

# Best Management Practices (BMP) Ordinance



**Kitsap County**  
PUBLIC WORKS

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# Presentation Overview

- Stormwater overview
- Source control overview
- Pollutant generating businesses
- Source control BMPs
- Ordinance & Outreach plan
- Next Steps



# What is Stormwater?

“Stormwater” means the runoff during and following precipitation and snowmelt events, including surface runoff, drainage or interflow.

As Stormwater flows over the ground surface, the runoff picks up metals, gasoline, sediment, pathogens, and nutrients from our everyday activities and flows into storm drains, ditches, and pipes.

This storm and surface water runoff is the leading transporter of pollution into Puget Sound and local wetlands, creeks, streams and rivers.

# Source Control Overview

**Source control** – The control of pollutants from entering storm and surface water by using Best Management Practices.

To stay in compliance with Ecology, Kitsap County is required to adopt an ordinance and program that requires **pollutant generating** businesses to implement BMPs to prevent pollution.

This includes inspections, enforcement, and staff training.



# Pollutant generating business types

## Pollutant generating =

- **When the typical daily activities of the business creates potential for pollutants to be released to the environment**

## Businesses include:

- Publicly and privately owned institutional, commercial, and industrial businesses/sites
- Multi-family sites (complaint based only)
- Single family residential (complaint based only)

## Examples include:

- Mobile businesses
- Auto repair
- Restaurants
- Gas stations
- Grocery
- Fleet rentals
- Dry cleaners
- Rock quarries



# Best Management Practices (BMPs)

BMP is an activity, practice, or maintenance procedure that prevents or reduces the pollutants to Kitsap County storm system or waters of the State. There are 3 types of source control BMPs: Operational, structural, and treatment.



# Operational source control BMP

Operational source control BMPs are nonstructural practices that prevent or reduce pollutants from entering stormwater.

Common examples include:

- Sweeping
- Labeling chemical containers with contents
- Having a spill kit on hand
- Create a spill plan
- Train staff on spill cleanup and prevention
- Eliminate washwater from discharging to storm system



# Structural source control BMP

Structural source control BMPs are physical, structural, or mechanical devices, or facilities, that are intended to prevent pollutants from entering stormwater. These will only be required if operational BMPs do not prevent pollutant discharges.

Common examples include:

- Berms
- Plastic sheeting
- Oil water separator
- Herbicide/pesticide storage in covered and impervious containment
- Spill containment sump
- Covering over dumpster enclosure
- Paving



# Treatment source control BMP

Treatment source control BMPs are intended to remove pollutants from stormwater. These will only be required if operational and structural source control BMPs do not prevent pollutant discharges.

Common examples include:

- Biofiltration swales
- Filter strips
- Conveying high-potential oil spill areas to be directed to sanitary sewer, with oil/water separator as pre-treatment

# Ordinance Required by Ecology

The following are minimum requirements for a source control code/ordinance (Western Washington Phase II Permit, S5.C.8.b.i):

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*“No later than August 1, 2022, Permittees shall adopt and make effective an ordinance(s), or other enforceable documents, requiring the application of source control BMPs for pollutant generating sources associated with existing land uses and activities (see Appendix 8 to identify pollutant generating sources).”*

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# **Proposed Ordinance Language- updated draft** **based on Planning Commission recommendations**

## **12.20.XX Source control of existing development**

All pollution generating sources associated with existing land uses and activities, as defined in Appendix 8 of the 2019 Western Washington Phase II Municipal Stormwater Permit, must implement applicable operational source control BMPs as specified in the Ecology Manual in order to prevent pollutants from entering the County's stormwater drainage system. Should applicable operational source control BMPs fail to prevent illicit discharges or allow violations of surface, groundwater, or sediment management standards, applicable structural source control BMPs or applicable treatment BMPs shall be implemented. In cases where the manual(s) lack guidance for a specific source of pollutants, the County shall work with the owner/operator to implement or adapt BMPs based on the best professional judgement of the County.

# What will businesses need to do?

All businesses will be required to meet applicable operational source control BMPs outlined in the Ecology Manual.

Source control BMPs start on page 497 of the Ecology Manual.

