Memorandum

Introduction to Stormwater Code Amendments

To: Planning Commission

From: Peter Gill, Long Range Planning Manager

Re: Workshop on Stormwater Construction Code Amendments

Date: March 16, 2022

Summary

Planning and Development Services (PDS) is providing this memo in advance of the March 22, 2022 Planning Commission meeting. The purpose of this memo is to present an overview of the stormwater code amendments, the reason the amendments are needed, and a schedule for review.

Action Requested

This is an informational work session. The information included presented here provides a foundation for specific code amendments to be provided at following meetings.

Background and Purpose

Skagit County, along with most other cities and counties in the state, is required to update our stormwater regulations in response to the National Pollution Discharge Elimination System (NPDES) Phase II Stormwater Permit for Western Washington. In Washington State, the EPA has delegated the authority to administer NPDES permits to the Department of Ecology. Skagit County (and other municipal governments) are required NPDES permittees because our municipal stormwater system (i.e., our ditches) discharges to waters of the United States.

Skagit County's initial permit went in effect in 2007, and an update in 2013, required Skagit County to adopt revised development regulations in 2015. These amendments set up separate rules for NPDES areas of the County (Figure 1). They also required low impact development (LID) stormwater facilities and management practices, when feasible, in the NPDES area and floodplains. The most significant change may have been to adopt the 2012 Stormwater Manual of Western Washington for all areas of unincorporated Skagit County.

Development projects within the NPDES permit areas, defined as the Urban Growth Areas (UGA's) and certain flood hazard areas, as shown in Figure 1, below are held to a higher level of standard.

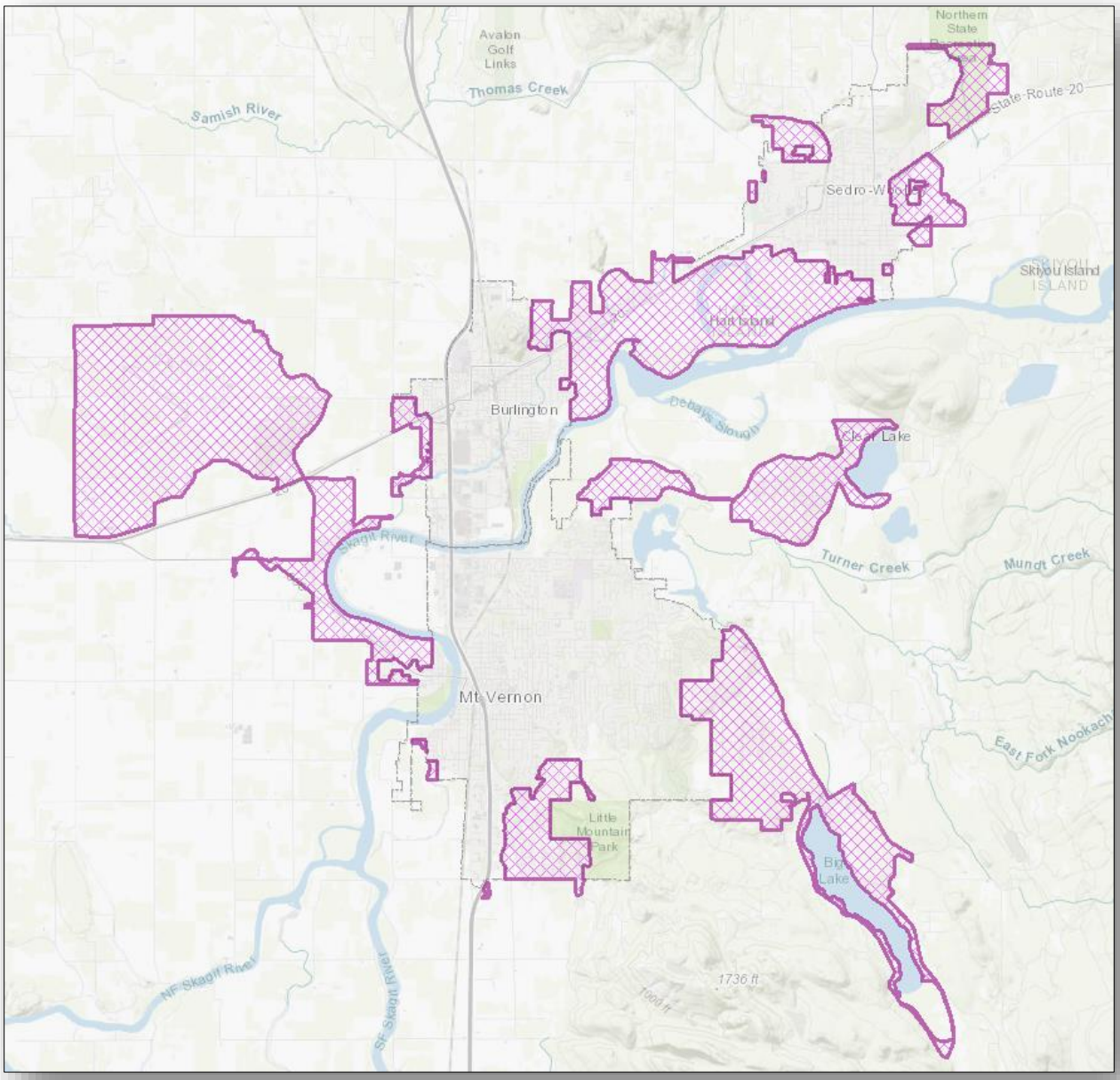

Figure 1: Skagit County Municipal NPDES Coverage Areas shown in hashed areas.

The current proposal is also related to the County's NPDES permit. We currently are subject to our third permit, effective August 1, 2019 (Attachment 1) The permit requires the County to:

"*Implement an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects. Each Permittee shall adopt and make effective a local program, no later than June 30, 2022, that meets the requirements of S5.C.6.b(i) through (iii), below, and shall apply to all applications submitted:*

i. *On or after July 1, 2022.*
ii. *Prior to January 1, 2017, that have not started construction19 by January 1, 2022.20*
iii. *Prior to July 1, 2022, that have not started construction by July 1, 2027.*[1]*"*

The purpose of these changes is to simplify the stormwater construction regulations for the customer, incorporate stormwater considerations early in the development process, and to maintain compliance with our permit.

Highlighted Changes

The proposed changes relate to regulations in our unified development code, Title 14. An overview of the changes is provided here followed by a description of the code sections that are proposed for change:

1. Replace the existing clearing and grading permit with a land disturbance permit.
2. Incorporation of LID design concepts instead of just BMPs.
3. Removes of the land use intensities in the code to simplify stormwater requirements for areas outside of the NPDES areas.
4. Incorporates LID design concepts.
5. This code contains the following exemptions:
    - Land disturbing activity totaling less than 7,000 square feet within the NPDES Permit area, 14,000 square feet outside the NPDES Permit Area; and,
    - Certain fill and grading when it does not exceed 100 cubic feet or less than 3 feet in depth; or,
    - Forest practices not subject to County jurisdiction; or,
    - Existing Agricultural activity; or,
    - New construction of agricultural drainage ditches (including enlargement of existing drainage ditches) that requires 500 cubic yards or less of grading;
6. Adopts the 2019 Stormwater Management Manual for Western Washington for design standards and BMPs throughout unincorporated Skagit County.
7. Raises thresholds for requiring hiring an engineer outside of the NPDES area and retains the same thresholds inside the NPDES area.
8. Integrates stormwater design considerations early in the review process to improve integration with septic work and critical areas review.
9. Adds a twenty year sunset provision for the use of regional stormwater facilities intended to serve new development.
10. Adopts the WSDOT Highway Runoff Manual for Road, Bridge, and Municipal Construction

The proposed code sections to be amended:

- **SCC 14.04: Update definitions.** The existing code contains a number of definitions that can be deleted. Including content into definitions makes the code more difficult to read and should be avoided. There are updates to improve consistency with NPDES permit requirements.

[1] See Attachment 1 for full requirement

- **14.18: Land Divisions.** Regional stormwater facilities are designed for all land within the land division with specific amounts of impervious surfaces allocated for each lot.

- **Chapter 14.22: Land Disturbance Chapter.** To improve our integration of LID practices and to coordinate review of forest conversion practices, the County proposes a new SCC Chapter 14.22, named "Land Disturbance". This chapter will provide a permit pathway for stand-alone clearing and grading activities and will harmonize the requirements for stormwater management, forest practices, septic system development, critical areas, cultural resource management, and SEPA when land disturbing activities are conducted.

  This permit is only required when development is not done in conjunction with a building permit.

  The regulations are designed to permit a suite of clearing and grading activities through a single application. The Building Official currently processes Grading Permit Applications pursuant to the requirements in Appendix J of the International Building Code (IBC). The PDS handout for clearing and grading is included as Attachment 2.

  Proposed SCC chapter 14.22 includes statements of purpose and applicability, lists activities that will be exempt from a permit requirement.

- **SCC Chapter 14.32: Reorganize and update drainage chapter.** The core of the proposal is in the drainage chapter, where the code is reorganized to improve usability. Other sections were changed to ensure compliance and compatibility with the 2019 NPDES Permit and Stormwater Management Manual.

  Understanding stormwater requirements is complex, the Stormwater Review Worksheet (attachment 3) illustrates that complexity. One goal of this revision is to simplify the regulations outside the NPDES Permit Area. Requirements can be simplified by: deleting the land use intensity table (Table 14.32.040), and adopting the 2019 Stormwater Management Manual for Western Washington for all unincorporated Skagit County.

  Thresholds outside of NPDES areas are changed for residential development. As proposed, the stormwater manual applies to single family residential development when:

    - Developing 4,000 square feet of hard surface or land disturbance of 14,000 square feet; and, further requires engineered stormwater plans consistent with the stormwater manual when constructing 10,000 square feet of hard surface or conversion of 1.5 acres of vegetation.

  Thresholds for stormwater management requirements inside of NPDES area has not changed (2,000 sq ft impervious/hard surface or land disturbance of 7,000 sq ft of land), but the cumulative total of hard surfaces added over the last five years would be used to determine applicability of the stormwater requirements.

The proposal adds language to allow the County to reject the responsibility for maintenance of private stormwater infrastructure. Watershed specific approaches, or "basin" stormwater approach language has changed to require review and approve by Ecology, consistent with the NPDES permit language.

Proposed Schedule

This code proposal will go through the process for adoption of development regulations described in SCC Chapter 14.08. Amendments related to the County's NPDES permit must be adopted by June 30, 2022.

Meeting Date	Topic Area
March 22, 2022	Intro to Stormwater changes
April 12, 2022	Work Session on specific Code Amendments
April 2022	Public Meeting to gather input from Public
April 26, 2022	Work Session on specific Code Amendments
May 2022	Public Hearing and Comment Period
May 24, 2022	Planning Commission Deliberation
June 14, 2022	Planning Commission Deliberation
June 2022	Board adopts proposed changes

Attachments:

Western Washington Phase II Municipal Stormwater Permit 2019

Clearing and Forest Practices Handout

Stormwater Application worksheet

Issuance Date: July 1, 2019
Effective Date: August 1, 2019
Expiration Date: July 31, 2024

Western Washington Phase II Municipal Stormwater Permit

National Pollutant Discharge Elimination System and
State Waste Discharge General Permit for discharges from
Small Municipal Separate Storm Sewers
In Western Washington

State of Washington
Department of Ecology
Olympia, WA 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 *et seq.*

Until this Permit expires, is modified, or revoked, Permittees that have properly obtained coverage under this Permit are authorized to discharge to waters of the State in accordance with the special and general conditions which follow.

