to technical guidance available to the violator.
- C. **Written Notice of Violation.** The Director may require compliance by written notice of violation to the responsible person. Such notice may require without limitation:
 - a. The elimination of illicit connections or discharges;
 - b. The violating discharges, practices or operations shall cease;
 - c. The performance of the monitoring, analyses and reporting;
 - d. The abatement and remediation of stormwater pollution or contamination hazards and the restoration of the MS4 facilities;
 - e. Implementation of source control or treatment BMPs;and/or
 - f. Payment of a fine. Any person who fails to comply with any provision of this chapter or any regulation, rule, or permit of the City, issued pursuant to this chapter shall be guilty of a civil infraction and pay a monetary fine, which is punitive in nature and not a cost or compensation to the City for services, of up to \$1,000 per violation. Each day upon which a violation occurs or continues shall constitute a separate violation. Such monetary fines may be recovered by judicial actions and/or, to the extent permissible by State law, and by administrative procedures. Any person who knowingly and intentionally fails to comply with any provision of this chapter or any regulation, rule, or permit of the City, issued pursuant to this chapter shall be guilty of a misdemeanor.

If notice of a violation and/or restoration of the MS4 facilities is required, the notice shall set forth a date within which remediation or restoration must be completed. Such notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work may be done by the City or a contractor designated by the Director and expense thereof shall be charged to the violator.

- D. **Show Cause Hearing.** The Director may order the responsible person which has violated or continues to violate this chapter to appear before the Director and show

cause why the proposed enforcement action should not be taken. Notice of the hearing shall be served on the responsible person specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action and a request that the user show cause why the proposed enforcement action should not be taken. A show cause hearing shall not be a bar against, or prerequisite for, taking any action against the responsible person.

13.82.110 Appeal Notice of Violation

Any person receiving a Notice of Violation may appeal the determination of the Director.

Persons desiring to appeal notice of violation and/or fines must file a written request with the City Clerk for the City to reconsider the violation and/or fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the Mayor shall convene a hearing on the matter within thirty (30) days of receiving the request from the violator. In the event the person's appeal is successful, the payment together with any interest accruing thereto, shall be returned to the person.

13.82.120 Abatement by the City

The Director is authorized to direct abatement of any violation of this chapter that constitutes an immediate threat to the health, safety or well-being of the public, or results from persistent non-compliance by a violator. Any expense related to such abatement undertaken by the City shall be fully reimbursed by the property owner and/or responsible party.

Within 30 days after the abatement by the City, the Director shall notify the property owner and/or responsible person of the cost of abatement, including administrative costs. Unpaid charges shall, after 30 calendar days, be assessed an additional penalty of 5% of the unpaid balance, and interest shall accrue thereafter at a rate of one percent (1%) per month. A lien against the violator's property will be sought for unpaid charges, penalties, and interest.

Violators desiring to dispute such charges must file a written request with the City Clerk for the City to reconsider the charges along with full payment of the charges within thirty (30) days of being notified of the charges. Where a request has merit, the Mayor shall convene a hearing on the matter within thirty (30) days of receiving the request from the violator. In the event the person's appeal is successful, the payment together with any interest accruing thereto, shall be returned to the person.

13.82.130 Injunction

It shall be unlawful for any person to violate any provisions or fail to comply with any of the requirements of this chapter. If a person has violated or continues to violate the provisions of this ordinance, the City may:

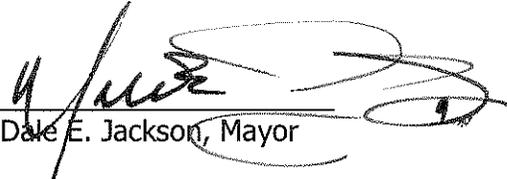
- A. Petition for a preliminary or permanent injunction restraining the person from activities, which would create further violations, or compelling the person to perform abatement or remediation of the violation.

