



Detroit Water and Sewerage Department

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Legislation Text

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The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to take necessary and appropriate actions to effectuate the introduction and passage by Detroit City Council of the **New Post-Construction Stormwater Management Ordinance**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Agenda of August 15, 2018

Item No. 18-0175

Resolution: Recommending Introduction and Passage by City Council of the New Post-Construction Stormwater Management Ordinance

TO: The Honorable
Board of Water Commissioners
City of Detroit, Michigan

FROM: Gary Brown, Director
Water and Sewerage Department

RE: New Post-Construction Stormwater Management Ordinance

MOTION

Upon recommendation of Palencia Mobley, Deputy Director and Chief Engineer, the Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to take necessary and appropriate actions to effectuate the introduction and passage by Detroit City Council of the **New Post-Construction Stormwater Management Ordinance**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

JUSTIFICATION

The proposed recommendation to introduce and pass by Detroit City Council, the New Post-Construction Stormwater Management Ordinance is in response to DWSD's National Pollutant Discharge Elimination System (NPDES) permit obligation to develop stormwater control requirements for areas of new development and/or redevelopment.

Stormwater management plans (SWMPs) will be produced, by developers and property owners, as part of the site plan process and submitted to DWSD for review and approval. DWSD's Stormwater Management Group will review the SWMPs for compliance with the stormwater control requirements of the Post-Construction Stormwater Management Ordinance.

The primary objective of this Post-Construction Stormwater Management Ordinance is to give DWSD the authority to:

- Require areas of new development and/or redevelopment to manage stormwater to the performance

standards set forth by DWSD.

- Review and approve Stormwater Management Plans, developed as part of the site plan process, that demonstrate compliance with the performance standards.
- Require a performance bond or other financial guarantee to ensure that all stormwater control measures have been established and installed correctly and function as designed and permitted.
- Access to development properties for the purposes to perform an initial inspection immediately after construction and annual inspections to ensure the stormwater management system is functioning as designed.
- Access to the development properties for the purposes of maintaining the stormwater management system, if necessary.

BACKGROUND

Historical development and redevelopment activities in Detroit have not been subject to stormwater management requirements. This lack of a consistent, proactive approach to managing the stormwater runoff from impervious surfaces flowing to Detroit's sewer system has contributed to overflows of untreated sewage entering the Detroit and Rouge Rivers, as well as localized flooding and basement back-ups, causing public health and safety risks and property damage.

Federal and state regulations and related NPDES permits require Detroit to develop programs to address water quality problems caused by discharges from both the combined sewer and separate storm sewer systems. These regulations include requirements for implementation of a stormwater control requirement for areas of new development and/or redevelopment to control the volume, rate, and quality of stormwater discharges. Redevelopment includes projects that disturb the surface of land or underlying soils that results in a change in the existing cover or topography of land. It does not include re-surfacing of an asphalt, concrete or similar parking lot that does not expose the subgrade.

The proposed Post-Construction Stormwater Management Ordinance (PCSWMO) was developed to meet this permit requirement which will require development projects to manage stormwater at its source. The proposed PCSWMO provides DWSD the authority to require new and redevelopment projects to manage stormwater to the performance standards set forth in the Ordinance and detailed in the Stormwater Management Design Manual.

The Stormwater Management Design Manual is a technical resource for developers and property owners that includes stormwater management site design guidance to meet the PCSWMO and it enables DWSD and other key city departments maintain uniformity with stormwater design standards to conduct effective and efficient design reviews.

The PCSWMO does not require funding from Capital or O&M funds. However, implementation of the ordinance will further advance the efforts by DWSD to avoid future costs to construct additional CSO control facilities for compliance with federal and state NPDES regulations.