Heather R. Bartlett
Water Quality Program Manager
Department of Ecology

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APPENDICES

SPECIAL CONDITIONS

S1. PERMIT COVERAGE AREA AND PERMITTEES

A. Geographic Area of Permit Coverage

This Permit is applicable to owners or operators of regulated small Municipal Separate Storm Sewer Systems (MS4s) located west of the eastern boundaries of the following counties: Whatcom, Skagit, Snohomish, King, Pierce, Lewis, and Skamania.

1. For all cities required to obtain coverage under this Permit, the geographic area of coverage is the entire incorporated area of the city.

2. For all counties required to have coverage under this Permit, the geographic area of coverage is the urbanized areas and urban growth areas associated with permitted cities under the jurisdictional control of the county. The geographic area of coverage also includes any urban growth area contiguous to permitted urbanized areas under the jurisdictional control of the county.

3. For Whatcom County, the geographic area of coverage also includes the unincorporated Birch Bay urban growth area.

4. For Secondary Permittees required to obtain coverage under this Permit, the minimum geographic area of coverage is all areas identified under S1.A.1 and S1.A.2. At the time of permit coverage, the Washington State Department of Ecology (Ecology) may establish a geographic area of coverage specific to an individual Secondary Permittee.

5. All regulated small MS4s owned or operated by the Permittees named in S1.D.2.a(i), and (ii), and S1.D.2.b and located in another city or county area requiring coverage under this Permit, or the *Phase I Municipal Stormwater Permit* or the *Eastern Washington Phase II Municipal Stormwater Permit,* are also covered under this Permit.

B. Regulated Small Municipal Separate Storm Sewer Systems (MS4s)

All operators of regulated small MS4s are required to apply for and obtain coverage under this Permit or be permitted under a separate individual permit, unless waived or exempted in accordance with condition S1.C.

1. A regulated small MS4:

a. Is a "Small MS4" as defined in the *Definitions and Acronyms* section at the end of this Permit; and

b. Is located within, or partially located within, an urbanized area as defined by the latest decennial census conducted by the U.S. Census Bureau, or designated by Ecology pursuant to 40 CFR 123.35(b) or 40 CFR 122.26(f); and

c. Discharges stormwater from the MS4 to a surface water of Washington State; and

d. Is not eligible for a waiver or exemption under S1.C, below.

2. All other operators of MS4s, including special purpose districts, which meet the criteria for a regulated small MS4 shall obtain coverage under this Permit. Other operators of small MS4s may include, but are not limited to: flood control, or diking and drainage districts; schools, including universities; and correctional facilities that own or operate a small MS4 serving non-agricultural land uses.

3. Any other operators of small MS4s may be required by Ecology to obtain coverage under this Permit or an alternative NPDES permit if Ecology determines the small MS4 is a significant source of pollution to surface waters of the State. Notification of Ecology's determination that permit coverage is required will be through the issuance of an Administrative Order issued in accordance with RCW 90.48.

4. The owner or operator of a regulated small MS4 may obtain coverage under this Permit as a Permittee, Co-Permittee, or Secondary Permittee as defined in S1.D.1, below.

5. Pursuant to 40 CFR 122.26(f), any person or organization may petition Ecology to require that additional small MS4s obtain coverage under this Permit. The process for petitioning Ecology is:

    a. The person or organization shall submit a complete petition in writing to Ecology. A complete petition shall address each of the relevant factors for petitions outlined on Ecology's website.

    b. In making its determination on the petition, Ecology may request additional information from either the petitioner or the entity that is the subject of the petition.

    c. Ecology will make a final determination on a complete petition within 180 days of receipt of the petition and inform both the petitioner and the MS4 of the decision, in writing.

    d. If Ecology's final determination is that the candidate MS4 will be regulated, Ecology will issue an order to the operator of the MS4 requiring them to obtain coverage under this Permit. The order will specify:

        i. The geographic area of permit coverage for the MS4.

        ii. Any modified dates or deadlines for developing and implementing this Permit, as appropriate to the MS4, and for submitting their first annual report.

        iii. A deadline for the operator of the MS4 to submit a complete Notice of Intent (NOI, provided on Ecology's website) to Ecology.

C. Owners and operators of an otherwise regulated small MS4 are ***not*** required to obtain coverage under this Permit if:

1. The small MS4 is operated by:

    a. A federal entity, including any department, agency, or instrumentality of the executive, legislative, and judicial branches of the Federal government of the United States.

    b. Federally recognized Indian Tribes located within Indian Country, including all trust or restricted lands within the 1873 Survey Area of the Puyallup Tribe of Indians.

    c. The Washington State Department of Transportation.

Or

2. The portions of the small MS4 located within the census defined urbanized area(s) serve a total population of less than 1000 people and a, b, and c, below ***all*** apply:

   a. The small MS4 is not contributing substantially to the pollutant loadings of a physically interconnected MS4 that is regulated by the NPDES stormwater program.

   b. The discharge of pollutants from the small MS4 has not been identified as a cause of impairment of any water body to which the MS4 discharges.

   c. In areas where an EPA approved TMDL has been completed, stormwater controls on the MS4 have not been identified as necessary to meet wasteload allocations established in the TMDL that address the pollutant(s) of concern.

   In determining the total population served, both resident and commuter populations shall be included. For example:

   - For publicly operated school complexes including universities and colleges, the total population served would include the sum of the average annual student enrollment plus staff.
   - For flood control, diking, and drainage districts, the total population served would include residential population and any non-residents regularly employed in the areas served by the small MS4.

D. Obtaining coverage under this Permit.

All operators of regulated small MS4s are required to apply for and obtain coverage in accordance with this Section, unless waived or exempted, in accordance with Section S1.C.

1. Unless otherwise noted, the term "Permittee" shall include a city, town, or county Permittee, New Permittee, Co-Permittee, Secondary Permittee, and New Secondary Permittee as defined below:

   a. "Permittee" is a city, town, or county owning or operating a regulated small MS4 applying and receiving a permit as a single entity.

   b. "New Permittee" is a city, town, or county that is subject to the *Western Washington Phase II Municipal Stormwater General Permit* and was not subject to the Permit prior to August 1, 2019.

   c. "Co-Permittee" is any owner or operator of a regulated small MS4 that is applying in a cooperative agreement with at least one other applicant for coverage under this Permit. Co-Permittees own or operate a regulated small MS4 located within or in proximity to another regulated small MS4.

   d. A "Secondary Permittee" is an operator of a regulated small MS4 that is not a city, town, or county. Secondary Permittees include special purpose districts and other MS4s that meet the criteria for a regulated small MS4 in S1.B, above.

   e. "New Secondary Permittee" is a Secondary Permittee that is covered under a Municipal Stormwater General Permit and was not covered by the Permit prior to August 1, 2019.

2. Operators of regulated small MS4s have submitted, or shall submit, to Ecology either a Notice of Intent (NOI) for Coverage under National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater General Permit or a Duty to Reapply - NOI provided on Ecology's website.

   a. The following Permittees and Secondary Permittees submitted a *Duty to Reapply - NOI* to Ecology prior to February 1, 2018:

      i. **Cities and towns:** Aberdeen, Algona, Anacortes, Arlington, Auburn, Bainbridge Island, Battle Ground, Bellevue, Bellingham, Black Diamond, Bonney Lake, Bothell, Bremerton, Brier, Buckley, Burien, Burlington, Camas, Centralia, Clyde Hill, Covington, Des Moines, DuPont, Duvall, Edgewood, Edmonds, Enumclaw, Everett, Federal Way, Ferndale, Fife, Fircrest, Gig Harbor, Granite Falls, Issaquah, Kelso, Kenmore, Kent, Kirkland, Lacey, Lake Forest Park, Lake Stevens, Lakewood, Longview, Lynden, Lynnwood, Maple Valley, Marysville, Medina, Mercer Island, Mill Creek, Milton, Monroe, Mountlake Terrace, Mount Vernon, Mukilteo, Newcastle, Normandy Park, Oak Harbor, Olympia, Orting, Pacific, Port Orchard, Port Angeles, Poulsbo, Puyallup, Redmond, Renton, Sammamish, SeaTac, Sedro-Woolley, Shoreline, Snohomish, Snoqualmie, Steilacoom, Sumner, Tukwila, Tumwater, University Place, Vancouver, Washougal, and Woodinville.

      ii. **Counties:** Cowlitz, Kitsap, Thurston, Skagit, and Whatcom.

      iii. **Secondary Permittees:** Bainbridge Island School District #303, Bellingham School District, Bellingham Technical College, Cascadia College, Central Kitsap School District, Centralia College, Clark College, Consolidated Diking Improvement District #1 of Cowlitz County, Edmonds Community College, Evergreen College, Highline Community College, Kelso School District, Kent School District, Longview School District, Lower Columbia College, Port of Anacortes, Port of Bellingham, Port of Olympia, Port of Skagit County, Port of Vancouver, Skagit County Drainage District #19, Skagit Valley College, University of Washington Bothell, Washington State University Vancouver, Washington State Department of Enterprise Services (Capitol Campus), Washington Department of Corrections, Western Washington University, and Whatcom Community College.

   b. Operators of regulated small MS4s have submitted or shall submit to Ecology a "Notice of Intent (NOI) for Coverage under National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater General Permit" provided on Ecology's website before the effective date of this Permit, with the following exceptions:

      i. Operators of regulated small MS4s located in the City of Shelton, and the Clallam County urban growth area surrounding Port Angeles shall submit a NOI or application to Ecology no later than 30 days after the effective date of this Permit.

      ii. Operators of regulated small MS4s listed in S1.D.2.a do not need to submit a new application to be covered under this Permit.

   c. For operators of regulated small MS4s listed in S1.D.2.a, coverage under this Permit is automatic and begins on the effective date of this Permit, unless the operator chooses to opt out of this General Permit. Any operator of a regulated small MS4 that

is opting out of this Permit shall submit an application for an individual MS4 permit in accordance with 40 CFR 122.33(b)(2)(ii) no later than the effective date of this Permit.

d. Operators of regulated small MS4s which want to be covered under this Permit as Co-Permittees shall each submit a NOI to Ecology.

e. Operators of regulated small MS4s which are relying on another entity to satisfy all of their permit obligations shall submit a NOI to Ecology.

f. Operators of small MS4s designated by Ecology pursuant to S1.B.3 of this Permit shall submit a NOI to Ecology within 120 days of receiving notification from Ecology that permit coverage is required.

