

FILE NO. 160

PROPOSAL NO. 2003-19s

2 Sponsored by: Councilmember Shawn Bunney

3 Requested by: County Executive/Public Works & Utilities Dept.

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ORDINANCE NO. 2003-19s

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AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 19D.60
OF THE PIERCE COUNTY CODE, "STORM DRAINAGE AND
SURFACE WATER MANAGEMENT PLAN"; AND ADOPTING THE "GIG
HARBOR BASIN PLAN" FOR THE UNINCORPORATED AREA OF
PIERCE COUNTY, AS AN AREA UPDATE TO PIERCE COUNTY'S
STORM DRAINAGE AND SURFACE WATER MANAGEMENT PLAN.

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WHEREAS, The Pierce County Council adopted Ordinance No.
87-205 on March 15, 1988, which was amended by County Ordinance No.
88-200 on December 20, 1988, thereby establishing Pierce County
Storm Drainage and Surface Water Management; and

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WHEREAS, The Pierce County Council adopted Ordinance No.
91-113 on November 5, 1991, which adopted the "Pierce County Storm
Drainage and Surface Water Management Plan" (Master Plan), codified
as Chapter 19D of the Pierce County Code (PCC) for the
unincorporated areas of Pierce County; and

DISTRIBUTION:

JOHN LADENBURG, EXECUTIVE

PUBLIC WORKS:

BRIAN ZIEGLER

KAREN GOON

TIM RAMSAUR

DAN WRYE

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STATE EXAMINER

SUSAN LONG, CODE REVISOR

LINDA MEDLEY, LEGAL CLERK

BOOK

8/4/05 jmv
Date/initials

2 WHEREAS, The Master Plan focused on countywide flood hazard
3 reduction with a relatively minor emphasis on the Gig Harbor Basin
4 as one of 26 County basins; and

5 WHEREAS, The focus of the Master Plan within the Gig Harbor
6 Basin was almost exclusively on flood hazard reduction, with
7 minimal regard to water quality and/or associated riparian habitat;
8 and

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10 WHEREAS, Significant population growth and incorporations have
11 occurred within Pierce County since adoption of the Master Plan;
12 and

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15 WHEREAS, The Council adopted the Pierce County Comprehensive
16 Plan several years after it adopted the Master Plan; and

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18 WHEREAS, Since the adoption of the Master Plan, Pierce County
19 has been issued a National Pollutant Discharge Elimination System
20 (NPDES) stormwater permit under the federal Clean Water Act which
21 imposes numerous requirements and standards on the County; and

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23 WHEREAS, Chinook Salmon and Bull Trout which exist in Pierce
24 County waters have been listed as endangered species since adoption
25 of the Master Plan; and
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1 WHEREAS, Pierce County participates in the Federal Flood
2 Insurance Program for reduced flood insurance for County residents
3 and receives additional benefits as a Federal Emergency Management
4 (FEMA) Community Rating System participant, which favors
5 comprehensive surface water management plans; and
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7 WHEREAS, The Pierce County Council has received the Findings
8 of Fact, Staff Report, and recommendation for approval of the Gig
9 Harbor Basin Plan and the Final Supplemental Environmental Impact
10 Statement from the Pierce County Planning Commission; and
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12 WHEREAS, Proper notice has been given of a public hearing held
13 on May 6, 2003, May 20, 2003, June 3, 2003, May 17, 2005 and
14 June 7, 2005, and it is in the best interest of Pierce County and
15 its citizens that the Gig Harbor Basin Plan be adopted for the
16 unincorporated area of Gig Harbor Basin, Pierce County; NOW,
17 THEREFORE,
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20 BE IT ORDAINED by the Pierce County Council:
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22 Section 1. The Pierce County Council hereby adopts the "Gig
23 Harbor Basin Plan" dated November 2002 as set forth in Exhibit "B",
24 which is attached hereto and incorporated herein by this reference.
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Section 2. Chapter 19D.60 PCC is hereby amended as shown on Exhibit "A", which is attached hereto and incorporated herein by reference, to include the "Gig Harbor Basin Plan" and to make other technical revisions.

PASSED this 20 day of July, 2005.

ATTEST:

PIERCE COUNTY COUNCIL
PIERCE COUNTY, Washington

Denise D. Johnson
Denise D. Johnson
Clerk of the Council

Shawn Bunney
Shawn Bunney
Council Chair
PIERCE COUNTY EXECUTIVE

Approved Vetoed
this 1 day of Aug,
2005.