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held by a court of competent jurisdiction to be invalid or

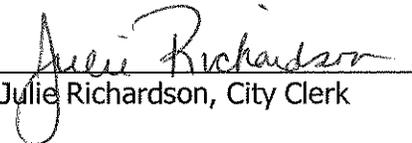
unconstitutional, such invalidity or unconstitutionality shall not affect the remainder of the Ordinance of the application of the remainder to other persons or circumstances.

Section 3. This ordinance shall become effective five (5) days after its passage and publication as required by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON,** this 3rd day of August, 2009.


Dale E. Jackson, Mayor

ATTEST:


Julie Richardson, City Clerk

APPROVED AS TO FORM:


Bronson Brown, City Attorney

Appendix D
Construction and Post-Construction Stormwater
Regulations

**CITY OF WEST RICHLAND
ORDINANCE NO. 6-10**

**AN ORDINANCE OF THE CITY OF WEST RICHLAND, WASHINGTON,
ADDING CHAPTER 13.86 STORMWATER MANAGEMENT TO THE WEST
RICHLAND MUNICIPAL CODE AND AMENDING SECTION 16.16.260
UTILITIES-STORM SEWER OF THE WEST RICHLAND MUNICIPAL CODE**

WHEREAS, on January 17th, 2007 the Washington State Department of Ecology issued a general permit, the National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington, commonly known as the Eastern Washington NPDES Phase II Municipal Stormwater Permit; and

WHEREAS, the Eastern Washington NPDES Phase II Municipal Stormwater Permit requires the City of West Richland to develop, implement and enforce a program by February 16, 2010 to reduce pollutants in stormwater runoff to the municipal separate storm sewer system (MS4) from construction activities that disturb one acre or more and from construction projects of less than one acre that are part of a common plan of development or sale; and

WHEREAS, on June 18th, 2008, the West Richland City Council adopted Resolution 14-08 establishing a public participation and involvement policy for the City' Stormwater Utility and Stormwater Management Plan (SWMP); and

WHEREAS, Resolution 14-08 designates the City Council as the primary forum for soliciting and receiving public participation and involvement in the development, implementation, and updates of the City's SWMP and Stormwater Utility including development and adoption of all required ordinances and regulatory mechanisms; and

WHEREAS, with respect to the State Environmental Policy Act of 1971, a determination of non-significance was issued on February 26, 2010 with a 14 day comment period pursuant to WAC 197-11; and

WHEREAS, the proposed ordinance adding Chapter 13.86 Stormwater Management was sent to the Washington State Department of Commerce on February 26, 2010, with a request for expedited review in accordance with RCW Chapter 36.70A; and

WHEREAS, the West Richland City Council on March 15, 2010 adopted Resolution 11-10 setting April 5, 2010 as the date for a public hearing on the proposed ordinance adding Chapter 13.86 Stormwater Management to the West Richland Municipal Code; and

WHEREAS, the West Richland City Council held a duly advertised public hearing on April 5, 2010, at which the public was given an opportunity to participate and provide comment, and the comments were reviewed and considered by the City Council;

NOW, THEREFORE, the City Council of the City of West Richland, Washington does hereby resolve as follows:

Section 1. Chapter 13.86, "Stormwater Management", which follows, is hereby added to the West Richland Municipal Code and shall read as follows.

**Chapter 13.86
Stormwater Management**

Sections:

13.86.010	Purpose
13.86.020	Definitions
13.86.030	Applicability
13.86.040	Responsibility for Administration
13.86.050	Ultimate Responsibility
13.86.060	General Requirements
13.86.070	Specific Requirements
13.86.080	Review of Documents
13.86.090	Right of Entry
13.86.100	Enforcement Procedures
13.86.110	Appeal Notice of Violation
13.86.120	Abatement by the City
13.86.130	Injunction
13.86.140	Compatibility with other Regulations
13.86.150	Effective Date

13.86.010 Purpose.

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of the City of West Richland, Washington by establishing minimum stormwater management requirements and controls to regulate stormwater runoff from construction, development and redevelopment. This ordinance establishes methods for controlling the introduction of runoff and pollutants into the municipal separate storm sewer system (MS4) in order to comply with the requirements of the Washington State Department of Ecology issued National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington, commonly known as the Eastern Washington NPDES Phase II Municipal Stormwater Permit. The objectives of this ordinance are:

1. To regulate the contribution of runoff and pollutants to the municipal separate storm sewer system (MS4) from stormwater discharges from land-disturbing activities, construction activities, new land development and redevelopment; and
2. To establish legal authority to carry out all inspections, surveillance, monitoring procedures and enforcement necessary to ensure compliance with this ordinance; and
3. To provide long term responsibility for and maintenance of stormwater BMPs.