3. Application Requirements

a. For NOIs submitted after the issuance date of this Permit, the applicant shall include a certification that the public notification requirements of WAC 173-226-130(5) have been satisfied. Ecology will notify applicants in writing of their status concerning coverage under this Permit within 90 days of Ecology's receipt of a complete NOI.

b. Each Permittee applying as a Co-Permittee shall submit a NOI provided on Ecology's website. The NOI shall clearly identify the areas of the MS4 for which the Co-Permittee is responsible.

c. Permittees relying on another entity or entities to satisfy one or more of their permit obligations shall notify Ecology in writing. The notification shall include a summary of the permit obligations that will be carried out by another entity. The summary shall identify the other entity or entities and shall be signed by the other entity or entities. During the term of the Permit, Permittees may terminate or amend shared responsibility arrangements by notifying Ecology, provided this does not alter implementation deadlines.

d. Secondary Permittees required to obtain coverage under this Permit, and the *Phase I Municipal Stormwater Permit* or the *Eastern Washington Phase II Municipal Stormwater Permit,* may obtain coverage by submitting a single NOI.

S2. AUTHORIZED DISCHARGES

A. This Permit authorizes the discharge of stormwater to surface waters and to groundwaters of the State from MS4s owned or operated by each Permittee covered under this Permit, in the geographic area covered pursuant to S1.A. These discharges are subject to the following limitations:

1. Discharges to groundwaters of the State through facilities regulated under the Underground Injection Control (UIC) program, Chapter 173-218 WAC, are not authorized under this Permit.

2. Discharges to groundwaters not subject to regulation under the federal Clean Water Act are authorized in this Permit only under state authorities, Chapter 90.48 RCW, the Water Pollution Control Act.

B. This Permit authorizes discharges of non-stormwater flows to surface waters and to groundwaters of the State from MS4s owned or operated by each Permittee covered under this Permit, in the geographic area covered pursuant to S1.A, only under one or more of the following conditions:

1. The discharge is authorized by a separate NPDES or State Waste Discharge permit.
2. The discharge is from emergency firefighting activities.
3. The discharge is from another illicit or non-stormwater discharge that is managed by the Permittee as provided in Special Condition S5.C.5 or S6.D.3.

These discharges are also subject to the limitations in S2.A.1 and S2.A.2, above.

C. This Permit does not relieve entities that cause illicit discharges, including spills of oil or hazardous substances, from responsibilities and liabilities under state and federal laws and regulations pertaining to those discharges.

D. Discharges from MS4s constructed after the effective date of this Permit shall receive all applicable state and local permits and use authorizations, including compliance with Chapter 43.21C RCW (the State Environmental Policy Act).

E. This Permit does not authorize discharges of stormwater to waters within Indian Country as defined in 18 U.S.C. §1151, or to waters subject to water quality standards of Indian Tribes, including portions of the Puyallup River and other waters on trust or restricted lands within the 1873 Survey Area of the Puyallup Tribe of Indians Reservation, except where authority has been specifically delegated to Ecology by the U.S. Environmental Protection Agency. The exclusion of such discharges from this Permit does not waive any rights the State may have with respect to the regulation of the discharges.

S3. RESPONSIBILITIES OF PERMITTEES

A. Each Permittee covered under this Permit is responsible for compliance with the terms of this Permit for the regulated small MS4s that they own or operate. Compliance with (1) or (2) below is required as applicable to each Permittee, whether the Permittee has applied for coverage as a Permittee, Co-Permittee, or Secondary Permittee.

1. All city, town, and county Permittees are required to comply with all conditions of this Permit, including any appendices referenced therein, except for Special Condition S6 – *Stormwater Management Program for Secondary Permittees*.
2. All Secondary Permittees are required to comply with all conditions of this Permit, including any appendices referenced therein, except for Section S5 – *Stormwater Management Program for Cities, Towns, and Counties* and S8 – *Monitoring and Assessment.*

B. Permittees may rely on another entity to satisfy one or more of the requirements of this Permit. Permittees that are relying on another entity to satisfy one or more of their permit obligations remain responsible for permit compliance if the other entity fails to implement permit conditions. Permittees may rely on another entity provided all the requirements of 40 CFR 122.35(a) are satisfied, including but not limited to:

1. The other entity, in fact, implements the Permit requirements.

2. The other entity agrees to take on responsibility for implementation of the Permit requirement(s) as indicated on the NOI.

S4. COMPLIANCE WITH STANDARDS

A. In accordance with RCW 90.48.520, the discharge of toxicants to waters of the State of Washington which would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria is prohibited. The required response to such discharges is defined in Section S4.F, below.

B. This Permit does not authorize a discharge which would be a violation of Washington State Surface Water Quality Standards (Chapter 173-201A WAC), Groundwater Quality Standards (Chapter 173-200 WAC), Sediment Management Standards (Chapter 173-204 WAC), or human health-based criteria in the National Toxics Rule (40 CFR 131.45). The required response to such discharges is defined in Section S4.F, below.

C. The Permittee shall reduce the discharge of pollutants to the Maximum Extent Practicable (MEP).

D. The Permittee shall use All Known, Available, and Reasonable methods of prevention, control and Treatment (AKART) to prevent and control pollution of waters of the State of Washington.

E. In order to meet the goals of the Clean Water Act, and comply with S4.A, S4.B, S4.C, and S4.D, each Permittee shall comply with all of the applicable requirements of this Permit as identified in S3 – *Responsibilities of Permittees*.

F. A Permittee remains in compliance with S4 despite any discharges prohibited by S4.A or S4.B, when the Permittee undertakes the following response toward long-term water quality improvement:

1. A Permittee shall notify Ecology in writing within 30 days of becoming aware, based on credible site-specific information that a discharge from the MS4 owned or operated by the Permittee is causing or contributing to a known or likely violation of Water Quality Standards in the receiving water. Written notification provided under this subsection shall, at a minimum, identify the source of the site-specific information, describe the nature and extent of the known or likely violation in the receiving water, and explain the reasons why the MS4 discharge is believed to be causing or contributing to the problem. For ongoing or continuing violations, a single written notification to Ecology will fulfill this requirement.

2. In the event that Ecology determines, based on a notification provided under S4.F.1 or through any other means, that a discharge from an MS4 owned or operated by the Permittee is causing or contributing to a violation of Water Quality Standards in a receiving water, Ecology will notify the Permittee in writing that an adaptive management response, outlined in S4.F.3, below, is required, unless:

a. Ecology also determines that the violation of Water Quality Standards is already being addressed by a Total Maximum Daily Load (TMDL) or other enforceable water quality cleanup plan; or

b. Ecology concludes the MS4 contribution to the violation will be eliminated through implementation of other permit requirements.

3. Adaptive Management Response

a. Within 60 days of receiving a notification under S4.F.2, or by an alternative date established by Ecology, the Permittee shall review its Stormwater Management Program (SWMP) and submit a report to Ecology. The report shall include:

i. A description of the operational and/or structural BMPs that are currently being implemented to prevent or reduce any pollutants that are causing or contributing to the violation of Water Quality Standards, including a qualitative assessment of the effectiveness of each Best Management Practice (BMP).

ii. A description of potential additional operational and/or structural BMPs that will or may be implemented in order to apply AKART on a site-specific basis to prevent or reduce any pollutants that are causing or contributing to the violation of Water Quality Standards.

iii. A description of the potential monitoring or other assessment and evaluation efforts that will or may be implemented to monitor, assess, or evaluate the effectiveness of the additional BMPs.

iv. A schedule for implementing the additional BMPs including, as appropriate: funding, training, purchasing, construction, monitoring, and other assessment and evaluation components of implementation.

b. Ecology will, in writing, acknowledge receipt of the report within a reasonable time and notify the Permittee when it expects to complete its review of the report. Ecology will either approve the additional BMPs and implementation schedule or require the Permittee to modify the report as needed to meet AKART on a site-specific basis. If modifications are required, Ecology will specify a reasonable time frame in which the Permittee shall submit and Ecology will review the revised report.

c. The Permittee shall implement the additional BMPs, pursuant to the schedule approved by Ecology, beginning immediately upon receipt of written notification of approval.

d. The Permittee shall include with each subsequent annual report a summary of the status of implementation and the results of any monitoring, assessment or evaluation efforts conducted during the reporting period. If, based on the information provided under this subsection, Ecology determines that modification of the BMPs or implementation schedule is necessary to meet AKART on a site-specific basis, the Permittee shall make such modifications as Ecology directs. In the event there are ongoing violations of water quality standards despite the implementation of the BMP approach of this Section, the Permittee may be subject to compliance schedules to

eliminate the violation under WAC 173-201A-510(4) and WAC 173-226-180 or other enforcement orders as Ecology deems appropriate during the term of this Permit.

e. A TMDL or other enforceable water quality cleanup plan that has been approved and is being implemented to address the MS4's contribution to the Water Quality Standards violation supersedes and terminates the S4.F.3 implementation plan.

f. Provided the Permittee is implementing the approved adaptive management response under this Section, the Permittee remains in compliance with Special Condition S4, despite any on-going violations of Water Quality Standards identified under S4.A or B, above.

g. The adaptive management process provided under Section S4.F is not intended to create a shield for the Permittee from any liability it may face under 42 U.S.C. 9601 *et seq*. or Chapter 70.105D RCW.

G. Ecology may modify or revoke and reissue this General Permit in accordance with G14 – *General Permit Modification and Revocation*, if Ecology becomes aware of additional control measures, management practices, or other actions beyond what is required in this Permit that are necessary to:

1. Reduce the discharge of pollutants to the MEP,

2. Comply with the state AKART requirements, or

3. Control the discharge of toxicants to waters of the State of Washington.

S5. STORMWATER MANAGEMENT PROGRAM FOR CITIES, TOWNS, AND COUNTIES

A. Each Permittee shall develop and implement a Stormwater Management Program (SWMP). A SWMP is a set of actions and activities comprising the components listed in S5 and any additional actions necessary, to meet the requirements of applicable TMDLs pursuant to S7 – *Compliance with Total Maximum Daily Load Requirements* and S8 – *Monitoring and Assessment*. This Section applies to all cities, towns, and counties covered under this Permit (termed as "Permittee," including cities, towns, and counties that are Co-Permittees).

New Permittees subject to this Permit, as described in S1.D.1.b, shall fully meet the requirements in S5 as modified in footnotes below, or as specified in an alternate schedule as a condition of coverage by Ecology. Permittees obtaining coverage after the issuance date of this Permit shall fully meet the requirements in S5 as specified in an alternate schedule as a condition of coverage by Ecology.

1. At a minimum, the Permittee's SWMP shall be implemented throughout the geographic area subject to this Permit as described in S1.A.[1]

2. Each Permittee shall prepare written documentation of the SWMP, called the SWMP Plan. The SWMP Plan shall be organized according to the program components in S5.C or a

[1] New Permittees shall fully develop and implement the SWMP in accordance with the schedules contained in this Section no later than February 2, 2024.

format approved by Ecology, and shall be updated at least annually for submittal with the Permittee's annual reports to Ecology (see S9 – *Reporting Requirements*). The SWMP Plan shall be written to inform the public of the planned SWMP activities for the upcoming calendar year, and shall include a description of:

a. Planned activities for each of the program components included in S5.C.

b. Any additional planned actions to meet the requirements of applicable TMDLs pursuant to S7– *Compliance with Total Maximum Daily Load Requirements*.

c. Any additional planned actions to meet the requirements of S8 – *Monitoring and Assessment.*

3. The SWMP shall include an ongoing program for gathering, tracking, maintaining, and using information to evaluate SWMP development, implementation, and permit compliance and to set priorities.

   a. Each Permittee shall track the cost or estimated cost of development and implementation of each component of the SWMP.[2] This information shall be provided to Ecology upon request.

   b. Each Permittee shall track the number of inspections, follow-up actions as a result of inspections, official enforcement actions and types of public education activities as required by the respective program component. This information shall be included in the annual report.

