

City of Sultan
Ordinance No. 913-06

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON APPROVING AND
ADOPTING THE SURFACE WATER QUALITY MANAGEMENT PLAN**

RECITALS

WHEREAS, on August 10, 2001 Mayor C.H. Rowe representing the City of Sultan signed a loan agreement with Dept. of Ecology, Water Quality Program, Washington State Water Pollution Control Revolving Fund Loan No. L0100034, FY 2001 Funding Cycle to fund a Surface Water Quality Management Plan; and

WHEREAS, a project overview was presented to City Council on February 21, 2001 to develop a Surface Water Quality Management plan that will assist and guide the City in controlling drainage, protecting water quality and stream resources, and complying with current storm water management standards; and

WHEREAS, the City of Sultan owns and operates surface water quality structures and facilities and is concerned about the quality of surface water discharge within the community and surrounding environments; and

WHEREAS, on June 6, 2001 the City of Sultan retained the consulting firm of Berryman and Henigar Engineering to prepare a Surface Water Quality Management Plan with completion scheduled in 2001 and with a requirement to include the Sultan High School to provide volunteer monitoring, funded from a State Revolving Fund loan in the amount of \$140,000; and

WHEREAS, the City of Sultan hosted a Public open house for the Surface Water Quality Management Plan on November 7, 2001 which, focused on preserving the environment and focusing what the City can control; and

WHEREAS, on January 4, 2002 City Staff held an executive briefing on the plan for the City Council Public Works Committee; and

WHEREAS, on January 7, 2002, the City held a Public Meeting to report the findings of the existing conditions and to receive public comments and input for the development of Surface Water Quality Management; and

WHEREAS, on April 11, 2002 the Department of Ecology approved the Volunteer Sampling program that the City of Sultan and Sultan High School had submitted to the department for review; and

WHEREAS, limited volunteer monitoring efforts were undertaken by the City which included students from Sultan High School; and

WHEREAS, the monitoring efforts identified certain inflow and infiltration concerns within the city; and

WHEREAS, monitoring data which was developed was incorporated in the draft of the Surface Water Quality Management plan to insure compliance with the Federal Clean Water Act Endangered species Act, Shorelines Management Act and the Washington State Growth Management Act; and

WHEREAS, the City of Sultan in July of 2002 adopted Ordinance Number 783-02 which provided for a Comprehensive Flood Plan for the City; and

WHEREAS, the City of Sultan in August of 2000 approve Ordinance 744-00 which adopted the 1994 Puget Sound Water Quality Management Plan as amended and Incorporated the plan into SMC Title (s) 16 & 17, effective August 1, 2000; and

WHEREAS, the City of Sultan throughout the development of the plan embraced the concepts of the Puget Sound Water Quality Management Plan as guiding principles of their surface water management effort; and

WHEREAS, on May 17, 2002 the City held a public meeting to review the regulatory requirements, tasks, storm water management requirements and review of project schedule for completion of the plan; and

WHEREAS, on July 17, 2002 a public meeting was held to report on the information that the volunteer water quality monitoring High school classes had gathered including the locations of all testing and the locations of localized flooding which would be incorporated and identified in the City of Sultan Surface Water Quality Management Plan; and

WHEREAS, on November 7, 2002 City of Sultan submitted the draft Surface Water Quality Management plan to Department of Ecology for their review and comments; and

WHEREAS, the Department of Ecology comments on the draft plan forwarded to the City were incorporated into the into the Surface Water Quality Management Plan for by the City of Sultan; and

WHEREAS, on April 16, 2003 city staff held a workshop with the City Council to review the progress on the plan; and

WHEREAS, on July 16, 2003 the consultants and staff presented the draft of Surface Water Quality Management Plan to the City Council during the regular session of the City Council meeting; and

WHEREAS, on August 18, 2003 the City was notified by the Department of Ecology they had approved Surface Water Quality Management Plan and was also recommending the City of Sultan implement a Surface Water Utility; and

WHEREAS, on August 21, 2003 the final draft of the Surface Water Quality Management Plan as approved by the Department of Ecology was presented to the City Council; and

WHEREAS, in June of 2005 a SEPA checklist was prepared for the Surface Water Quality Management Plan and a Determination of Non Significant was issued by the SEPA Official; and,

WHEREAS, no comments or appeals on the Determination of Non Significant issued for the Surface Water Quality Management Plan were received by the City; and

WHEREAS, on January 25, 2006 the City Council conducted a Public Hearing on the final draft of the Surface Water Quality Management Plan, dated July 2003.

NOW, THEREFORE, it is ordained by the City Council of the City of Sultan as follows:

Section 1. The City Council makes and adopts as its findings of fact those findings of fact found in the "recitals" portion of this Ordinance above.

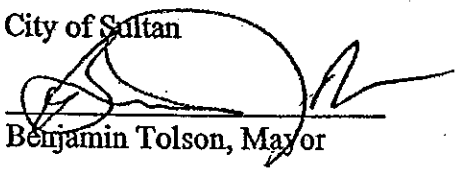
Section 2. The City of Sultan approves and adopts the Surface Water Quality Management Plan attached to this Ordinance as Exhibit A.

Section 3. In the event there is any inconsistency between the Surface Water Quality Management Plan as accepted and the City of Sultan 2004 Comprehensive plan the City shall undertake a public participation process and update the utility element of its comprehensive plan.

Passed by the City Council and approved by the Mayor this 22nd day of February, 2006.

City of Sultan

By:

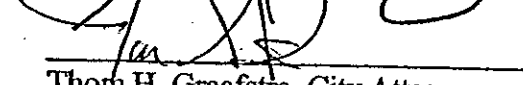

Benjamin Tolson, Mayor

Attest:

By:


Laura Koenig, City Clerk

By:


Thom H. Graafstra, City Attorney

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