13.86.020 Definitions

For the purposes of Chapter 13.86 of the West Richland Municipal Code (WRMC), the definitions provided in WRMC Section 13.80.030 Definitions shall apply.

13.86.030 Applicability.

WRMC Chapter 13.86 shall be applicable to all land-disturbing activities, new subdivisions, and redevelopment projects disturbing greater than or equal to one (1) acre and to projects of less than one (1) acre that are part of a common plan of development or sale where the disturbed area of the entire plan is greater than or equal to one (1) acre that drain to the City of West Richland's Municipal Separate Storm Sewer System (MS4) as determined by the City Engineer.

Partial exemptions or exceptions may be granted in accordance with the Stormwater Management Manual for Eastern Washington (SWMMEW) published by the Washington State Department of Ecology dated September 2004 or latest edition thereof. Jurisdiction-wide exceptions to the requirements in the SWMMEW shall be approved by the Washington State Department of Ecology.

The following practices shall be exempted from the requirements of WRMC chapter 13.86:

1. Forest practices regulated under Title 222 WAC.
2. Commercial agriculture practices involving working the land for production.
3. Oil and gas field activities including construction of drilling sites, waste management pits, access roads, transportation and treatment infrastructure.
4. Road and parking area preservation and maintenance including:
 - a. Pothole and square cut patching;
 - b. Crack sealing;
 - c. Resurfacing with in-kind material without expanding the road prism;
 - d. Overlaying existing asphalt or concrete pavement with bituminous surface treatment (BST or "chip seal"), asphalt or concrete without expanding the area of coverage;
 - e. Shoulder grading;
 - f. Reshaping or re-grading drainage systems;
 - g. Vegetation maintenance.

13.86.040 Responsibility for Administration

Administration, implementation, interpretation and enforcement of this ordinance shall be the responsibility of the Public Works Director or the Public Works Director's designated representative. The Public Works Director shall adopt, and revise as necessary, such instructions, policies and forms as are necessary to carry out the provisions of this title. Any powers granted or duties imposed upon the City may be delegated by the Public Works Director to persons or entities acting in the beneficial interest of or in the employ of the City.

13.86.050 Ultimate Responsibility

Any person who undertakes or causes to be undertaken any land disturbing activities, new development or redevelopment shall ensure soil erosion, sedimentation and increased pollutant loads and changed water flow characteristics resulting from the activity are controlled so as to minimize pollution. The standards set forth herein and promulgated pursuant to WRMC Chapter 13.86 are minimum standards and are not intended to ensure compliance by any person or to ensure there will be no contamination, pollution, or unauthorized discharge of pollutants.

13.86.060 General Requirements

All land-disturbing activities, new development and redevelopment unless otherwise exempted in accordance with WRMC Section 13.86.030 shall be required to comply with the standards and requirements set forth by WRMC Chapter 13.86 and the:

- a. City of West Richland Standard Plans and Specifications; and
- b. Stormwater Management Manual for Eastern Washington (SWMMEW).

13.86.070 Specific Requirements

The following specific requirements apply to all land-disturbing activities, new development, and redevelopment unless exemptions or exceptions are approved in accordance with WRMC Section 13.86.030. These requirements shall be implemented in accordance with the SWMMEW.