4. Permittees shall continue implementation of existing stormwater management programs until they begin implementation of the updated stormwater management program in accordance with the terms of this Permit, including implementation schedules.

5. Coordination among Permittees

   a. Coordination among entities covered under municipal stormwater NPDES permits may be necessary to comply with certain conditions of the SWMP. The SWMP shall include, when needed, coordination mechanisms among entities covered under a municipal stormwater NPDES permit to encourage coordinated stormwater-related policies, programs and projects within adjoining or shared areas, including:

      i. Coordination mechanisms clarifying roles and responsibilities for the control of pollutants between physically interconnected MS4s covered by a municipal stormwater permit.

      ii. Coordinating stormwater management activities for shared water bodies, or watersheds among Permittees to avoid conflicting plans, policies, and regulations.

   b. The SWMP shall include coordination mechanisms among departments within each jurisdiction to eliminate barriers to compliance with the terms of this Permit. Permittees shall include a written description of internal coordination mechanisms in the Annual Report due no later than March 31, 2021.

[2] New Permittees shall begin implementing the requirements of S5.A.3.a, no later than August 1, 2021.

B. The SWMP shall be designed to reduce the discharge of pollutants from regulated small MS4s to the MEP, meet state AKART requirements, and protect water quality.

C. The SWMP shall include the components listed below. To the extent allowable under state or federal law, all components are mandatory for city, town, or county Permittees covered under this Permit.

1. Stormwater planning

Each Permittee shall implement a Stormwater Planning program to inform and assist in the development of policies and strategies as water quality management tools to protect receiving waters.

The minimum performance measures are:

a. By August 1, 2020, each Permittee shall convene an inter-disciplinary team to inform and assist in the development, progress, and influence of this program.

b. Coordination with long-range plan updates.

i. Each Permittee shall describe how stormwater management needs and protection/improvement of receiving water health are (or are not) informing the planning update processes and influencing policies and implementation strategies in their jurisdiction. The report shall describe the water quality and watershed protection policies, strategies, codes, and other measures intended to protect and improve local receiving water health through planning, or taking into account stormwater management needs or limitations.

(a) On or before March 31, 2021, the Permittee shall respond to the series of Stormwater Planning Annual Report questions to describe how anticipated stormwater impacts on water quality were addressed, if at all, during the 2013-2019 permit term in updates to the Comprehensive Plan (or equivalent) and in other locally initiated or state-mandated, long-range land use plans that are used to accommodate growth or transportation.

(b) On or before January 1, 2023, the Permittee shall submit a report responding to the same questions included in (a), above, to describe how water quality is being addressed, if at all, during this permit term in updates to the Comprehensive Plan (or equivalent) and in other locally initiated or state-mandated, long-range land use plans that are used to accommodate growth or transportation.

c. Low impact development code-related requirements.

i. Permittees shall continue to require LID Principles and LID BMPs when updating, revising, and developing new local development-related codes, rules, standards, or other enforceable documents, as needed.

The intent shall be to make LID the preferred and commonly-used approach to site development. The local development-related codes, rules, standards, or other enforceable documents shall be designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations, where feasible.

(a) Annually, each Permittee shall assess and document any newly identified administrative or regulatory barriers to implementation of LID Principles or LID BMPs since local codes were updated in accordance with the 2013 Permit, and the measures developed to address the barriers. If applicable, the report shall describe mechanisms adopted to encourage or require implementation of LID principles or LID BMPs.

ii. By December 31, 2023, New Permittees shall review, revise, and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs. New Permittees shall conduct a similar review and revision process, and consider the range of issues, outlined in the following document: Integrating LID into Local Codes: A Guidebook for Local Governments (Puget Sound Partnership, 2012).

New Permittees shall submit a summary of the results of the review and revision process with the annual report due no later than March 31, 2024. This summary shall be in the required format described in Appendix 5 and include, at a minimum, a list of the participants (job title, brief job description, and department represented), the codes, rules, standards, and other enforceable documents reviewed, and the revisions made to those documents which incorporate and require LID principles and LID BMPs. The summary shall include existing requirements for LID principles and LID BMPs in development-related codes. The summary must be organized as follows:

(a) Measures to minimize impervious surfaces.

(b) Measures to minimize loss of native vegetation.

(c) Other measures to minimize stormwater runoff.

d. Stormwater Management Action Planning[3] (SMAP). Permittees shall conduct a similar process and consider the range of issues outlined in the *Stormwater Management Action Planning Guidance* (Ecology, 2019; Publication 19-10-010). Permittees may rely on another jurisdiction to meet all or part of SMAP requirements at a watershed-scale, provided a SMAP is completed for at least one priority catchment located within the Permittee's jurisdiction.

i. *Receiving Water Assessment*. Permittees shall document and assess existing information related to their local receiving waters and contributing area conditions to identify which receiving waters are most likely to benefit from stormwater management planning.

By March 31, 2022, Permittees shall submit a watershed inventory and include a brief description of the relative conditions of the receiving waters and the contributing areas. The watershed inventory shall be submitted as a table with each receiving water name, its total watershed area, the percent of the total watershed area that is in the Permittee's jurisdiction, and the findings of the stormwater management influence assessment for each basin. Indicate which

[3] New Permittees are exempt from S5.C.1.d. for this permit term.

receiving waters will be included in the S5.C.1.d.ii prioritization process. Include a map of the delineated basins with references to the watershed inventory table.

(a) Identify which basins are expected to have a relatively low Stormwater Management Influence for SMAP. See the guidance document for definition and description of this assessment.

Basins having relatively low expected Stormwater Management Influence for SMAP do not need to be included in S5.C.1.d.ii-iii.

ii. *Receiving Water Prioritization*. Informed by the assessment of receiving water conditions in (i), above, and other local and regional information, Permittees shall develop and implement a prioritization method and process to determine which receiving waters will receive the most benefit from implementation of stormwater facility retrofits, tailored implementation of SWMP actions, and other land/development management actions (different than the existing new and redevelopment requirements). The retrofits and actions shall be designed to: 1) conserve, protect, or restore receiving waters through stormwater and land management strategies that act as water quality management tools, 2) reduce pollutant loading, and 3) address hydrologic impacts from existing development as well as planned for and expected future buildout conditions.

No later than June 30, 2022, document the prioritized and ranked list of receiving waters.

(a) The Permittee shall document the priority ranking process used to identify high priority receiving waters. The Permittee may reference existing local watershed management plan(s) as source(s) of information or rationale for the prioritization.

(b) The ranking process shall include the identification of high priority catchment area(s) for focus of the Stormwater Management Action Plan (SMAP) in (iii), below.

iii. Stormwater Management Action Plan (SMAP). No later than March 31, 2023, Permittees shall develop a SMAP for at least one high priority catchment area from (ii), above, that identifies all of the following:

(a) A description of the stormwater facility retrofits needed for the area, including the BMP types and preferred locations.

(b) Land management/development strategies and/or actions identified for water quality management.

(c) Targeted, enhanced, or customized implementation of stormwater management actions related to permit sections within S5, including:

- IDDE field screening,
- Prioritization of Source Control inspections,
- O&M inspections or enhanced maintenance, or
- Public Education and Outreach behavior change programs.

Identified actions shall support other specifically identified stormwater management strategies and actions for the basin overall, or for the catchment area in particular.

(d) If applicable, identification of changes needed to local long-range plans, to address SMAP priorities.

(e) A proposed implementation schedule and budget sources for:

- Short-term actions (*i.e.*, actions to be accomplished within six years), and
- Long-term actions (*i.e.*, actions to be accomplished within seven to 20 years).

(f) A process and schedule to provide future assessment and feedback to improve the planning process and implementation of procedures or projects.

2. Public Education and Outreach

The SWMP shall include an education and outreach program designed to:

- Build general awareness about methods to address and reduce impacts from stormwater runoff.
- Effect behavior change to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts.
- Create stewardship opportunities that encourages community engagement in addressing the impacts from stormwater runoff.

Permittees may choose to meet these requirements individually or as a member of a regional group. Regional collaboration on general awareness or behavior change programs, or both, includes Permittees developing a consistent message, determining best methods for communicating the message, and when appropriate, creating strategies to effect behavior change. If a Permittee chooses to adopt one or more elements of a regional program, the Permittee should participate in the regional group and shall implement the adopted element(s) of the regional program in the local jurisdiction.

The minimum performance measures are:

a. Each Permittee shall implement an education and outreach program for the area served by the MS4. The program design shall be based on local water quality information and target audience characteristics to identify high priority target audiences, subject areas, and/or BMPs. Based on the target audience's demographic, the Permittee shall consider delivering its selected messages in language(s) other than English, as appropriate to the target audience. [4]

i. ***General awareness***. To build general awareness, Permittees shall annually select at a minimum one target audience and one subject area from either (a) or (b):

(a) *Target audiences:* General public (including overburdened communities, or school age children) or businesses (including home-based, or mobile businesses). Subject areas:

[4] New Permittees shall begin implementing the requirements of S5.C.2 no later than August 1, 2021.

- General impacts of stormwater on surface waters, including impacts from impervious surfaces.
- Low impact development (LID) principles and LID BMPs.

(b) *Target audiences:* Engineers, contractors, developers, or land use planners. Subject areas:

- Technical standards for stormwater site and erosion control plans.
- LID principles and LID BMPs.
- Stormwater treatment and flow control BMPs/facilities

(c) Permittees shall provide subject area information to the target audience on an ongoing or strategic schedule.

ii. ***Behavior change***. To affect behavior change, Permittees shall select, at a minimum, one target audience and one BMP.

(a) *Target Audiences:* Residents, landscapers, property managers/owners, developers, school age children, or businesses (including home-based or mobile businesses).

BMPs:

- Use and storage of: pesticides, fertilizers, and/or other household chemicals.
- Use and storage of: automotive chemicals, hazardous cleaning supplies, carwash soaps, and/or other hazardous materials.
- Prevention of illicit discharges.
- Yard care techniques protective of water quality.
- Carpet cleaning.
- Repair and maintenance BMPs for: vehicles, equipment, and/or home/buildings.
- Pet waste management and disposal.
- LID Principles and LID BMPs.
- Stormwater facility maintenance, including LID facilities.
- Dumpster and trash compactor maintenance.
- Litter and debris prevention.
- Sediment and erosion control.
- (Audience specific) Source control BMPs (refer to S5.C.8).
- (Audience specific) Locally-important, municipal stormwater-related subject area.

(b) No later than July 1, 2020, each Permittee shall conduct a new evaluation of the effectiveness of an ongoing behavior change campaign (required under S5.C.1.a.ii and S5.C.1.c of the 2013 Permit). Permittees shall document lessons learned and recommendations for which option to select from S5.C.2.a.ii.(c).

