



CITY OF COOS BAY CITY COUNCIL
Agenda Staff Report

MEETING DATE September 16, 2014	AGENDA ITEM NUMBER
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TO: Mayor Shoji and City Councilors

FROM: Jim Hossley, Public Works Director 

THROUGH: Rodger Craddock, City Manager 

ISSUE: **Informational Report to Discuss Sanitary Sewer Permits and the Evolving Stormwater Regulations**

BACKGROUND:

Sanitary Sewer: The City of Coos Bay currently has two National Pollutant Discharge Elimination System (NPDES) permits for sanitary sewer, one for each plant. The NPDES permits establish limits for constituents within effluent along with testing and reporting requirements for the individual treatment plants. The NPDES permits are issued by Oregon Department of Environmental Quality (DEQ) and DEQ is overseen by the Environmental Protection Agency (EPA). Typically a permit cycle is for 5 years and then the permit is renewed. It is very likely that the renewal will include more stringent effluent limits, additional testing requirements, and additional reporting requirements. Plant 1's permit was recently renewed in 2013 and expires in 2018. Often times, DEQ will issue extensions prior to the renewal. Plant 2's permit expired in 2007 and currently we have an extension. DEQ has coordinated with Staff and is intending on issuing a renewal in 2015.

DEQ did prepare a renewal for Plant 2 and sent it out for public review in 2013. There were several comments on the draft Plant 2 renewal permit. The comments came from internal DEQ Staff, Oregon Association of Clean Water, Northwest Environmental Advocates, and EPA. One of the comments that needed further consideration had to deal with the 1991 Mixing Zone Study for Plant 2. The Mixing Zone is an area (defined by DEQ) immediately downstream of the plant's outfall. The Mixing Zone Study analyzes the dilution of the effluent with the bay water in the vicinity of outfall or discharge pipe. The effectiveness of the dilution at the outfall, which is a direct result of how the outfall is constructed and the number of diffusers at the outfall, impacts the effluent limits identified in the NPDES permit. The 1991 Mixing Zone Study could not be found to support the dilution rates in the existing permit, neither the City nor DEQ could provide a copy. As such DEQ asked the City to perform another Mixing Zone Study. Currently Staff is contracting with a consultant to perform this study.

Due to the age of the outfall and the results of a dive report performed in December 2009, staff has concern that the results of the Mixing Zone Study may determine that the dilution needs to be improved. This could significantly impact the limits, testing, and reporting requirements in the upcoming permit renewal and may cause the City to consider the construction of a new outfall. Staff will keep Council updated of the final result of the mixing zone analysis when they become available.

Stormwater: Currently, due to the population size of the City of Coos Bay, it is not covered under a NPDES permit for stormwater. However, staff has learned from DEQ that new stormwater

regulations affecting the City are coming in the near future. At this time, DEQ has not stated a timeframe for these new requirements. The requirements will be in the form of a NPDES permit for stormwater. However, DEQ staff has stated that if City has updated its stormwater ordinance and created and implemented a storm water management plan for new development and re-development, then the City can be “self-regulating” and thus not be subject to an NPDES permit for stormwater. At this time, the City’s ordinance for stormwater management doesn’t meet basic goals for water quality.

Staff has recently applied for a DEQ State Revolving Fund (SRF) loan for the construction of Plant 2. With the SRF application, the City also had an opportunity to apply for a Sponsorship Option. This option funds non-point source projects (stormwater quality/volume and duration control). Basically DEQ would provide a loan for the construction of Plant 2, at a lower interest rate, so that the non-point source projects can be funded. The City submitted nine projects, two of which were to update stormwater ordinance and create a stormwater management plan. The City is also participating in a Low Impact Development (LID) Technical Advisory Committee (TAC). It is the goal of the TAC to prepare a LID manual that is applicable to smaller west coast cities that provide guidelines on how to plan, design, and construct LID devices. It is staff’s intention that the LID manual will complement the management plan. DEQ staff believes that it would be beneficial to the City if the stormwater ordinance is updated and a stormwater management plan is created prior to the issuance of the NPDES permit for stormwater.

As stated previously, the City does not have water quality requirements for new and re-development projects. As such, recent projects (including Plant 2) have been challenged by some environmental/resource agencies. If the stormwater ordinance is updated and management plan is created and implemented it has the potential to minimize permit processing and not hinder construction schedules on future capital improvement projects that the City is planning. Staff will continue to provide information to Council regarding the changing stormwater requirements and potential future stormwater permits.

ADVANTAGES:

Not Applicable.

DISADVANTAGES:

Not Applicable.

BUDGET IMPLICATIONS:

None at this time.

RELATED CITY GOAL:

This informational report enforces the goal that states, “Infrastructure and Services: To maintain and improve the City’s physical infrastructure and provide quality services for current and future citizens.”

ACTION REQUESTED:

No action is requested at this time.