- a. Core Element #1: Prepare a Stormwater Site Plan.
- b. Core Element # 2: Construction Stormwater Pollution Prevention. Prepare and maintain a Construction Stormwater Pollution Prevention Plan.
- c. Core Element #3: Source Control of pollution. Apply all known, available and reasonable source control BMPs. Operational and structural source control BMPs shall be selected, designed and maintained according to the SWMMEW.
- d. Core Element #4: Preservation of Natural Drainage Systems. Preserve natural drainage systems to the extent possible at the site.
- e. Core Element #5: Runoff Treatment. When the technical thresholds/requirements for basic treatment, metals treatment, oil treatment or phosphorus treatment are met, the property owner(s) shall select, design, size, construct, operate, and maintain runoff treatment at the site.
- f. Core Element #6: Flow Control. Projects that result in 10,000 square feet or more of new impervious surfaces and are located in a flow restricted basin shall construct stormwater flow control facilities for any discharge or stormwater directly, or through a storm drainage system, into surface water.
- g. Core Element #7: Operation and Maintenance of Stormwater Facilities.
 - i. The property owner(s) shall be responsible for the continual performance, operation and maintenance of all private stormwater facilities in accordance with the standards and requirements of the City and remain responsible for any liability as a result of these duties.
 - ii. New private stormwater facilities shall have a written operation and maintenance (O&M) plan. Furthermore, existing facilities may be required to develop a written O&M plan.

- The O&M plan shall at a minimum address all stormwater facilities and BMPs at the site and address the long-term funding mechanism to support O&M.
 - The O&M plan shall be retained onsite or within reasonable access to the site, and shall be transferred with the property to the new owner(s).
 - The property owner(s) shall maintain a log of maintenance activities.

- iii. All stormwater facilities, BMPs, O&M plans, and records shall be subject to inspection by the City Engineer.

- iv. The City may assume ownership of privately-owned facilities where there is a regional benefit to the utility and if the following conditions have been met:
 - All necessary easements or dedications entitled the City to properly maintain the facility have been conveyed to the City;
 - The City Engineer has determined the facility is in the dedicated public road right-of-way or maintenance of the facility will contribute to protecting or improving the health, safety and welfare of the community based upon review of the existence of or potential for:
 1. Flooding,
 2. Downstream erosion,
 3. Property damage due to improper function of the facility,
 4. Safety hazard associated with the facility,
 5. Degradation of water quality,
 6. Degradation to the general welfare of the community;
 - The City Engineer has inspected the facility and any construction deficiencies have been repaired at the property owner(s) expense; and
 - The City has declared in writing acceptance of maintenance responsibility by the City.

- v. The City Engineer may terminate the City's assumption of maintenance responsibility or decline the acceptance of a facility in writing to the property owner(s) after determining maintenance by the City will not significantly contribute to protecting or improving the health, safety and welfare of the community based upon review of the existence of or potential for:
 1. Flooding;
 2. Downstream erosion;
 3. Property damage due to improper function of the facility;
 4. Safety hazard associated with the facility;

5. Degradation of water quality; or
6. Degradation to the general welfare of the community.

h. Core Element #8: Local requirements.

- i. All new stormwater systems and facilities shall be in accordance with the most current City Standard Details and Specifications.
- ii. Additional requirements for all land-disturbing activities:
 1. Construction site operators shall control all waste including but not limited to discarded building materials, concrete truck washouts, chemicals, litter, and sanitary waste at construction sites to prevent stormwater pollution and non-stormwater discharges.
 2. Construction site operators shall implement and maintain erosions and sediment control BMPs to reduce or eliminate stormwater pollution.

13.86.080 Review of Documents

The City Engineer shall review documents required under WRMC Section 13.86.070 and submitted as part of an application for a proposed land-disturbing activity, development or redevelopment project. Review of required documents must be completed by the City Engineer and a Notice to Proceed Letter issued by the City Engineer prior to the start of construction.

13.86.090 Right of Entry

a. Inspection and Sampling

The City shall be permitted to enter and inspect sites subject to regulation under this ordinance as often as may be necessary to determine compliance. Inspections may occur before, during and after construction.