Date of Publication of
Notice of Public Hearing: July 6, 2005
Effective Date of Ordinance: August 11, 2005

2
3 *Chapter 19D.60*

4 ***STORM DRAINAGE AND SURFACE WATER MANAGEMENT PLAN***

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6 (Ord. 2001-63s2 § 2 (part), 2001; Ord. 97-87S2 § 6 (part), 1997; Ord. 96-111 §§ 2, 8, (part)
7 1996)

8 The following documents are hereby incorporated by reference to this Plan:

- 9 ~~A. Pierce County Storm Drainage and Surface Water Management Plan, James M. Montgomery Consulting Engineers, Inc., March 1991, and area updates, including Clover Creek Basin Plan, Pierce County Water Programs, November 2002, and Gig Harbor Basin Plan, Pierce County Water Programs, November 2002.~~
- 10 A. Clover Creek Basin Drainage Plan, An Engineering Study for Flood Control in Pierce
11 County, Washington, Consoer, Townsend & Associates Consulting Engineers, 1976.
- 12 ~~B. Hylebos Basin Drainage Plan, Part A, Engineering Study for the Hylebos Flood Control
13 Zone District, Consoer, Townsend & Associates Consulting Engineers, 1974.~~
- 14 ~~D. 144th Street East Drainage Basin Plan, An Engineering Study for Flood Control in
15 Pierce County, Washington, PRC Consoer Townsend, Inc., 1981.~~
- 16 ~~E. Puyallup River Basin Comprehensive Flood Control Management Plan, Pierce County
17 River Improvement, James M. Montgomery Consulting Engineers, Inc., 1991.~~

18 The following are appendices to the Plan:

- 19 ~~A. North Fork Clover Creek Basin, Preliminary Design Report for Surface Water Control,
20 Project No. D 303 & D 304, David Evans and Associates, Inc., October 1993.~~
- 21 ~~B. Wollochet Creek Watershed, Hydrologic/Hydraulic and Engineering Analysis, Pierce
22 County CIP Project: 005 D323, Preliminary Engineering Report, Economic and
23 Engineering Services, Inc., March 29, 1995.~~
- 24 ~~C. Ward's Seeley Drainage System Improvements Predesign, (SWM CIP Project D305-1),
25 CH2M HILL, with Hong West & Associates, Inc., and SvR Design Company, March
26 1994.~~
- 27 ~~D. Wards Lake Creek Basin Drainage Basin Improvements, Draft Report, R.W. Beck,
August 1994.~~
- ~~E. Ward's Seeley Drainage System Improvements Predesign, SvR Design Company,
February 9, 1995. (Memorandum to John Rogers from Maureen Kwolek.)~~
- ~~F. Results of Subsurface Site Investigation and Infiltration Analysis, Ward Steilacoom
Project Area, Hong West & Associates, March 27, 1995. (Technical Memorandum to
John Rogers from Otto Harris and Larry West.)~~
- ~~G. Pierce County Drainage Study of Clover Creek, Technical Memorandum Project D404,
KCM, Inc., December 23, 1994.~~
- ~~H. Woodland Creek Detention Pond Project No. D 310, Modeling and Assessment Report,
Parametrix, Inc., September 1993.~~
- ~~I. Woodland Creek Bypass Pipeline Project No. D 310 1, Parametrix, Inc., July 1994.~~

J. ~~Clear Creek Drainage Basin Feasibility Study, Project Number D-308, Technical Memorandum A, Detention Alternative Documentation, D'Abov Engineering, Inc., September 1994.~~

K. ~~Clear Creek Drainage Basin Feasibility Study, Project Number D-308, Technical Memorandum B, Bypass Pipeline Alternative Evaluations, September 1994.~~

L. ~~Chambers Clover Creek Watershed Action Plan, prepared by Pierce County Public Works and Utilities, June 1997, and recognized by Pierce County Council Resolution R2000-100, October 2000.~~

M. ~~Key Peninsula Gig Harbor Islands Watershed Characterization & Action Plan, prepared by Key Peninsula/Gig Harbor/Islands Watershed Committee, July 1999, and recognized by Pierce County Council Resolution R2000-101, October 2000.~~

Code Revisor's Note: The Storm Drainage and Surface Water Management Plan was adopted by Ordinance No. 91-113 and codified as Chapter 19D.60 PCC by Ordinance No. 96-111. The Gig Harbor Basin Plan was adopted by Ordinance No. _____ and codified as Chapter _____ PCC by Ordinance No. _____.