Permittees that select option S5.C.2.a.ii.(c)3, below, may forgo this evaluation if it will not add value to the overall behavior change program.

(c) Based on the recommendation from S5.C.2.a.ii.(b), by February 1, 2021, each Permittee shall follow social marketing practices and methods, similar to community-based social marketing, and develop a campaign that is tailored to the community, including development of a program evaluation plan. Each Permittee shall: [5]

1. Develop a strategy and schedule to more effectively implement the existing campaign; or
2. Develop a strategy and schedule to expand the existing campaign to a new target audience or BMPs; or
3. Develop a strategy and schedule for a new target audience and BMP behavior change campaign.

(d) No later than April 1, 2021, begin to implement the strategy developed in S5.C.2.a.ii.(c).[6]

(e) No later than March 31, 2024, evaluate and report on:

1. The changes in understanding and adoption of targeted behaviors resulting from the implementation of the strategy; and
2. Any planned or recommended changes to the campaign in order to be more effective; describe the strategies and process to achieve the results.

(f) Permittees shall use results of the evaluation to continue to direct effective methods and implementation of the ongoing behavior change program.

iii. Stewardship. Each Permittee shall provide and advertise stewardship opportunities and/or partner with existing organizations (including non-permittees) to encourage residents to participate in activities or events planned and organized within the community, such as: stream teams, storm drain marking, volunteer monitoring, riparian plantings, and education activities.

3. Public Involvement and Participation

Permittees shall provide ongoing opportunities for public involvement and participation through advisory councils, public hearings, watershed committees, participation in developing rate-structures or other similar activities. Each Permittee shall comply with applicable state and local public notice requirements when developing elements of the SWMP and SMAP.

The minimum performance measures are:

a. Permittees shall create opportunities for the public, including overburdened communities, to participate in the decision-making processes involving the development, implementation and update of the Permittee's SMAP and SWMP.[7]

[5] No later than August 1, 2021, new Permittees shall follow social marketing practices and methods, similar to Community-Based Social Marketing, to develop a behavior change program that is tailored to the community.

[6] No later than October 1, 2021, New Permittees shall begin to implement the strategy developed in S5.C.2.a.ii.(c).

[7] New Permittees shall develop and begin to implement requirements according to S5.C.3.a no later than August 1, 2020. New Permittees are exempt from SMAP this permit term.

b. Each Permittee shall post on their website their SWMP Plan and the annual report, required under S9.A, no later than May 31 each year. All other submittals shall be available to the public upon request. To comply with the posting requirement, a Permittee that does not maintain a website may submit the updated SWMP in electronic format to Ecology for posting on Ecology's website.

4. MS4 Mapping and Documentation

The SWMP shall include an ongoing program for mapping and documenting the MS4.[8]

The minimum performance measures are:

a. *Ongoing Mapping*: Each Permittee shall maintain mapping data for the features listed below:

i. Known MS4 outfalls and known MS4 discharge points.

ii. Receiving waters, other than groundwater.

iii. Stormwater treatment and flow control BMPs/facilities owned or operated by the Permittee.

iv. Geographic areas served by the Permittee's MS4 that do not discharge stormwater to surface waters.

v. Tributary conveyances to all known outfalls and discharge points with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems. The following features or attributes (or both) shall be mapped:

(a) Tributary conveyance type, material, and size where known.

(b) Associated drainage areas.

(c) Land use.

vi. Connections between the MS4 owned or operated by the Permittee and other municipalities or public entities.

vii. All connections to the MS4 authorized or allowed by the Permittee after February 16, 2007. [9,10]

b. *New Mapping*: Each Permittee shall:

i. No later than January 1, 2020, begin to collect size and material for all known MS4 outfalls during normal course of business (e.g. during field screening, inspection, or maintenance) and update records.

ii. No later than August 1, 2023, complete mapping of all known connections from the MS4 to a privately owned stormwater system.

[8] New Permittees shall meet the requirements to map the MS4 according to S5.C.4. no later than February 2, 2024, except where otherwise noted in this Section.

[9] New Permittees shall meet the requirements of S5.C.4.a.vii after August 1, 2019, for all connections to the MS4 authorized after August 1, 2019.

[10] Permittees do not need to map the following residential connections: individual driveways, sump pumps, or roof downspouts.

c. No later than August 1, 2021, the required format for mapping is electronic (e.g. Geographic Information System, CAD drawings, or other software that can map and store points, lines, polygons, and associated attributes), with fully described mapping standards.

d. To the extent consistent with national security laws and directives, each Permittee shall make available to Ecology, upon request, available maps depicting the information required in S5.C.4.a through c, above.

e. Upon request, and to the extent appropriate, Permittees shall provide mapping information to federally recognized Indian Tribes, municipalities, and other Permittees. This Permit does not preclude Permittees from recovering reasonable costs associated with fulfilling mapping information requests by federally recognized Indian Tribes, municipalities, and other Permittees.

5. Illicit Discharge Detection and Elimination

The SWMP shall include an ongoing program designed to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges into the MS4.[11]

The minimum performance measures are:

a. The program shall include procedures for reporting and correcting or removing illicit connections, spills and other illicit discharges when they are suspected or identified. The program shall also include procedures for addressing pollutants entering the MS4 from an interconnected, adjoining MS4.

Illicit connections and illicit discharges must be identified through, but not limited to: field screening, inspections, complaints/reports, construction inspections, maintenance inspections, source control inspections, and/or monitoring information, as appropriate.

b. Permittees shall inform public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste.

c. Each Permittee shall implement an ordinance or other regulatory mechanism to effectively prohibit non-stormwater, illicit discharges into the Permittee's MS4 to the maximum extent allowable under state and federal law.

i. Allowable Discharges: The regulatory mechanism does **not** need to prohibit the following categories of non-stormwater discharges:

(a) Diverted stream flows

(b) Rising groundwaters

(c) Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(b)(20))

(d) Uncontaminated pumped groundwater

(e) Foundation drains

[11] New Permittees shall meet the requirements of S5.C.5 no later than August 1, 2021 except where otherwise noted in this Section.

(f) Air conditioning condensation

(g) Irrigation water from agricultural sources that is commingled with urban stormwater

(h) Springs

(i) Uncontaminated water from crawl space pumps

(j) Footing drains

(k) Flows from riparian habitats and wetlands

(l) Non-stormwater discharges authorized by another NPDES or state waste discharge permit

(m) Discharges from emergency firefighting activities in accordance with S2 Authorized Discharges

ii. Conditionally Allowable Discharges: The regulatory mechanism may allow the following categories of non-stormwater discharges only if the stated conditions are met:

(a) Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4.

(b) Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through, at a minimum, public education activities and water conservation efforts.

(c) Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.

(d) Street and sidewalk wash water, water used to control dust, and routine external building washdown that does not use detergents. The Permittee shall reduce these discharges through, at a minimum, public education activities and/or water conservation efforts. To avoid washing pollutants into the MS4, Permittees shall minimize the amount of street wash and dust control water used.

(e) Other non-stormwater discharges. The discharges shall be in compliance with the requirements of a pollution prevention plan reviewed by the Permittee, which addresses control of such discharges.

iii. The Permittee shall further address any category of discharges in (i) or (ii), above, if the discharges are identified as significant sources of pollutants to waters of the State.

iv. The ordinance or other regulatory mechanism shall include escalating enforcement procedures and actions.

d. Each Permittee shall implement an ongoing program designed to detect and identify non-stormwater discharges and illicit connections into the Permittee's MS4.[12] The program shall include the following components:

i. Procedures for conducting investigations of the Permittee's MS4, including field screening and methods for identifying potential sources. These procedures may also include source control inspections.

The Permittee shall implement a field screening methodology appropriate to the characteristics of the MS4 and water quality concerns. Screening for illicit connections may be conducted using *Illicit Connection and Illicit Discharge Field Screening and Source Tracing Guidance Manual* (Herrera Environmental Consultants, Inc.; May 2013), or another methodology of comparable or improved effectiveness. The Permittee shall document the field screening methodology in the Annual Report.

(a) All Permittees shall complete field screening for an average of 12% of the MS4 each year.[13] Permittees shall annually track total percentage of the MS4 screened beginning August 1, 2019.

ii. A publicly listed and publicized hotline or other telephone number for public reporting of spills and other illicit discharges.

iii. An ongoing training program for all municipal field staff, who, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge and/or illicit connection to the MS4, on the identification of an illicit discharge and/or connection, and on the proper procedures for reporting and responding to the illicit discharge and/or connection. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staffing. Permittees shall document and maintain records of the trainings provided and the staff trained.[14]

e. Each Permittee shall implement an ongoing program designed to address illicit discharges, including spills and illicit connections, into the Permittee's MS4.[15] The program shall include:

i. Procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found by or reported to the Permittee. Procedures shall address the evaluation of whether the discharge must be immediately contained and steps to be taken for containment of the discharge.

[12] New Permittees shall fully implement the requirements of S5.C.5.d no later than August 1, 2023.

[13] New Permittees shall complete S5.C.5.d.i requirements for field screening covering at least 12% of the MS4 within the Permittee's coverage area no later than December 31, 2023, and on average 12% each year thereafter.

[14] New Permittees shall develop and begin implementing the ongoing training program described in S5.C.5.d.iii no later than February 2, 2021.

[15] New Permittees shall fully develop and implement the requirements of S5.C.5.e no later than August 1, 2023.

ii. Procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures.

iii. Procedures for eliminating the discharge, including notification of appropriate authorities (including owners or operators of interconnected MS4s); notification of the property owner; technical assistance; follow-up inspections; and use of the compliance strategy developed pursuant to S5.C.5.c.iv, including escalating enforcement and legal actions if the discharge is not eliminated.

iv. Compliance with the provisions in (i), (ii), and (iii), above, shall be achieved by meeting the following timelines:

(a) Immediately respond to all illicit discharges, including spills, which are determined to constitute a threat to human health, welfare, or the environment, consistent with General Condition G3.

(b) Investigate (or refer to the appropriate agency with the authority to act) within 7 days, on average, any complaints, reports, or monitoring information that indicates a potential illicit discharge.

(c) Initiate an investigation within 21 days of any report or discovery of a suspected illicit connection to determine the source of the connection, the nature and volume of discharge through the connection, and the party responsible for the connection.

(d) Upon confirmation of an illicit connection, use the compliance strategy in a documented effort to eliminate the illicit connection within 6 months. All known illicit connections to the MS4 shall be eliminated.

f. Permittees shall train staff who are responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, including spills, and illicit connections, to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements or staffing. Permittees shall document and maintain records of the training provided and the staff trained.[16]

g. Recordkeeping: Each Permittee shall track and maintain records of the activities conducted to meet the requirements of this Section. In the Annual Report, each Permittee shall submit data for the illicit discharges, spills and illicit connections including those that were found by, reported to, or investigated by the Permittee during the previous calendar year. The data shall include the information specified in Appendix 12 and WQWebIDDE. Each Permittee may either use their own system or WQWebIDDE for recording this data. Final submittals shall follow the instructions, timelines, and format as described in Appendix 12.

[16] New Permittees shall meet the requirements of S5.C.5.f no later than February 2, 2021.