- i. The City shall have access to all parts of the site for the purposes of inspection, sampling and examination of discharges to the MS4, and the performance of additional duties as defined by State and Federal law.
- ii. The City has the right to set up such devices as are necessary to conduct monitoring and/or sampling of the site's stormwater discharge.
- iii. The City has the right to require an owner or occupier of sites to install such sampling and monitoring equipment, as the City deems necessary. Sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or occupier at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure accuracy.
- iv. Any temporary or permanent obstruction to safe and easy access to the sites shall be promptly removed by the owner or occupier upon the written or oral request of the director and shall be replaced. The costs of clearing such access shall be paid by the owner or occupier.
- v. Property owner(s) shall upon request provide the City Engineer access to all records related to the operation and maintenance of the stormwater facilities

and BMPs including but not limited to Stormwater Site Plans, Stormwater Pollution Prevention Plans, and Operation & Maintenance Plans.

b. Search Warrants

If the City Engineer has been refused access to any part of the premises from which a discharge has occurred or is likely to occur, and the City Engineer is able to demonstrate probable cause to believe there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the City may seek issuance of a search warrant from any court of competent jurisdiction.

13.86.100 Enforcement Procedures

When the Director finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the Director may order compliance through one or more of the following procedures. The Director may, at his discretion choose the following enforcement procedures appropriate to the violation:

- A. **Verbal Warning.** The Director, or his designee, may direct compliance with this ordinance through a verbal warning issued to the violator. A verbal warning will include specific information describing the violation, specific actions required to remedy the violation, an expected time for performance and referral to technical guidance available to the violator.
- B. **Written Warning.** The Director, or his designee, may direct compliance with this ordinance through a written warning issued to the violator. A written warning will include specific information describing the violation, specific actions required to remedy the violation, an expected time for performance and referral to technical guidance available to the violator.
- C. **Compensatory Action.** In lieu of enforcement proceedings, penalties, and remedies authorized by this ordinance, the Director may impose alternative compensatory actions such as storm drainage stenciling, attendance at compliance workshops, cleanup, or other alternative actions deemed appropriate by the Director.
- D. **Written Notice of Violation.** The Director may require compliance by written notice of violation to the responsible person. Such notice may require without limitation:
 - a. The elimination of illicit connections or discharges;
 - b. The violating discharges, practices or operations shall cease;
 - c. The performance of the monitoring, analyses and reporting;
 - d. The abatement and remediation of stormwater pollution or contamination hazards and the restoration of the MS4 facilities;
 - e. Implementation of source control or treatment BMPs;and/or
 - f. Payment of a fine. Any person who fails to comply with any provision of this chapter or any regulation, rule, or permit of the City, issued pursuant to this chapter shall be guilty of a civil infraction and pay a monetary fine, which is punitive in nature and not a cost or compensation to the City for services, of up to \$1,000 per violation. Each day upon which a violation occurs or continues shall constitute a separate violation. Such monetary fines may be recovered by judicial actions and/or, to the extent permissible by State law, and by administrative procedures. Any person who knowingly and intentionally fails to comply with any

provision of this chapter or any regulation, rule, or permit of the City, issued pursuant to this chapter shall be guilty of a misdemeanor.

If notice of a violation and/or restoration of the MS4 facilities is required, the notice shall set forth a date within which remediation or restoration must be completed. Such notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work may be done by the City or a contractor designated by the Director and expense thereof shall be charged to the violator.

- E. **Show Cause Hearing.** The Director may order the responsible person which has violated or continues to violate this chapter to appear before the Director and show cause why the proposed enforcement action should not be taken. Notice of the hearing shall be served on the responsible person specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action and a request that the user show cause why the proposed enforcement action should not be taken. A show cause hearing shall not be a bar against, or prerequisite for, taking any action against the responsible person.

13.86.110 Appeal Notice of Violation

Any person receiving a Notice of Violation may appeal the determination of the Director.

Persons desiring to appeal notice of violation and/or fines must file a written request with the City Clerk for the City Council to reconsider the violation and/or fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the Mayor shall convene a hearing with the City Council on the matter within thirty (30) days of receiving the request from the violator. In the event the person's appeal is successful, the payment together with any interest accruing thereto, shall be returned to the person.

