



CITY OF ANACORTES
904 6th Street Anacortes, WA 98221
Office: 360-299-1950
www.anacorteswa.gov

Media Contacts:

Katelyn Kinn, Staff Attorney, katelyn@pugetsoundkeeper.org, (206) 297-7002

Darcy Swetnam, Attorney, City of Anacortes, darcys@cityofanacortes.org, (360) 299-1950

A Cleaner Path Forward: City of Anacortes Strengthens Stormwater Plan, Prompted by Settlement with Puget Soundkeeper

SKAGIT COUNTY, WA—On January 7th, Puget Soundkeeper and the city of Anacortes filed a [consent decree](#) in the US District Court that ensures a robust stormwater program for the city of Anacortes. The City's new stormwater plan prioritizes low-impact development strategies that protect the environment and uses native plants and drainage solutions - like rain gardens and permeable pavement - to prevent stormwater runoff from carrying pollution into creeks, streams, rivers, lakes, and bays.

Anacortes is a 15 square mile city located in Skagit County, WA on Fidalgo Island. Stormwater from the city flows to Fidalgo Bay, Guemes Channel, Rosario Strait and Burrows Bay. Surrounded by the Salish Sea on three sides, Anacortes is known by many as the gateway to the San Juan Islands. Renowned for its breathtaking beauty and recreational opportunities, the region's unique and biologically diverse habitats attract Washington's most iconic marine animals – from multiple species of salmon to our Southern Resident orcas.

In 2018, Puget Soundkeeper sued Anacortes for violations under Western Washington's Phase II Municipal Stormwater Permit. This action followed an extensive review of public records that included communications between Department of Ecology and the City concerning regulatory compliance, which caused Puget Soundkeeper concern. Allegations included failure to revise local ordinances to require low-impact development by the permit deadline, and shortfalls in the city's stormwater management plans and programs.

After a year of litigation, Puget Soundkeeper and the city of Anacortes reached a settlement that requires the following:

- Prepare a report detailing how local ordinances were reviewed and revised to require low-impact development.
- Conduct additional training for staff conducting stormwater site plan review and construction inspections.
- Present to students at Anacortes High school on stormwater pollution and prevention.

- Partner with Skagit Conservation District to develop a new stormwater pollution prevention program for Anacortes elementary schools and provide presentations to school children grades 2-6.
- Publish ads in local publications aimed at public education, pollution hotline reporting, and minimizing water pollution.
- Report to Puget Soundkeeper on how many new low-impact development projects go into place, and how many acres of stormwater are treated each year as a result.
- Complete a retrofit project at three City Hall parking lots to reduce impervious surfaces in the downtown core while providing education and outreach to contractors and the general public. The retrofits will include a demonstration rain garden, a bioswale (landscaping features used to slow, collect, and filter stormwater), and a vegetated box filter along with low-impact development information signage.

The settlement also acknowledges that the City already undertook various efforts to resolve the litigation, including:

- Substantially revised Stormwater Management Program Plan to include more detail on actions they plan to take to implement the permit.
- Adopted new city ordinance No. 3040 in order to incorporate and require low-impact development principles and low-impact development best management practices for all new and redevelopment projects around the City.

“Puget Soundkeeper brings legal actions reluctantly, and only when absolutely necessary to stop harmful water pollution to the waterways we love,” said Katelyn Kinn, Puget Soundkeeper Staff Attorney. “We are thankful that this matter could resolve within one year so that everyone can now focus on the solutions.”

City of Anacortes residents like Wayne Huseby, who sits on the Fidalgo Bay Aquatic Reserve’s Citizen Stewardship Committee, is pleased with the outcome. “Stormwater is a really big deal. It’s the number one source of contaminants polluting our Salish Sea,” said Huseby. “Knowing that the City of Anacortes is partnering with Puget Soundkeeper, an organization that’s been doing important work for many years to protect our waterways, is a good thing, especially for all the marine critters at risk – from microscopic organisms to our salmon and orcas.”

Puget Soundkeeper and the City look forward to working together during the term of the consent decree to protect water quality in Anacortes. Puget Soundkeeper has confidence in the City’s stormwater program and both parties see the consent decree as a good resolution of this matter.

Puget Soundkeeper is an environmental non-profit whose mission is to protect and preserve the waters of Puget Sound. Since 1984, Soundkeeper has filed over 200 legal actions and funds from successful settlements go to restoring polluted waterways in the region through the [Puget Sound Stewardship & Mitigation Fund](#).

Puget Soundkeeper was represented in this action by Alyssa Englebrecht and Richard Smith at Smith & Lowney PLLC and Staff Attorney Katelyn Kinn.

To view the Consent Decree, click [HERE](#).

****Images for Media Coverage: Please contact Eloise Harris, Community Engagement Director, eloise@pugetsoundkeeper.org****

###