

# Best Management Practices (BMP) Ordinance



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March 15, 2022



# Presentation Overview

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# Source Control Program Overview

Includes all permit-required activities required by the Municipal Stormwater Permit, including creating a business inventory, **creating an ordinance**, inspections, enforcement, and staff training.

To stay in compliance with the Municipal Phase II permit, the County is required to adopt an ordinance that requires businesses to implement BMPs to prevent pollution.



# 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.



# Ordinance Adoption

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

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

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.

# Scope of Businesses

- Applicable to all pollution generating businesses

## 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



# What will businesses need to do?

All businesses will be required to meet all applicable BMPs outlined in the Ecology Manual.

Out of 737 businesses initially identified for pollution potential, Stormwater Division will need to **inspect about 150 (20%) per year**, or 3 per week.





# Auto Repair Shop Example – Required BMPs

## Applicable BMPs = Required/Enforceable

- Inspect incoming vehicles for leaks
- Use drip pans
- Remove and store batteries in covered, non-leaking containment
- Empty oil and fuel filter before disposal, provide proper disposal
- Do not pour any pollutants or wash water to storm drains
- Shop floor drains must be connected to sewer or sump
- All vehicle maintenance and repair must be done inside building
- Chemicals stored outside need to be covered with secondary containment

## Recommended BMPs = Optional

- Clean parts with aqueous solution instead of solvents
- Store damaged vehicles inside a building
- Recycle grease, used oil, and cleaning solutions



# Enforcement Process of BMP Implementation

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





# Comparison to Health District PPA Program



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- Optional to business
- Focuses on Small Quantity Generators (SQGs) for Hazardous Waste generation
- Technical assistance with no enforcement
- Does not provide 100 percent coverage of all applicable businesses included in County Source Control Programs required by NPDES Phase II
- Required inspection
- Focuses on any businesses that could cause pollution to stormwater
- Progressive enforcement for implementing required BMPs
- 150 inspections done each year

# 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 FAQ's about the ordinance	# of views/impressions	March
Public can easily submit written comments	A Cognito form will be created and embedded on the ordinance web page	# of comments submitted	March-April
Fact Sheet or FAQ – for external audiences	Posted on website, shared at public meetings as needed	# of views/impressions online	March
Talking Points Flyer – for internal staff who are attending public meetings/answer questions and external audience	Internal, such as email or Teams	Development of fact sheet	March
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	<ol style="list-style-type: none"> <li>1. # of postcards mailed</li> <li>2. Social media metrics – reach, engagement</li> <li>3. # of webinar attendees</li> </ol>	April



# Public Outreach – Postcard to businesses

## ***Front of postcard:***

### **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, 6-7pm via Zoom

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

[include QR code with link to webpage]

## ***Back of postcard:***

Return address in upper left corner

#### **About the Stormwater Pollution Prevention Best Management Practices Ordinance**

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

The following proposed ordinance would go into effect August 1, 2022:

*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.*

Learn more about the ordinance or register for the Open House at [kcowa.us/BMPOrdinance](https://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
- **July 2022:**
  - Planning Commission Recommendation
- **August 1, 2022:**
  - Code adoption
- **January 1, 2023:**
  - Inspections Begin





# Discussion

# THANK YOU!

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