13.86.120 Abatement by the City

The Director is authorized to direct abatement of any violation of this chapter that constitutes an immediate threat to the health, safety or well-being of the public, or results from persistent non-compliance by a violator. Any expense related to such abatement undertaken by the City shall be fully reimbursed by the property owner and/or responsible party.

Within 30 days after the abatement by the City, the Director shall notify the property owner and/or responsible person of the cost of abatement, including administrative costs. Unpaid charges shall, after 30 calendar days, be assessed an additional penalty of 5% of the unpaid balance, and interest shall accrue thereafter at a rate of one percent (1%) per month. A lien against the violator's property will be sought for unpaid charges, penalties, and interest.

Violators desiring to dispute such charges must file a written request with the City Clerk for the City to reconsider the charges along with full payment of the charges within thirty (30) days of being notified of the charges. Where a request has merit, the Mayor shall convene a hearing on the matter within thirty (30) days of receiving the request from the violator. In the event the person's appeal is successful, the payment together with any interest accruing thereto, shall be returned to the person.

13.82.130 Injunction

It shall be unlawful for any person to violate any provisions or fail to comply with any of the requirements of this chapter. If a person has violated or continues to violate the provisions of this ordinance, the City may:

13.86.140 Compatibility with other Regulations

This ordinance is not intended to modify or repeal any other ordinance, rule, regulations, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

13.86.150 Effective Date

This ordinance shall take effect on February 16, 2011.

Section 2. Section 16.16.260, "Utilities-Storm Sewers", is hereby amended to read as follows:

16.16.260 Utilities – Storm Sewers. Stormwater runoff from streets, impervious areas, and other others areas shall be disposed of through stormwater drainage facilities complying with the City of West Richland's Standard Plans and Specifications, Ecology's Stormwater Management Manual for Eastern Washington, and Chapter 13.86 of the West Richland Municipal Code. Design of the stormwater drainage facilities shall be subject to approval by the City.

Section 3. Severability. If any portion of this Ordinance or its application to any person or circumstances is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remainder of the Ordinance or the application of the remainder to other persons or circumstances.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON, this 5th day of April, 2010.**


Donna Noski, Mayor

ATTEST:


Julie Richardson, City Clerk

APPROVED AS TO FORM:


