



INFORMATIONAL MEMORANDUM

TO: Transportation and Infrastructure Services Committee
FROM: Hari Ponnekanti, Public Works Director/City Engineer
BY: Brittany Robinson, Public Works Grant Analyst
Russell Betteridge, NPDES Coordinator
CC: Mayor Allan Ekberg
DATE: March 17, 2023
SUBJECT: Surface Water - National Pollutant Discharge Elimination System Program (NPDES)
Project No. 99341210
Grant Agreement 23-046, Amendment No. 1

ISSUE

Approve Amendment No. 1 for the 2021-2023 Municipal Stormwater Capacity-Building grant agreement, in the amount of \$62,000, for the National Pollutant Discharge Elimination System (NPDES) Program.

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program is a requirement of the State and includes public education and outreach, illicit discharge detection and illumination, staff training, inspections of public and private systems, and drainage system maps. This program also funds clean-up of illicit discharge (spill cleanup) costs that may occur in the City's right-of-way.

The 2021 Washington State Legislature provides funding each biennium for Tukwila's municipal NPDES Program.

ANALYSIS

On February 28, 2023, Council approved a grant award for the 2021-2023 Municipal Stormwater Capacity-Building grant in the amount of \$70,000 for the NPDES program. The Department of Ecology notified the City of Tukwila that we have been awarded an additional \$62,000, which must be approved by March 31, 2023, or the funding will be forfeited.

All funds must be used for expenses incurred from July 1, 2021- June 30, 2023. This funding can be used to retroactively reimburse NPDES work that was already completed from July 1, 2021 to date.

FISCAL IMPACT

Grant Amendment No. 1 is for \$62,000, with no City match requirement.

RECOMMENDATION

The Council is being asked to approve Amendment No. 1 for the 2021-2023 Municipal Stormwater Capacity-Building grant agreement, in the amount of \$62,000, for the NPDES Program, and consider this item same day at the March 20, 2023, Regular Consent Agenda Meeting.

Attachments: 2023 CIP Pg 78
Ecology Grant Agreement, Amendment No. 1

CITY OF TUKWILA CAPITAL PROJECT SUMMARY

2023 to 2028

PROJECT: NPDES Program

Project No. 99341210

DESCRIPTION: Provide programmatic implementation requirements of NPDES. The Master Drainage Program specifies a NPDES reporting and action plan for City compliance. The services/supplies funds will also include any illicit discharge (spill cleanup) costs that may occur in the City's right-of-way.

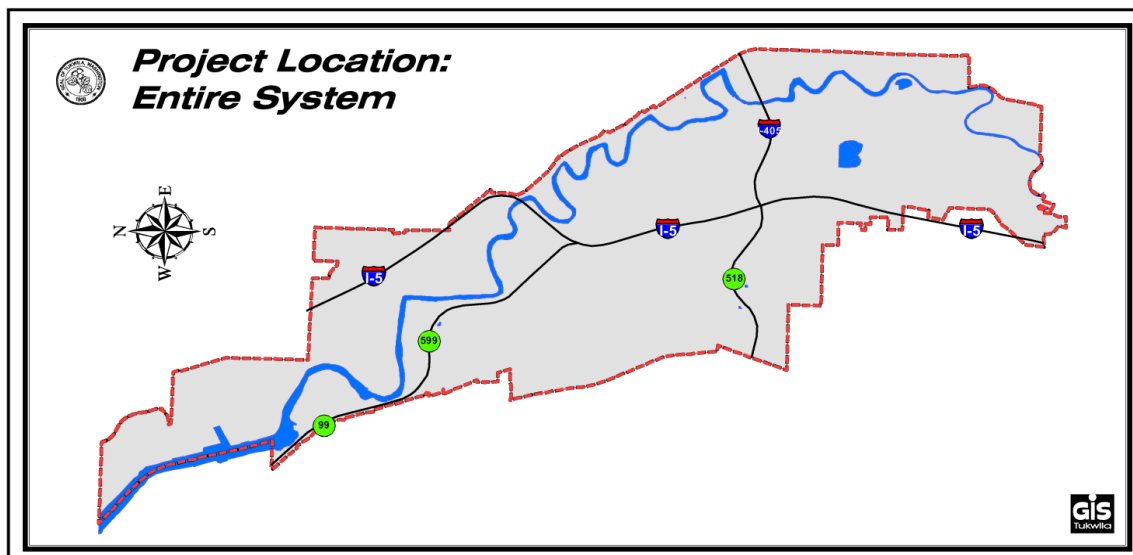
JUSTIFICATION: State NPDES requirements include an annual report, public education and outreach, illicit discharge detection and illumination, approved technical standards, staff training, inspections of public and private systems, and drainage system maps.

STATUS: All current NPDES requirements have been implemented. LID added to TMC in 2017.

MAINT. IMPACT: Additional cleaning and documentation will require added staff resources.

COMMENT: National Pollutant Discharge Elimination System (NPDES). Additional NPDES requirements will be ongoing. Costs shown include emergency supplies, testing equipment, DOE testing, and annual public outreach surveys. Added Smap requirements requiring changes to GIS Mapping to conform with DOE NPDES standards.

