

**2021 Stormwater Code and Rule Update
SEPA Determination of Non-Significance (DNS)**

Description of Proposal

The proposed action is City Council adoption and implementation of ordinances updating the City's Stormwater Code and authorizing SPU and SDCI to update the Directors' Rule that implements the Stormwater Code. The Directors' Rule comprises the City of Seattle's "Stormwater Manual."

Stormwater regulations protect people, property, and the environment from damage caused by stormwater runoff. Runoff can cause flooding, landslides, and erosion that can damage homes, businesses, and property. Runoff carries oil and grease, fertilizers, pesticides, and other toxic chemicals to our creeks, lakes, bays, river, and other waterways. The City's Stormwater Code also satisfies the City's obligation to comply with its NPDES Phase I Municipal Stormwater Permit, issued by Ecology.

The City's Stormwater Code addresses:

- Drainage control submittal and review requirements;
- Where the stormwater from a development site needs to go;
- Green stormwater infrastructure (GSI) requirements;
- Erosion control requirements for projects during construction and grading activities;
- Flow control and stormwater treatment requirements; and
- How the City enforces the Stormwater Code.

Ecology re-issued the City of Seattle's NPDES Phase I Municipal Stormwater Permit on August 1, 2019, and it remains in effect through July 31, 2024. The new NPDES permit requires the City of Seattle to update the City's current Stormwater Code and Stormwater Manual. The revised Stormwater Code and Stormwater Manual must be equivalent to Appendix 1 of the NPDES Phase I Municipal Stormwater Permit and Ecology's 2019 *Stormwater Management Manual for Western Washington (SWMMWW)*. To meet this requirement and other City objectives, the City is now proposing to revise the existing Stormwater Code (SMC 22.800-22.808) and the associated Directors' Rule.

A primary objective of these revisions is to obtain regulations equivalent to Appendix 1 of the NPDES Phase I Municipal Stormwater Permit and Ecology's 2019 *SWMMWW*. To achieve this objective, and in response to the conditional approval letter received from Ecology on October 28, 2020, minor changes will be made to the proposed November 2020 Stormwater Code and Volume 1 Manual and March 2020 Stormwater Manual revisions prior to initiating the City Council ordinance approval process for the Stormwater Code and Manual Update. Changes are expected to be minor and are not expected to trigger the need for an addendum or a new SEPA threshold determination.

In addition, revisions to the Stormwater Code and Manual are also intended to:

- Improve and clarify stormwater management requirements for new development in Seattle, including requirements for on-site stormwater management;
- Improve and clarify requirements for construction site stormwater runoff controls;
- Clarify requirements for pollution prevention, good housekeeping, and operation and maintenance;
- Update flow control requirements; and
- Streamline and reduce Stormwater Manual text to allow greater ease of use.

Proponent

Seattle Public Utilities
Seattle Municipal Tower Suite 4900
P.O. Box 34018
Seattle, WA 98124-4018

Location of Proposal

The geographic area affected by this proposed non-project action is the City of Seattle, Washington. Seattle has a land area of 84 square miles (217 square kilometers) and is located at latitude 47° 39' North and longitude 122° 17' West. Projects affected by the proposal may occur anywhere within Seattle's city limits.

Lead Agency

Seattle Public Utilities, the lead agency for this proposal, has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This Determination of Non-Significance (DNS) is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for fourteen (14) days from the issuance date below.

Copies of the draft ordinance and the environmental checklist are available online at <http://www.seattle.gov/sdci/codes/changes-to-code/updating-stormwater-regulations>.

Public and Agency Comments

Comments on this DNS must be submitted by December 24, 2020 and must be sent by email to:

Betty Meyer, SEPA Responsible Official
Seattle Public Utilities
betty.meyer@seattle.gov

Signature: _____
Betty Meyer

Issue Date: December 10, 2020

Appeals

Appeals of this DNS must be accompanied by an \$85 filing fee and must be filed by 5:00 p.m. on December 31, 2020. Please see the Office of the Hearing Examiner web site for Temporary Operating Rules During COVID-19: <http://www.seattle.gov/hearing-examiner>