Bronson Brown, City Attorney

Appendix E
S8 Monitoring and Program Evaluation

S8. MONITORING AND PROGRAM EVALUATION

S8.C.1.a.iv Stormwater Monitoring

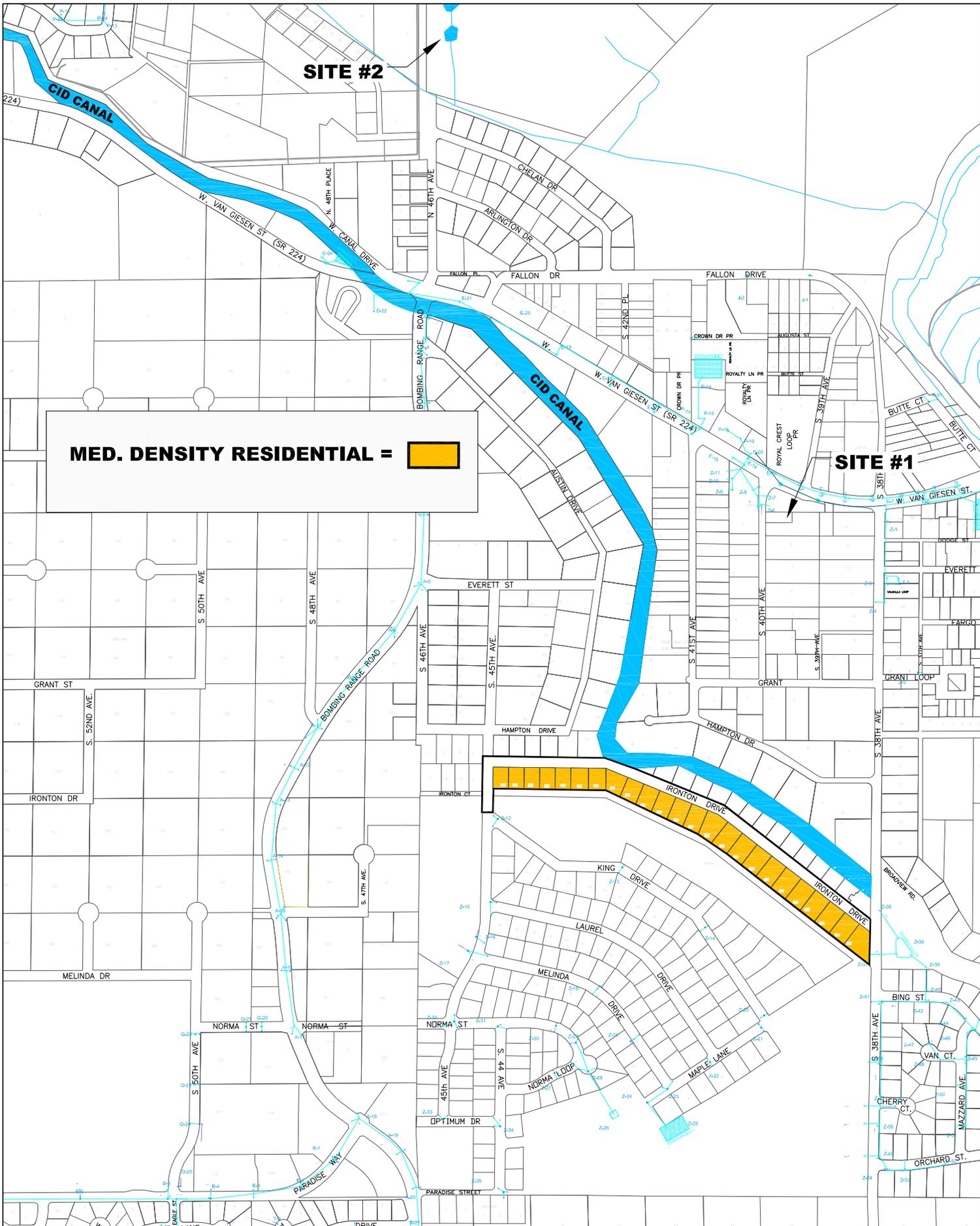
West Richland has a population of approximately 13,960 residents and is therefore subject to the requirements of the Eastern Washington Phase II Municipal Stormwater Permit (Permit) requiring cities with a population between 10,000 and 75,000 to identify any outfalls. The City of West Richland has one remaining outfall, which outlets into the Columbia Irrigation District Canal, with releases to the Yakima River. The City of West Richland is in the process of eliminating this final outfall which is what is governing the City to be in the permit.

The City of West Richland's Stormwater System is primarily comprised of catch basins piped to drywells, infiltration trenches, and grass lined detention ponds (which are sized to hold 100% of the storm event). The City's stormwater system does not discharge to waters of the state. Permit and the permittees are to work together on an effectiveness study its Stormwater Management Program (SWMP) activities. By next year the City will no longer have this outfall as it is in the process of being eliminated from the City's MS4 system.

The last outfall location collects runoff from Ironton Road to the CID canal. The contributing basin area is of medium density residential, with a low residential traffic impact to the area, and minimal truck traffic. The location of this monitoring site is denoted as "Site #1" on the attached map. There appears to be no site constraints for installation and access to monitoring equipment at this location. The collection basin area for this outfall is approximately 15.9 acres.

S8.C.1.b Targeted SWMP Effectiveness Monitoring

The City of West Richland will be partnering with the Eastern Washington Stormwater group to determine what 8-12 effectiveness studies will be picked and tested. This has been a long process, and the group has been working with the Department of Ecology on the Effectiveness Studies and Analysis. The group has been working on the study implementation process. The group has outlined dates and requirements to complete all parts of Section 8.



SITE #2

SITE #1

MED. DENSITY RESIDENTIAL =

CITY OF

West Richland



THESE MAPS ARE PRELIMINARY AND NOT FOR CONSTRUCTION. THE CITY ENGINEER'S OFFICE SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THESE MAPS.

GRANDS ROAD

ANDALUSIAN