6. **Controlling Runoff from New Development, Redevelopment, and Construction Sites**
Each Permittee shall implement and enforce a program to reduce pollutants in stormwater runoff to a regulated small MS4 from new development, redevelopment and construction site activities. The program shall apply to private and public development, including transportation projects.[17]

The minimum performance measures are:

a. Implement an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects.

Each Permittee shall adopt and make effective a local program, no later than June 30, 2022, that meets the requirements of S5.C.6.b(i) through (iii), below, and shall apply to all applications[18] submitted:

i. On or after July 1, 2022.

ii. Prior to January 1, 2017, that have not started construction[19] by January 1, 2022.[20]

iii. Prior to July 1, 2022, that have not started construction by July 1, 2027.

b. The ordinance or other enforceable mechanism shall include, at a minimum:

i. The Minimum Requirements, thresholds, and definitions in Appendix 1, or the 2013 Appendix 1 amended to include the changes identified in Appendix 10, or Phase I program approved by Ecology and amended to include Appendix 10, for new development, redevelopment, and construction sites. Adjustment and variance criteria equivalent to those in Appendix 1 shall be included. More stringent requirements may be used, and/or certain requirements may be tailored to local circumstances through the use of Ecology-approved basin plans or other similar water quality and quantity planning efforts. Such local requirements and thresholds shall provide equal protection of receiving waters and equal levels of pollutant control to those provided in Appendix 1.

ii. The local requirements shall include the following requirements, limitations, and criteria that, when used to implement the minimum requirements in Appendix 1 (or program approved by Ecology under the 2019 Phase I Permit) will protect

[17] For continuing Permittees, this means continuing to implement existing programs developed under previous permits until updates are made to meet the schedules defined. *New Permittees shall meet the requirements of S5.C.6 no later than December 31, 2022, except where otherwise specified in this Section.*

[18] In this context, "application" means, at a minimum a complete project description, site plan, and, if applicable, SEPA checklist. Permittees may establish additional elements of a completed application.

[19] In this context "started construction" means the site work associated with, and directly related to the approved project has begun. For example: grading the project site to final grade or utility installation. Simply clearing the project site does not constitute the start of construction. Permittees may establish additional requirements related to the start of construction.

[20] For Permittees in **Lewis and Cowlitz counties**: Prior to July 1, 2017, that have not started construction by June 30, 2022. **For Lynden, Snoqualmie**: Prior to January 1, 2018, that have not started construction by January 1, 2023. **For Aberdeen**: Prior to July 1, 2018, that have not started construction by June 30, 2023. **Shelton and Clallam County** shall adopt and make effective a local program that meets the requirements of S5.C.6.b(i) through (iii) no later than December 31, 2022. The local program shall apply to all applications submitted on or after January 1, 2023, and shall apply to applications submitted prior to January 1, 2023, which have not started construction by January 1, 2028.

water quality, reduce the discharge of pollutants to the MEP, and satisfy the State requirement under Chapter 90.48 RCW to apply AKART prior to discharge:

(a) Site planning requirements

(b) BMP selection criteria

(c) BMP design criteria

(d) BMP infeasibility criteria

(e) LID competing needs criteria

(f) BMP limitations

Permittees shall document how the criteria and requirements will protect water quality, reduce the discharge of pollutants to the MEP, and satisfy State AKART requirements.

Permittees who choose to use the requirements, limitations, and criteria, above, in the *Stormwater Management Manual for Western Washington*, or a Phase I program approved by Ecology, may cite this choice as their sole documentation to meet this requirement.

iii. The legal authority, through the approval process for new development and redevelopment, to inspect and enforce maintenance standards for private stormwater facilities approved under the provisions of this Section that discharge to the Permittee's MS4.

c. The program shall include a permitting process with site plan review, inspection and enforcement capability to meet the standards listed in (i) through (iv) below, for both private and public projects, using qualified personnel (as defined in *Definitions and Acronyms*). At a minimum, this program shall be applied to all sites that meet the minimum thresholds adopted pursuant to S5.C.6.b.i, above.

i. Review of all stormwater site plans for proposed development activities.

ii. Inspect, prior to clearing and construction, all permitted development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 – *Determining Construction Site Sediment Damage Potential*. As an alternative to evaluating each site according to Appendix 7, Permittees may choose to inspect all construction sites that meet the minimum thresholds adopted pursuant to S5.C.6.b.i, above.

iii. Inspect all permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. Enforce as necessary based on the inspection.

iv. Each Permittee shall manage maintenance activities to inspect all stormwater treatment and flow control BMPs/facilities, and catch basins, in new residential developments every six months, until 90% of the lots are constructed (or when construction has stopped and the site is fully stabilized), to identify maintenance needs and enforce compliance with maintenance standards as needed.

v. Inspect all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent

stormwater facilities. Verify that a maintenance plan is completed and responsibility for maintenance is assigned for stormwater treatment and flow control BMPs/facilities. Enforce as necessary based on the inspection.

vi. Compliance with the inspection requirements in (ii) through (v), above, shall be determined by the presence and records of an established inspection program designed to inspect all sites. Compliance during this permit term shall be determined by achieving at least 80% of required inspections. The inspections may be combined with other inspections provided they are performed using qualified personnel.

vii. The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.

viii. An enforcement strategy shall be implemented to respond to issues of non-compliance.

d. The program shall make available, as applicable, the link to the electronic *Construction Stormwater General Permit* Notice of Intent (NOI) form for construction activity and, as applicable, a link to the electronic *Industrial Stormwater General Permit* NOI form for industrial activity to representatives of proposed new development and redevelopment. Permittees shall continue to enforce local ordinances controlling runoff from sites that are also covered by stormwater permits issued by Ecology.[21]

e. Each Permittee shall ensure that all staff whose primary job duties are implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. Follow-up training must be provided as needed to address changes in procedures, techniques or staffing. Permittees shall document and maintain records of the training provided and the staff trained.[22]

7. Operations and Maintenance

Each Permittee shall implement and document a program to regulate maintenance activities and to conduct maintenance activities by the Permittee to prevent or reduce stormwater impacts.[23]

The minimum performance measures are:

a. Each Permittee shall implement maintenance standards that are as protective, or more protective, of facility function than those specified in the *Stormwater Management Manual for Western Washington* or a Phase I program approved by Ecology. For facilities which do not have maintenance standards, the Permittee shall

[21] New Permittees shall meet the requirements of S5.C.6.d beginning no later than August 1, 2019.

[22] New Permittees shall meet the requirements of S5.C.6.e no later than December 31, 2022.

[23] New Permittees shall develop and implement the requirements of S5.C.7 no later than December 31, 2022 except where otherwise noted in this Section.

develop a maintenance standard. No later than June 30, 2022, Permittees shall update their maintenance standards as necessary to meet the requirements of this Section.

i. The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facility's required condition at all times between inspections. Exceeding the maintenance standard between inspections and/or maintenance is not a permit violation.

ii. Unless there are circumstances beyond the Permittee's control, when an inspection identifies an exceedance of the maintenance standard, maintenance shall be performed:

- Within 1 year for typical maintenance of facilities, except catch basins.
- Within 6 months for catch basins.
- Within 2 years for maintenance that requires capital construction of less than $25,000.

Circumstances beyond the Permittee's control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work. For each exceedance of the required timeframe, the Permittee shall document the circumstances and how they were beyond their control.

b. Maintenance of stormwater facilities regulated by the Permittee

i. The program shall include provisions to verify adequate long-term O&M of stormwater treatment and flow control BMPs/facilities that are permitted and constructed pursuant to S.5.C.6.c and shall be maintained in accordance with S5.C.7.a.

The provisions shall include**:**

(a) Implementation of an ordinance or other enforceable mechanism that:

- Clearly identifies the party responsible for maintenance in accordance with maintenance standards established under S5.C.7.a.
- Requires inspection of facilities in accordance with the requirements in (b), below.
- Establishes enforcement procedures.

(b) Annual inspections of all stormwater treatment and flow control BMPs/facilities that discharge to the MS4 and were permitted by the Permittee according to S5.C.6.c, including those permitted in accordance with requirements adopted pursuant to the 2007-2019 Ecology municipal stormwater permits, unless there are maintenance records to justify a different frequency.

Permittees may reduce the inspection frequency based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and

maintenance experience and shall be certified in accordance with G19 – *Certification and Signature*.

ii. Compliance with the inspection requirements in (b), above, shall be determined by the presence and records of an established inspection program designed to inspect all facilities, and achieving at least 80% of required inspections.

iii. The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.

c. Maintenance of stormwater facilities owned or operated by the Permittee.

i. Each Permittee shall implement a program to annually inspect all municipally owned or operated stormwater treatment and flow control BMPs/facilities, and taking appropriate maintenance actions in accordance with the adopted maintenance standards.

Permittees may reduce the inspection frequency based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 – *Certification and Signature.*

ii. Each Permittee shall spot check potentially damaged stormwater treatment and flow control BMPs/facilities after major storm events (24 hour storm event with a 10 year or greater recurrence interval). If spot checks indicate widespread damage/maintenance needs, inspect all stormwater treatment and flow control BMPs/facilities that may be affected. Conduct repairs or take appropriate maintenance action in accordance with maintenance standards established above, based on the results of the inspections.

iii. Each Permittee shall inspect all catch basins and inlets owned or operated by the Permittee every two years.[24] Clean catch basins if the inspection indicates cleaning is needed to comply with maintenance standards established in the *Stormwater Management Manual for Western Washington*. Decant water shall be disposed of in accordance with Appendix 6 – *Street Waste Disposal*.

The following alternatives to the standard approach of inspecting all catch basins every two years may be applied to all or portions of the system:

(a) The catch basin inspection schedule of every two years may be changed as appropriate to meet the maintenance standards based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records for catch basins, the Permittee may substitute written statements to document a specific, less frequent inspection schedule. Written statements shall be based on actual inspection

[24] New Permittees shall inspect and, if needed, clean all catch basins and inlets owned or operated by the Permittee in accordance with the requirements of S5.C.7.c once during the permit term, to be completed no later than February 2, 2024.

and maintenance experiences and shall be certified in accordance with G19 – *Certification and Signature*.

(b) Inspections every two years may be conducted on a "circuit basis" whereby 25% of catch basins and inlets within each circuit are inspected to identify maintenance needs. Include an inspection of the catch basin immediately upstream of any MS4 outfall, discharge point, or connections to public or private storm systems, if applicable. Clean all catch basins within a given circuit for which the inspection indicates cleaning is needed to comply with maintenance standards established under S5.C.7.a, above.

(c) The Permittee may clean all pipes, ditches, and catch basins and inlets within a circuit once during the permit term. Circuits selected for this alternative must drain to a single point.

iv. Compliance with the inspection requirements in S5.C.7.c.i-iii, above, shall be determined by the presence of an established inspection program achieving at least 95% of required inspections.

d. Implement practices, policies, and procedures to reduce stormwater impacts associated with runoff from all lands owned or maintained by the Permittee, and road maintenance activities under the functional control of the Permittee. No later than December 31, 2022, document the practices, policies, and procedures. Lands owned or maintained by the Permittee include, but are not limited to: streets, parking lots, roads, highways, buildings, parks, open space, road right-of-ways, maintenance yards, and stormwater treatment and flow control BMPs/facilities.