FINANCIAL (in \$000's)	Through		Estimated								TOTAL
	2021	2022	2023	2024	2025	2026	2027	2028	BEYOND		
EXPENSES											
Services/Supplies	50	50	60	60	60	60	65	65	65	535	
Const. Mgmt.										0	
Construction										0	
TOTAL EXPENSES	50	50	60	60	60	60	65	65	65	535	
FUND SOURCES											
Awarded Grant		50								50	
Proposed Grant				50		50		50		150	
Mitigation Actual										0	
Mitigation Expected										0	
Utility Revenue	50	0	60	10	60	10	65	15	65	335	
TOTAL SOURCES	50	50	60	60	60	60	65	65	65	535	





**AMENDMENT NO. 1
TO AGREEMENT NO. WQSWCAP-2123-Tukwil-00140
BETWEEN
THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY
AND
CITY OF TUKWILA**

PURPOSE: To amend the above-referenced agreement (AGREEMENT) between the state of Washington Department of Ecology (ECOLOGY) and City of Tukwila (RECIPIENT) for the 2021-2023 Biennial Stormwater Capacity Grants (PROJECT).

The purpose of this amendment is to increase the grant funding by an additional \$25,000. The grant end date will also be extended from the original end date of 3/31/23 to 6/30/23 to allow more time for the additional funding to be utilized.

IT IS MUTUALLY AGREED that the AGREEMENT is amended as follows:

Total Cost:

Original: 70,000.00 Amended: 132,500.00

Total Eligible Cost:

Original: 70,000.00 Amended: 132,500.00

Expiration Date:

Original: 03/31/2023 Amended: 06/30/2023

CHANGES TO THE BUDGET

Funding Distribution EG220380

Funding Title: 2021-23 capacity grant

Funding Type: Grant

Funding Effective Date: 07/01/2021

Funding Expiration Date: 06/30/2023

Funding Source:

Title: Model Toxics Control Operating Account (MTCOA)
 Fund: FD
 Type: State
 Funding Source %: 100%
 Description: MTCA

Approved Indirect Costs Rate: Approved State Indirect: 30%
 Recipient Match %: 0%
 InKind Interlocal Allowed: No
 InKind Other Allowed: No
 Is this Funding Distribution used to match a federal grant? No

2021-23 capacity grant	Task Total
Project Administration/Management	\$ 2,500.00
Permit Implementation	\$ 130,000.00

Total: \$ 132,500.00

CHANGES TO SCOPE OF WORK

Task Number: 2 **Task Cost: \$130,000.00**

Task Title: Permit Implementation

Task Description:

Conduct work related to implementation of municipal stormwater National Pollutant Discharge Elimination System (NPDES) permit requirements. If the RECIPIENT is out of compliance with the municipal stormwater National Pollutant Discharge Elimination System (NPDES) permit, the RECIPIENT will ensure funds are used to attain compliance where applicable. The following is a list of elements RECIPIENT’s project may include.

- 1) Public education and outreach activities, including stewardship activities.
- 2) Public involvement and participation activities.
- 3) Illicit discharge detection and elimination (IDDE) program activities, including:
 - a) Mapping of municipal separate storm sewer systems (MS4s).
 - b) Staff training.
 - c) Activities to identify and remove illicit stormwater discharges.
 - d) Field screening procedures.
 - e) Complaint hotline database or tracking system improvements.
- 4) Activities to support programs to control runoff from new development, redevelopment, and construction sites, including:

- a) Development of an ordinance and associated technical manual or update of applicable codes.
 - b) Inspections before, during, and upon completion of construction, or for post-construction long-term maintenance.
 - c) Training for plan review or inspection staff.
 - d) Participation in applicable watershed planning effort.
- 5) Pollution prevention, good housekeeping, and operation and maintenance program activities, such as:
- a) Inspecting and/or maintaining the MS4 infrastructure.
 - b) Developing and/or implementing policies, procedures, or stormwater pollution prevention plans at municipal properties or facilities.
- 6) Annual reporting activities.
- 7) Establishing and refining stormwater utilities, including stable rate structures.
- 8) Water quality monitoring to implement permit requirements for a Water Cleanup Plan (TMDL). Note that any monitoring funded by this program requires submittal of a Quality Assurance Project Plan (QAPP) that the DEPARTMENT approves prior to awarding funding for monitoring.
- Monitoring, including:
- a) Development of applicable QAPPs.
 - b) Monitoring activities, in accordance with a DEPARTMENT- approved QAPP, to meet Phase I/II permit requirements.
- 9) Structural stormwater controls program activities (Phase I permit requirement)
- 10) Source control for existing development (Phase I permit requirement), including:
- a) Inventory and inspection program.
 - b) Technical assistance and enforcement.
 - c) Staff training.
- 11) Equipment purchases that result directly in improved permit compliance. Equipment purchases must be specific to implementing a permit requirement (such as a vector truck) rather than general use (such as a pick-up truck). Equipment purchases over \$5,000 must be pre-approved by Ecology.

Documentation of all tasks completed is required. Documentation may include: field reports, dates and number of inspections conducted, dates of trainings held and participant lists, number of illicit discharges investigated and removed, summaries of planning, stormwater utility or procedural updates, annual reports, copies of approved QAPPs, summaries of structural or source control activities, summaries of how equipment purchases have increased or improved permit compliance. Capital construction projects, incentives or give-a-ways, grant application preparation, TAPE review for proprietary treatment systems, or tasks that do not support Municipal Stormwater Permit implementation are not eligible expenses.

Task Goal Statement:

This task will improve water quality in the State of Washington by reducing the pollutants delivered by stormwater to lakes, streams, and the Puget Sound by implementing measures required by Phase I and II NPDES permits.

Task Expected Outcome:

RECIPIENTS will implement measures required by Phase I and II NPDES permits.

Deliverables

Number	Description	Due Date
2.1	Documentation of tasks completed	

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Funding Distribution Summary

Recipient / Ecology Share

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
2021-23 capacity grant	0 %	\$ 0.00	\$ 132,500.00	\$ 132,500.00
Total		\$ 0.00	\$ 132,500.00	\$ 132,500.00

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