

**Update to Kitsap County  
STORMWATER MANAGEMENT PROGRAM RATE  
STRUCTURE**

**Title 12 Kitsap County Code**

Staff Report to Board of County Commissioners

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## **Introduction**

The purpose of this report is to provide information to the Board of County Commissioners regarding the proposed update to Kitsap County Code Chapter 12.40, “Stormwater Management Program Rate Structure.” The proposed code update includes minor code revisions to update definitions and discounts to ensure compliance with National Pollution Discharge Elimination System (NPDES) standards required by the Department of Ecology.

## **Applicability**

Kitsap County Code Chapter 12.40 applies to all parcels of real property in unincorporated Kitsap County, including public and private property.

## **Background**

- RCW 36.89.020 outlines the requirements for the Stormwater Management Program.
- In December 2016, after several months of Planning Commission review, the Board of County Commissioners approved a revised Stormwater Design Manual and Stormwater Code to comply with new WA Department of Ecology NPDES Permit requirements.
- Stormwater Management Program Rates were last reviewed in 2012 and adopted through January 1, 2018 by the BOCC.

## **Proposed Code Revisions**

The proposed revisions to Chapter 12.40 KCC are contained in the *Stormwater Rate Structure Redline, Appendix A*. Four revisions to existing code language are proposed to ensure compliance with current NPDES requirements. This section describes how each recommended revision relates to a specific agency recommendation or requirement.

### Item 1:

The proposed amendments clarify the purpose of stormwater management fees.

### Item 2:

The proposed amendments simplify the rate structure.

### Item 3:

The proposed amendments to rate reductions ensure compliance with the NPDES permit.

### Item 4:

The proposed amendment to unit rates states future rates shall be established through resolution.

## **State Environmental Policy (SEPA) Evaluation**

The proposed code amendment is exempt under WAC 197-11-800 14.i.

## **Consistency with Adopted County Plans and Regulations**

These amendments are consistent with the Kitsap County Comprehensive Plan, NPDES permit, and Stormwater Design Manual.

While revisions listed in Appendix A are relatively minor, taken as a whole they result in a greater ability to comply with NPDES requirements intended to minimize property damage; promote and protect the public health, safety and welfare; minimize water quality degradation, pollution, and damage to water resources; protect drinking water aquifers; ensure the safety of county roads and rights-of-way; increase educational and recreational opportunities; encourage the retention of open space; and foster other generally beneficial public uses.

## **Conclusions**

Kitsap County is required to meet NPDES minimum standards, and therefore must maintain funding to implement minimum NPDES requirements. The proposed Title 12 code revisions are necessary in order to comply with NPDES standards and ensure further consistency with County goals for protection of life, property and natural environment.

The proposed revisions are in accordance with NPDES directives (via Washington Department of Ecology).

## **Recommendation:**

Staff recommends that the Board conduct a public hearing and deliberations in order to consider proposed revisions to Title 12 KCC, Stormwater Management Program Rate Structure.