<https://fortress.wa.gov/ecy/ezshare/wq/Permits/Flare/2019SWMMWW/Content/Resources/DocumentsForDownload/2019SWMMWW.pdf>

Stormwater Management Manual  
for Western Washington



July 2019



Publication Number 19-10-021

# Restaurant Example inspection items

- Keep dumpster area clean and trash picked up with lid closed
- Keep used cooking oil storage bin free of leaks and lid closed
- Maintain grease interceptor to prevent sewer overflows
- Hood vent filter and floor mat cleaning washwater to sewer
- Floor drains connected to sewer system
- Mop water is dumper inside to sewer system
- Spill plan in place
- Spill kit on site
- Storm drains cleaned within typical schedule



# Example from Ecology Manual

## **S427 BMPs for Storage of Liquid, Food Waste, or Dangerous Waste Containers**

### **Applicable Operational BMPs:**

- Place tight-fitting lids on all containers.
- Label all containers appropriately. Store containers so that the labels are clearly visible..
- Place drip pans beneath all mounted container taps and at all potential drip and spill locations during filling and unloading of containers.
- Inspect container storage areas regularly for corrosion, structural failure, spills, leaks, overfills, and failure of piping systems. Check containers daily for leaks/spills. Replace containers, and replace and tighten bungs in drums as needed.
- Empty drums containing residues should be stored to prevent stormwater from entering drum closures. Cover or tilt drums to prevent stormwater from accumulating on the top of empty drums and around drum closures.
- Store containers that do not contain free liquids in a designated sloped area with the containers elevated or otherwise protected from stormwater run-on. Comply with local fire code.
- Secure drums when stored in an area where unauthorized persons may gain access in a manner that prevents accidental spillage, pilferage, or any unauthorized use (see [Figure IV-5.2: Locking System for Drum Lid](#)).

# Enforcement Process of BMP Implementation

- Using new code adoption
- Progressive enforcement
  - Education/technical assistance
  - Verbal warning
  - Warning letter
  - Notice of Violation
  - Infraction

Enforcement will be last resort. We will try to work with and provide assistance to all businesses.

Most businesses already have operational BMPs in place and will not need to change anything.



# Other Municipalities

Other Counties and Cities already have this ordinance and inspection program in place for many years, including Snohomish County, King County, Peirce County.

Local municipalities such as City of Port Orchard, Bremerton, Poulsbo, Bainbridge are all in the process of adopting this program. We are working together to make sure our outreach and information given to businesses is similar.



# Public Outreach Process

- Goal is to communicate with Kitsap businesses about the new ordinance and to provide ways to provide public comment.

Outreach Strategy	Channels or Media Used (i.e. print, social media)	Key Performance Indicators	Timeline
Public draft of ordinance is available online	A web page for the ordinance will be created, which will include the draft language and ability to submit public comments	# of views/impressions	March
Planning Commission work study meeting	Zoom meeting	Meeting attended	March 15th
Fact Sheet or FAQ – for external audiences	Posted on website, shared at public meetings as needed	# of views/impressions online	March
Email stakeholder groups to offer to present and prove info	Email groups individually: Chamber of commerce, KEDA, CAC's, tribes	# Emails sent/presentations done	March
Public can easily submit written comments	A Cognito form will be created and embedded on the ordinance web page	# of comments submitted	March – May 6
Post Legal Notice of Public Hearing in Kitsap Sun	Newspaper	# of days in paper	April 1st
Public draft of ordinance shared via social media	Facebook, Twitter, Instagram, NextDoor, GovDelivery	Social media metrics: reach, engagement	April
Public will be invited to a webinar/open house hosted by Stormwater to learn more about the ordinance	Open House will be promoted via a postcard to priority audience members and shared on all Kitsap social media channels + Gov Delivery.	<ol style="list-style-type: none"> <li>1. # of postcards mailed</li> <li>2. # of Gov Delivery recipients</li> <li>3. Social media metrics – reach, engagement</li> <li>4. # of webinar attendees</li> </ol>	Tues, April 26 6PM-7PM
Planning commission public hearing	Zoom or in person meeting	# of public comments	May 3rd
Close Comment period			May 6

# Public Outreach – Postcard to businesses

## Open House

### **STORMWATER POLLUTION PREVENTION BEST MANAGEMENT PRACTICES ORDINANCE**

Kitsap County Public Works is hosting a public meeting for a proposed stormwater pollution prevention Best Management Practices ordinance. Businesses and sites will be required to put in place Best Management Practices. This is to prevent or reduce pollutants from entering the stormwater system and prevent water contamination. Examples include good housekeeping and spill prevention as well as industry specific practices.

