



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118378

Record No.: CB 118378

Type: Ordinance (Ord)

Status: Attested by City Clerk

Version: 1

124766  
124766

In Control: City Clerk

File Created: 02/19/2015

Final Action: 05/08/2015

**Title:** AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to submit the "Plan to Protect Seattle's Waterways" and to fulfill the obligations set forth therein, to fulfill obligations under a Consent Decree required by the United States Environmental Protection Agency and the State of Washington Department of Ecology.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: Ed Mirabella

Filing Requirements/Dept Action:

**History of Legislative File**

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	03/31/2015	Mayor's leg transmitted to Council	City Clerk			
	<b>Action Text:</b> The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	<b>Notes:</b>						
1	City Clerk	03/31/2015	sent for review	Council President's Office			
	<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Council President's Office						
	<b>Notes:</b>						
1	Council President's Office	04/02/2015	sent for review	Seattle Public Utilities and Neighborhoods Committee			
	<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Seattle Public Utilities and Neighborhoods Committee						
	<b>Notes:</b>						

- 1 Full Council 04/20/2015 referred Seattle Public Utilities and Neighborhoods Committee  
**Action Text:** The Council Bill (CB) was referred to the Seattle Public Utilities and Neighborhoods Committee  
**Notes:**
- 1 Seattle Public Utilities and Neighborhoods Committee 04/28/2015 pass Pass  
**Action Text:** The Committee recommends that Full Council pass the Council Bill (CB).  
**Notes:**  
In Favor: 3 Chair Bagshaw, Vice Chair Sawant, Member Harrell  
Opposed: 0
- 1 Full Council 05/04/2015 passed Pass  
**Action Text:** The Council Bill (CB) was passed by the following vote and the President signed the Bill:  
**Notes:**  
In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant  
Opposed: 0
- 1 City Clerk 05/06/2015 submitted for Mayor's signature Mayor  
**Action Text:** The Council Bill (CB) was submitted for Mayor's signature to the Mayor  
**Notes:**
- 1 Mayor 05/08/2015 Signed  
**Action Text:** The Council Bill (CB) was Signed  
**Notes:**
- 1 Mayor 05/08/2015 returned City Clerk  
**Action Text:** The Council Bill (CB) was returned to the City Clerk  
**Notes:**
- 1 City Clerk 05/08/2015 attested by City Clerk  
**Action Text:** The Ordinance (Ord) was attested by City Clerk  
**Notes:**
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**CITY OF SEATTLE**  
**ORDINANCE** 124766  
**COUNCIL BILL** 118378

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5 AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public  
6 Utilities to submit the “Plan to Protect Seattle’s Waterways” and to fulfill the obligations  
7 set forth therein, to fulfill obligations under a Consent Decree required by the United  
8 States Environmental Protection Agency and the State of Washington Department of  
9 Ecology.

10  
11 WHEREAS, the City of Seattle (City) owns, maintains and operates a system of sanitary  
12 sewerage and storm and surface water drainage as part of Seattle Public Utilities’  
13 drainage and wastewater system; and

14 WHEREAS, the combined sewer system overflows (CSOs) from the City of Seattle’s system are  
15 regulated by the State of Washington under the terms of a National Pollutant Discharge  
16 Elimination System (NPDES) permit; and

17 WHEREAS, the United States Environmental Protection Agency (EPA) has made Findings and  
18 Conclusions and issued a Consent Decree pursuant to Section 402 of the Clean Water  
19 Act, 33 U.S.C. section 1342(b); and

20 WHEREAS, the City in 2012 approved Ordinance 123908 authorizing the Director of Seattle  
21 Public Utilities to submit for court approval the Consent Decree and to fulfill the City’s  
22 obligations contained therein; and

23 WHEREAS, City in 2013 approved ordinance 124129 authorizing the Director of Seattle Public  
24 Utilities to submit for court approval an amended Consent Decree and to fulfill the City’s  
25 obligations contained therein; and

1 WHEREAS, the Consent Decree requires the City to implement its CSO reduction program by  
2 2025 but also includes provisions allowing the City to defer certain CSO investments if  
3 alternative projects that yield greater benefit to the receiving waters can be identified by  
4 2018; and

5 WHEREAS, Seattle Public Utilities has developed: a Long Term Control Plan to implement its  
6 CSO reduction program by 2025; an Integrated Plan to defer certain CSO investments in  
7 favor of using alternative projects that yield greater benefit to the receiving waters; and  
8 an Integrated Plan Alternative, known as the “Plan to Protect Seattle’s Waterways,” to  
9 both implement the City’s long term CSO reduction program and reduce stormwater  
10 pollution using the Integrated Plan; and

11 WHEREAS, the Director of Seattle Public Utilities recommends that the “Plan to Protect  
12 Seattle’s Waterways” be submitted to the United States Environmental Protection  
13 Agency and the State of Washington Department of Ecology in partial fulfillment of the  
14 City’s obligations to implement its CSO reduction program; NOW, THEREFORE,

15 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

16 Section 1. The Director of Seattle Public Utilities is authorized to submit to the United  
17 States Environmental Protection Agency (EPA) and the State of Washington Department of  
18 Ecology (Ecology) the “Plan to Protect Seattle’s Waterways” (Plan), attached hereto as  
19 Attachment 1, and to fulfill the City’s obligations contained therein.


20 Section 2. The Director is further authorized to submit to EPA and Ecology any Plan  
21 amendment that is required by EPA or Ecology and that does not increase the cost of or  
22 significantly alter the City’s compliance obligations, and to fulfill the City’s obligations  
23 contained therein.

1           Section 3. The provisions of this ordinance are declared to be separate and severable.  
2           The invalidity of any portion of this ordinance, or the invalidity of its application to any person  
3           or circumstance, does not affect the validity of the remainder of this ordinance or the validity of  
4           its application to other persons or circumstances.

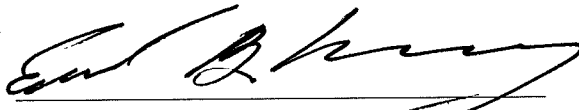
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1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

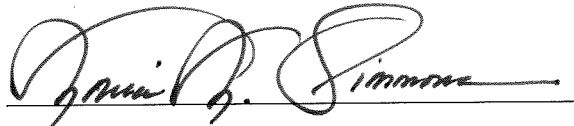
4 Passed by the City Council the 4<sup>th</sup> day of MAY, 2015, and  
5 signed by me in open session in authentication of its passage this  
6 4<sup>th</sup> day of MAY, 2015.

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8 \_\_\_\_\_  
9 President \_\_\_\_\_ of the City Council

10 Approved by me this 8<sup>th</sup> day of May, 2015.

11   
12 \_\_\_\_\_  
13 Edward B. Murray, Mayor

14 Filed by me this 8<sup>th</sup> day of MAY, 2015.

15   
16 \_\_\_\_\_  
17 Monica Martinez Simmons, City Clerk

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22  
23 (Seal)

24 Attachment 1 – Plan to Protect Seattle’s Waterways  
25 Volume 1: Executive Summary  
26 Volume 2: Long-Term Control Plan  
27 Volume 3: Integrated Plan  
28 Volume 4: Environmental Impact Statement