2 FINDINGS OF FACT

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4 The Pierce County Council hereby finds that:

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6 1. In November 1991, the Pierce County Council passed Ordinance
7 No. 91-113 and adopted the Pierce County Storm Drainage and
8 Surface Water Management Plan, Volumes 1, 2, and 3 dated
9 March 1991 (1991 Plan).
- 10 2. The 1991 Plan is a comprehensive plan for storm drainage,
11 surface water management and floodplain management within
12 unincorporated Pierce County that contains a capital
13 improvement plan and recommendations for nonstructural
14 remedies to storm drainage and surface water problems.
- 15 3. The 1991 Plan is adopted as another comprehensive planning
16 document in Pierce County Code 19D.60.
- 17 4. Many of the capital improvement projects in the 1991 Plan
18 have been constructed and many of the recommendations for
19 nonstructural actions have been implemented. The remaining
20 projects have been reevaluated and if still valid, have been
21 rated along with the new projects.
- 22 5. The 1991 Plan concentrates on flood prevention. The Gig
23 Harbor Basin Plan identifies flooding, habitat, and water
24 quality programs within the basin and recommends capital
25 improvements and nonstructural solutions.
- 26 6. Since 1991, several major events have occurred that affect
27 how the 1991 Plan can be implemented and the overall
approach to effective storm drainage and surface water
management.
7. In 1994, the Comprehensive Plan for Pierce County Washington
(Comprehensive Plan) was adopted. The Growth Management Act
(GMA) requires Pierce County to develop, adopt, and
implement a comprehensive plan (RCW 36.70A.040). The GMA
requires provisions for adequate public facilities, such as
storm drainage facilities; protection of critical areas,
such as flood hazard areas, fish and wildlife habitat areas,
and wetlands; internal consistency; and consistency of
facilities plans with the land uses and policies of the
comprehensive plan.

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8. The Gig Harbor Basin Plan bases recommendations on land uses designated in the Comprehensive Plan and in the Gig Harbor Community Plan and the policies related to storm drainage and surface water management facilities as they apply in the respective basins.
 9. In 1995, Pierce County was issued a federal Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) permit that remains in effect. The NPDES permit requires Pierce County to have a water quality program. The next permit update is expected to increase requirements on Pierce County for water quality protection.
 10. The Gig Harbor Basin Plan includes actions aimed at keeping Pierce County in compliance with its NPDES permit.
 11. In the late 1990's, the federal government listed Puget Sound Chinook salmon and Bull Trout as a threatened species under the federal Endangered Species Act (ESA). Chinook and Bull Trout spend parts of their lifecycles in Pierce County waters. The ESA calls for the elimination and reduction of existing and future actions, including habitat alterations that could cause "jeopardy" for protected species.
 12. The Gig Harbor Basin Plan includes actions aimed at reducing Pierce County's potential ESA liabilities, such as improving listed species habitat on and off County properties. It also considers habitat issues of other salmonid species with potential to be listed.
 13. Chapter 3 of the Gig Harbor Basin Plan documents public involvement through several public meetings; the first to identify flooding and other surface water problems in the basin, the second to present the result of the basin characterization. Two additional meetings were held on November 13th and 19th, 2002 to present and receive comment on the Draft Plan and Draft Supplemental Environmental Impact Statement (SEIS).
 14. The Draft SEIS for the Draft Gig Harbor Basin Plan was issued by the Pierce County Environmental Official on October 18, 2002. Notice of the availability of the Draft SEIS was published in the South Pierce County Dispatch on October 16, 2002. An advertisement was published in the Peninsula Gateway newspaper on November 6, 2002.
 15. The Final SEIS for the Gig Harbor Basin Plan was issued by the Pierce County Environmental Official on November 25, 2002. Notice of the availability of the Final SEIS was published in the Tacoma News Tribune on December 5, 2002.

1 16. The Pierce County Planning Commission held a public hearing
2 on the Gig Harbor Basin Plan on November 26, 2002. Notice
3 of the public hearing was published in the News Tribune,
Peninsula Gateway and the South Pierce County Dispatch on
November 13, 2002.

4 **Conclusions**

5 The Gig Harbor Basin Plan is consistent with surface water and
6 public facilities-related policies of the Comprehensive Plan for
7 Pierce County Washington; the objectives of the 1991 Pierce
8 County Storm Drainage and Surface Water Management Plan, listed
as another comprehensive planning document in PCC 19D.60; and the
County's adopted Capital Facilities Plan.

9 The Gig Harbor Basin Plan is consistent with the Comprehensive
10 Plan for Pierce County Washington, the Growth Management Act, as
well as other State and federal regulations.

11 The Gig Harbor Basin Plan implements and is consistent and
supportive of Pierce County's Municipal Stormwater NPDES Permit.

12 The Gig Harbor Basin Plan furthers the objective of reducing the
13 potential ESA liability of the County.

14 The Pierce County Planning Commission recommended approval of the
Gig Harbor Basin Plan.

15 The Gig Harbor Basin Plan is needed to provide for the health,
16 safety and welfare of the citizens of Pierce County.

17 Based on public testimony, the staff report, the plan and
18 environmental documents, the Pierce County Council hereby adopts
the Gig Harbor Basin Plan.

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