The following activities shall be addressed**:**

i. Pipe cleaning

ii. Cleaning of culverts that convey stormwater in ditch systems

iii. Ditch maintenance

iv. Street cleaning

v. Road repair and resurfacing, including pavement grinding

vi. Snow and ice control

vii. Utility installation

viii. Pavement striping maintenance

ix. Maintaining roadside areas, including vegetation management

x. Dust control

xi. Application of fertilizers, pesticides, and herbicides according to the instructions for their use, including reducing nutrients and pesticides using alternatives that minimize environmental impacts

xii. Sediment and erosion control

xiii. Landscape maintenance and vegetation disposal

xiv. Trash and pet waste management

xv. Building exterior cleaning and maintenance

e. Implement an ongoing training program for employees of the Permittee whose primary construction, operations, or maintenance job functions may impact stormwater quality. The training program shall address the importance of protecting water quality, operation and maintenance standards, inspection procedures, relevant SWPPPs, selecting appropriate BMPs, ways to perform their job activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staffing. Permittees shall document and maintain records of training provided. The staff training records to be kept include dates, activities or course descriptions, and names and positions of staff in attendance.

f. Implement a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the *Industrial Stormwater General Permit* or another NPDES permit that authorizes stormwater discharges associated with the activity. As necessary, update SWPPPs no later than December 31, 2022, to include the following information. At a minimum, the SWPPP shall include:

   i. A detailed description of the operational and structural BMPs in use at the facility and a schedule for implementation of additional BMPs when needed. BMPs selected must be consistent with the *Stormwater Management Manual for Western Washington*, or a Phase I program approved by Ecology. The SWPPP must be updated as needed to maintain relevancy with the facility.

   ii. At minimum, annual inspections of the facility, including visual observations of discharges, to evaluate the effectiveness of the BMPs, identify maintenance needs, and determine if additional or different BMPs are needed. The results of these inspections must be documented in an inspection report or check list.

   iii. An inventory of the materials and equipment stored on-site, and the activities conducted at the facility which may be exposed to precipitation or runoff and could result in stormwater pollution.

   iv. A site map showing the facility's stormwater drainage, discharge points, and areas of potential pollutant exposure.

   v. A plan for preventing and responding to spills at the facility which could result in an illicit discharge.

g. Maintain records of the activities conducted to meet the requirements of this Section.

8. Source Control Program for Existing Development

a. The Permittee shall implement a program to prevent and reduce pollutants in runoff from areas that discharge to the MS4. The program shall include:

   i. Application of operational source control BMPs, and if necessary, structural source control BMPs or treatment BMPs/facilities, or both, to pollution generating sources associated with existing land uses and activities.

ii. Inspections of pollutant generating sources at publicly and privately owned institutional, commercial and industrial sites to enforce implementation of required BMPs to control pollution discharging into the MS4.

iii. Application and enforcement of local ordinances at sites, identified pursuant to S5.C.8.b.ii, including sites with discharges authorized by a separate NPDES permit. Permittees that are in compliance with the terms of this Permit will not be held liable by Ecology for water quality standard violations or receiving water impacts caused by industries and other Permittees covered, or which should be covered under an NPDES permit issued by Ecology.

iv. Practices to reduce polluted runoff from the application of pesticides, herbicides, and fertilizers from the sites identified in the inventory.

b. **Minimum performance measures:**

i. No later than August 1, 2022, Permittees shall adopt and make effective an ordinance(s), or other enforceable documents, requiring the application of source control BMPs for pollutant generating sources associated with existing land uses and activities (see Appendix 8 to identify pollutant generating sources).

The requirements of this subsection are met by using the source control BMPs in the SWMMWW, or a Phase I Program approved by Ecology. In cases where the manual(s) lack guidance for a specific source of pollutants, the Permittee shall work with the owner/operator to implement or adapt BMPs based on the best professional judgement of the Permittee.

Applicable operational source control BMPs shall be required for all pollutant generating sources. Structural source control BMPs, or treatment BMPs/facilities, or both, shall be required for pollutant generating sources if operational source control BMPs do not prevent illicit discharges or violations of surface water, groundwater, or sediment management standards because of inadequate stormwater controls. Implementation of source control requirements may be done through education and technical assistance programs, provided that formal enforcement authority is available to the Permittee and is used as determined necessary by the Permittee, in accordance with S5.C.8.b.iv, below.

ii. No later than August 1, 2022, the Permittees shall establish an inventory that identifies publicly and privately owned institutional, commercial, and industrial sites which have the potential to generate pollutants to the MS4. The inventory shall include:

(a) Businesses and/or sites identified based on the presence of activities that are pollutant generating (refer to Appendix 8).

(b) Other pollutant generating sources, based on complaint response, such as: home-based businesses and multi-family sites.

iii. No later than January 1, 2023, Permittees shall implement an inspection program for sites identified pursuant to S5.C.8.b.ii, above.

(a) All identified sites with a business address shall be provided information about activities that may generate pollutants and the source control

requirements applicable to those activities. This information shall be provided by mail, telephone, electronic communications, or in person. This information may be provided all at one time or spread out over the permit term to allow for tailoring and distribution of the information during site inspections.

(b) The Permittee shall annually complete the number of inspections equal to 20% of the businesses and/or sites listed in their source control inventory to assess BMP effectiveness and compliance with source control requirements. The Permittee may count follow-up compliance inspections at the same site toward the 20% inspection rate. The Permittee may select which sites to inspect each year and is not required to inspect 100% of sites over a 5-year period. Sites may be prioritized for inspection based on their land use category, potential for pollution generation, proximity to receiving waters, or to address an identified pollution problem within a specific geographic area or sub-basin.

(c) Each Permittee shall inspect 100% of sites identified through credible complaints.

(d) Permittees may count inspections conducted based on complaints, or when the property owner denies entry, to the 20% inspection rate.

iv. No later than January 1, 2023, each Permittee shall implement a progressive enforcement policy that requires sites to comply with stormwater requirements within a reasonable time period as specified below:

(a) If the Permittee determines, through inspections or otherwise, that a site has failed to adequately implement required BMPs, the Permittee shall take appropriate follow-up action(s), which may include phone calls, reminder letters, emails, or follow-up inspections.

(b) When a Permittee determines that a site has failed to adequately implement BMPs after a follow-up inspection(s), the Permittee shall take enforcement action as established through authority in its municipal codes or ordinances, or through the judicial system.

(c) Each Permittee shall maintain records, including documentation of each site visit, inspection reports, warning letters, notices of violations, and other enforcement records, demonstrating an effort to bring sites into compliance. Each Permittee shall also maintain records of sites that are not inspected because the property owner denies entry.

(d) A Permittee may refer non-emergency violations of local ordinances to Ecology, provided, the Permittee also makes a documented effort of progressive enforcement. At a minimum, a Permittee's enforcement effort shall include documentation of inspections and warning letters or notices of violation.

v. Permittees shall train staff who are responsible for implementing the source control program to conduct these activities. The ongoing training program shall cover the legal authority for source control, source control BMPs and their proper application, inspection protocols, lessons learned, typical cases, and enforcement

procedures. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staff. Permittees shall document and maintain records of the training provided and the staff trained.

S6. STORMWATER MANAGEMENT PROGRAM FOR SECONDARY PERMITTEES

A. This Section applies to all Secondary Permittees and all New Secondary Permittees, whether coverage under this Permit is obtained individually or as a Co-Permittee with a city, town, county, or another Secondary Permittee.

New Secondary Permittees subject to this Permit shall fully meet the requirements of this Section as modified in the footnotes in S6.D below, or as established as a condition of coverage by Ecology.

1. To the extent allowable under state, federal or local law, all components are mandatory for each Secondary Permittee covered under this Permit, whether covered as an individual Permittee or as a Co-Permittee.

2. Each Secondary Permittee shall develop and implement a Stormwater Management Program (SWMP). A SWMP is a set of actions and activities comprising the components listed in S6 and any additional actions necessary to meet the requirements of applicable TMDLs pursuant to S7 – *Compliance with Total Maximum Daily Load Requirements*. The SWMP shall be designed to reduce the discharge of pollutants from regulated small MS4s to the MEP and protect water quality.

3. Unless an alternate implementation schedule is established by Ecology as a condition of permit coverage, the SWMP shall be developed and implemented in accordance with the schedules contained in this Section and shall be fully developed and implemented no later than four and one-half years from the initial permit coverage date. Secondary Permittees that are already implementing some or all of the required SWMP components shall continue implementation of those components.

4. Secondary Permittees may implement parts of their SWMP in accordance with the schedule for cities, towns, and counties in S5, provided they have signed a memorandum of understanding or other agreement to jointly implement the activity or activities with one or more jurisdictions listed in S1.D.2.a or S1.D.2.b, and submitted a copy of the agreement to Ecology.

5. Each Secondary Permittee shall prepare written documentation of the SWMP, called the SWMP Plan. The SWMP Plan shall include a description of program activities for the upcoming calendar year.

B. Coordination

Secondary Permittees shall coordinate stormwater-related policies, programs and projects within a watershed and interconnected MS4s. Where relevant and appropriate, the SWMP shall coordinate among departments of the Secondary Permittee to ensure compliance with the terms of this Permit.

C. Legal Authority

To the extent allowable under state law and federal law, each Secondary Permittee shall be able to demonstrate that they can operate pursuant to legal authority which authorizes or enables the Secondary Permittee to control discharges to and from MS4s owned or operated by the Secondary Permittee.

This legal authority may be a combination of statutes, ordinances, permits, contracts, orders, interagency agreements, or similar instruments.

D. Stormwater Management Program for Secondary Permittees

The SWMP for Secondary Permittees shall include the following components:

1. **Public Education and Outreach**
   Each Secondary Permittee shall implement the following stormwater education strategies:

   a. Storm drain inlets owned or operated by the Secondary Permittee that are located in maintenance yards, in parking lots, along sidewalks, and at pedestrian access points shall be clearly labeled with a message similar to "Dump no waste – Drains to waterbody."[25]

      As identified during visual inspection and regular maintenance of storm drain inlets per the requirements of S6.D.3.d and S6.D.6.a.i below, or as otherwise reported to the Secondary Permittee, any inlet having a label that is no longer clearly visible and/or easily readable shall be re-labeled within 90 days.

   b. Each year beginning no later than three years from the initial date of permit coverage, public ports, colleges, and universities shall distribute educational information to tenants and residents on the impact of stormwater discharges on receiving waters, and steps that can be taken to reduce pollutants in stormwater runoff. Distribution may be by hard copy or electronic means. Appropriate topics may include:

      i. How stormwater runoff affects local water bodies.

      ii. Proper use and application of pesticides and fertilizers.

      iii. Benefits of using well-adapted vegetation.

      iv. Alternative equipment washing practices, including cars and trucks that minimize pollutants in stormwater.

      v. Benefits of proper vehicle maintenance and alternative transportation choices; proper handling and disposal of vehicle wastes, including the location of hazardous waste collection facilities in the area.

      vi. Hazards associated with illicit connections and illicit discharges.

      vii. Benefits of litter control of pet waste.

