



TO: T.C. Broadnax
City Manager

FROM: Michael P. Slevin III, P.E. *MS* *fw*
Environmental Services Director

SUBJECT: Council Action Memo - Interlocal Agreement with Port of Tacoma
September 10, 2013

DATE: August 14, 2013

SUMMARY:

The Environmental Services Department is requesting authorization to enter into an Interlocal Agreement in accordance with the Interlocal Cooperation Act (Chapter 39.34 RCW) with the Port of Tacoma for the purpose of providing a cooperative framework for coordinating certain stormwater management activities.

BACKGROUND:

The City is required to develop and implement a stormwater management plan under its Phase I Municipal Separate Storm Sewer System Permit (MS4 Permit), issued by the Department of Ecology. This programmatic permit is issued to all Phase I Permittees in Western Washington. The Port of Tacoma is considered a secondary permittee under the MS4 Permit because it owns and operates its own municipal stormwater system within the City limits of Tacoma. The MS4 Permit encourages the City and the Port of Tacoma to coordinate respective stormwater management activities when possible. This Interlocal Agreement would provide a cooperative framework for coordinating certain stormwater management obligations under the MS4 Permit, with a goal of helping to reduce stormwater impacts to Commencement Bay, its waterways, and other receiving waters. Each party would remain responsible for their own MS4 Permit compliance under the Interlocal Agreement.

Coordination under the Interlocal Agreement includes, among other things: providing access to Port properties by City staff for inspection and spill response as requested by the Port, compensating the City for certain services when the Port has requested such services, collaborating on review of Port development/redevelopment projects, and meeting annually with the Port to discuss stormwater MS4 Permit related issues.

ISSUE:

The City and the Port of Tacoma each have responsibility to perform certain actions to manage stormwater in a manner that is cost efficient for the citizens and effective in protecting the receiving waters of Commencement Bay. This Agreement helps the parties work together towards those ends.

RECOMMENDATION:

Staff from the City and Port have worked closely together to craft this Agreement to be a useful tool both parties may utilize as we fulfill our independent MS4 Permit obligations. The Environmental Services Department recommends authorization of this Interlocal Agreement.