Learn about the proposed ordinance and provide public comment.

**Tuesday, April 26 | 6:00-7:00pm**

Register online at  
*[kcowa.us/BMPOrdinance](http://kcowa.us/BMPOrdinance)*



# Public Outreach - website

<https://www.kitsapgov.com/pw/Pages/BMPOrdinance.aspx>



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## BMP Ordinance

### Proposed Best Management Practices Ordinance for Kitsap Businesses

Kitsap County is directed to build a program that requires businesses take measures to stop pollution before it enters the stormwater system. This is mandated by Department of Ecology's Western Washington Phase II Municipal Stormwater Permit.

This permit requirement will be met by creating an ordinance that requires businesses to address accumulation of pollutants such as fertilizers, oil and grease, washwater, etc., that originate from daily business/site activities, spill incidents, improper disposal, or other indirect sources by implementing Best Management Practices (often called BMP's).



Photo by Aaron Bartleson

Polluted runoff from local businesses negatively impacts salmon, orcas, and all species that depend on good water quality in Puget Sound, lakes and streams. By stopping pollutants at the source, businesses can take this critical step in preventing harmful impacts to our waterways.



#### More Information

[Register for Open House](#)

Attend an Open House on Tuesday, April 26 from 6-7 p.m. on Zoom.

[Public Comment](#)

Provide feedback on the proposed ordinance.

# Public Outreach – website includes public comments submittal

## BMP Ordinance Proposal: Public Comments

Stakeholders and the public are encouraged to provide feedback to the proposed ordinance on Best Management Practices. Public feedback is being accepted until May 6.

### The proposed ordinances states:

All existing land uses and activities that generate pollution and discharge to the County stormwater system must implement operational source control BMPs in order to prevent or reduce pollutants in runoff. Should operational source control BMPs fail to prevent illicit discharges or allow violations of surface or groundwater or of sediment management standards, structural source control BMPs or treatment BMPs shall be implemented. Examples of land uses or activities that generate pollution include, but are not limited to: industrial and commercial activities, vehicle washing, dumpster and fats, oils, and grease storage areas, customer parking, vehicle maintenance areas and the storage of erodible or leachable material, wastes or chemicals.

If adopted, this ordinance will go into effect August 1, 2022.

### Name

First	Last
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(Optional. Anonymous comments are accepted.)

### Business

First	Last
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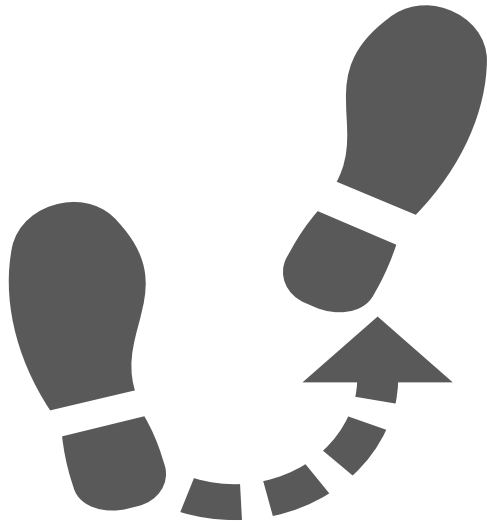
(Optional. Anonymous comments are accepted.)

### I would like to provide the following comments: \*

### I would like a Kitsap County staff member to follow up with me:

Optional. Please provide your email.

# Next Steps



- **March – April**
  - Public outreach takes place
- **June/July 2022:**
  - Planning Commission Recommendation
- **August 1, 2022:**
  - Code adoption
- **January 1, 2023:**
  - Inspections Begin



# Discussion

# THANK YOU!

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