



Legislation Text

File #: CB 118378, **Version:** 1

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

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.

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

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

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

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

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

WHEREAS, the Consent Decree requires the City to implement its CSO reduction program by 2025 but also includes provisions allowing the City to defer certain CSO investments if alternative projects that yield

greater benefit to the receiving waters can be identified by 2018; and

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

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

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

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

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

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

Passed by the City Council the ____ day of _____, 2015, and
signed by me in open session in authentication of its passage this
____ day of _____, 2015.

President _____ of the City Council

Approved by me this ____ day of _____, 2015.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

Attachment 1 - Plan to Protect Seattle's Waterways

Volume 1: Executive Summary

Volume 2: Long-Term Control Plan

Volume 3: Integrated Plan

Volume 4: Environmental Impact Statement