[25] New Secondary Permittees shall label all inlets as described in S6.D.1.a no later than four years from the initial date of permit coverage.

2. **Public Involvement and Participation**
Each year, no later than May 31, each Secondary Permittee shall:

   a. Make the annual report available on the Permittee's website.

   b. Make available on the Permittee's website, the latest updated version of the SWMP Plan.

   c. A Secondary Permittee that does not maintain a website may submit the updated SWMP Plan and annual report in electronic format to Ecology for posting on Ecology's website.

3. **Illicit Discharge Detection and Elimination**
Each Secondary Permittee shall:

   a. From the initial date of permit coverage, comply with all relevant ordinances, rules, and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern non-stormwater discharges.

   b. Implement appropriate policies prohibiting illicit discharges,[26] and an enforcement plan to ensure compliance with illicit discharge policies.[27] These policies shall address, at a minimum: illicit connections, non-stormwater discharges, including spills of hazardous materials, and improper disposal of pet waste and litter.

      i. Allowable discharges: The policies do not need to prohibit the following categories of non-stormwater discharges:

         (a) Diverted stream flows
         (b) Rising groundwaters
         (c) Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(b)(20))
         (d) Uncontaminated pumped groundwater
         (e) Foundation drains.
         (f) Air conditioning condensation
         (g) Irrigation water from agricultural sources that is commingled with urban stormwater
         (h) Springs
         (i) Uncontaminated water from crawl space pumps
         (j) Footing drains
         (k) Flows from riparian habitats and wetlands
         (l) Discharges from emergency firefighting activities in accordance with S2 – *Authorized Discharges*
         (m) Non-stormwater discharges authorized by another NPDES or state waste discharge permit

[26] New Secondary Permittees shall develop and implement appropriate policies prohibiting illicit discharges, and identify possible enforcement mechanisms as described in S6.D.3.b no later than one year from the initial date of permit coverage.

[27] New Secondary Permittees shall develop and implement an enforcement plan as described in S6.D.3.b no later than 18 months from the initial date of permit coverage.

ii. Conditionally allowable discharges: The policies may allow the following categories of non-stormwater discharges only if the stated conditions are met and such discharges are allowed by local codes:

(a) Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing,

(b) Fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4.

(c) Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through, at a minimum, public education activities and water conservation efforts conducted by the Secondary Permittee and/or the local jurisdiction.

(d) Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted and reoxygenated if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.

(e) Street and sidewalk wash water, water used to control dust, and routine external building washdown that does not use detergents. The Secondary Permittee shall reduce these discharges through, at a minimum, public education activities and/or water conservation efforts conducted by the Secondary Permittee and/or the local jurisdiction. To avoid washing pollutants into the MS4, the Secondary Permittee shall minimize the amount of street wash and dust control water used.

(f) Other non-stormwater discharges shall be in compliance with the requirements of a pollution prevention plan reviewed by the Permittee which addresses control of such discharges.

iii. The Secondary Permittee shall address any category of discharges in (i) or (ii), above, if the discharge is identified as a significant source of pollutants to waters of the State.

c. Maintain a storm sewer system map showing the locations of all known MS4 outfalls and discharge points, labeling the receiving waters (other than groundwater) and delineating the areas contributing runoff to each outfall and discharge point. Make the map (or completed portions of the map) available on request to Ecology and to the extent appropriate, to other Permittees. The preferred format for mapping is an electronic format with fully described mapping standards. [28]

d. Conduct field inspections and visually inspect for illicit discharges at all known MS4 outfalls and discharge points. Visually inspect at least one third (on average) of all known outfalls and discharge points each year beginning no later than two years from

[28] New Secondary Permittees shall meet the requirements of S6.D.3.c no later than four and one-half years from the initial date of permit coverage.

the initial date of permit coverage. Implement procedures to identify and remove any illicit discharges. Keep records of inspections and follow-up activities.

e. Implement a spill response plan that includes coordination with a qualified spill responder.[29]

f. No later than two years from initial date of permit coverage, provide staff training or coordinate with existing training efforts to educate staff on proper BMPs for preventing illicit discharges, including spills. Train all Secondary Permittee staff who, as part of their normal job responsibilities, have a role in preventing such illicit discharges.

4. Construction Site Stormwater Runoff Control

From the initial date of permit coverage, each Secondary Permittee shall:

a. Comply with all relevant ordinances, rules, and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern construction phase stormwater pollution prevention measures.

b. Ensure that all construction projects under the functional control of the Secondary Permittee which require a construction stormwater permit obtain coverage under the *NPDES Construction Stormwater General Permit* or an individual NPDES permit prior to discharging construction related stormwater.

c. Coordinate with the local jurisdiction regarding projects owned or operated by other entities which discharge into the Secondary Permittee's MS4, to assist the local jurisdiction with achieving compliance with all relevant ordinances, rules, and regulations of the local jurisdiction(s).

d. Provide training or coordinate with existing training efforts to educate relevant staff in erosion and sediment control BMPs and requirements, or hire trained contractors to perform the work.

e. Coordinate as requested with Ecology or the local jurisdiction to provide access for inspection of construction sites or other land disturbances which are under the functional control of the Secondary Permittee during land disturbing activities and/or construction period.

5. Post-Construction Stormwater Management for New Development and Redevelopment

From the initial date of permit coverage, each Secondary Permittee shall:

a. Comply with all relevant ordinances, rules and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern post-construction stormwater pollution prevention measures.

b. Coordinate with the local jurisdiction regarding projects owned or operated by other entities which discharge into the Secondary Permittee's MS4, to assist the local jurisdiction with achieving compliance with all relevant ordinances, rules and regulations of the local jurisdiction(s).

[29] New Secondary Permittees shall develop and implement a spill response plan as described in S6.D.3.e no later than four and one-half years from the initial date of permit coverage.

6. Pollution Prevention and Good Housekeeping for Municipal Operations
Each Secondary Permittee shall:

a. Implement a municipal operation and maintenance (O&M) plan to minimize stormwater pollution from activities conducted by the Secondary Permittee. The O&M Plan shall include appropriate pollution prevention and good housekeeping procedures for all of the following operations, activities, and/or types of facilities that are present within the Secondary Permittee's boundaries and under the functional control of the Secondary Permittee.[30]

i. *Stormwater collection and conveyance systems*, including catch basins, stormwater pipes, open channels, culverts, and stormwater treatment and flow control BMPs/facilities. The O&M Plan shall address, at a minimum: scheduled inspections and maintenance activities, including cleaning and proper disposal of waste removed from the system. Secondary Permittees shall properly maintain stormwater collection and conveyance systems owned or operated by the Secondary Permittee and annually inspect and maintain all stormwater facilities to ensure facility function.

Secondary Permittees shall establish maintenance standards that are as protective or more protective of facility function than those specified in *Stormwater Management Manual for Western Washington*. Secondary Permittees shall review their maintenance standards to ensure they are consistent with the requirements of this Section.

Secondary Permittees shall conduct spot checks of potentially damaged permanent stormwater treatment and flow control BMPs/facilities following major storm events (24-hour storm event with a 10-year or greater recurrence interval).

ii. *Roads, highways, and parking lots*. The O&M Plan shall address, but is not limited to: deicing, anti-icing, and snow removal practices; snow disposal areas; material (e.g., salt, sand, or other chemical) storage areas; all-season BMPs to reduce road and parking lot debris and other pollutants from entering the MS4.

iii. *Vehicle fleets*. The O&M Plan shall address, but is not limited to: storage, washing, and maintenance of Secondary Permittee vehicle fleets; and fueling facilities. Secondary Permittees shall conduct all vehicle and equipment washing and maintenance in a self-contained covered building or in designated wash and/or maintenance areas.

iv. *External building maintenance*. The O&M Plan shall address, building exterior cleaning and maintenance including cleaning, washing, painting; and maintenance and management of dumpsters; and other maintenance activities.

v. *Parks and open space*. The O&M Plan shall address, but is not limited to: proper application of fertilizer, pesticides, and herbicides; sediment and erosion control; BMPs for landscape maintenance and vegetation disposal; and trash and pet waste management.

[30] New Secondary Permittees shall develop and implement the operation and maintenance plan described in S6.D.6.a no later than three years from initial date of permit coverage.

vi. *Material storage facilities and heavy equipment maintenance or storage yards*. Secondary Permittees shall develop and implement a Stormwater Pollution Prevention Plan to protect water quality at each of these facilities owned or operated by the Secondary Permittee and not covered under the *Industrial Stormwater General Permit* or under another NPDES permit that authorizes stormwater discharges associated with the activity.

vii. *Other facilities* that would reasonably be expected to discharge contaminated runoff. The O&M Plan shall address proper stormwater pollution prevention practices for each facility.

b. From the initial date of permit coverage, Secondary Permittees shall also have permit coverage for all facilities operated by the Secondary Permittee that are required to be covered under the *Industrial Stormwater General Permit* or another NPDES permit that authorizes discharges associated with the activity.

c. The O&M Plan shall include sufficient documentation and records as necessary to demonstrate compliance with the O&M Plan requirements in S6.D.6.a(i) through (vii), above.

d. No later than three years from the initial date of permit coverage, Secondary Permittees shall implement a program designed to train all employees whose primary construction, operations, or maintenance job functions may impact stormwater quality. The training shall address:

i. The importance of protecting water quality.

ii. The requirements of this Permit.

iii. Operation and maintenance requirements.

iv. Inspection procedures.

v. Ways to perform their job activities to prevent or minimize impacts to water quality.

vi. Procedures for reporting water quality concerns, including potential illicit discharges (including spills).

S7. COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD REQUIREMENTS

The following requirements apply if an applicable TMDL is approved for stormwater discharges from MS4s owned or operated by the Permittee. Applicable TMDLs are TMDLs which have been approved by EPA on or before the issuance date of this Permit or prior to the date that Ecology issues coverage under this Permit, whichever is later.

A. For applicable TMDLs listed in Appendix 2, affected Permittees shall comply with the specific requirements identified in Appendix 2. Each Permittee shall keep records of all actions required by this Permit that are relevant to applicable TMDLs within their jurisdiction. The status of the TMDL implementation shall be included as part of the annual report submitted to Ecology. Each annual report shall include a summary of relevant SWMP and Appendix 2 activities conducted in the TMDL area to address the applicable TMDL parameter(s).

B. For applicable TMDLs not listed in Appendix 2, compliance with this Permit shall constitute compliance with those TMDLs.

C. For TMDLs that are approved by EPA after this Permit is issued, Ecology may establish TMDL related permit requirements through future permit modification if Ecology determines implementation of actions, monitoring, or reporting necessary to demonstrate reasonable further progress toward achieving TMDL waste load allocations, and other targets, are not occurring and shall be implemented during the term of this Permit or when this Permit is reissued. Permittees are encouraged to participate in development of TMDLs within their jurisdiction and to begin implementation.

S8. MONITORING AND ASSESSMENT

A. Regional Status and Trends Monitoring

1. All Permittees that chose S8.B Status and Trends Monitoring Option #1 in the *Phase II Western Washington Municipal Stormwater Permit,* August 1, 2013 – July 31, 2018 (extended to July 31, 2019), shall make a one-time payment into the collective fund to implement regional small streams and marine nearshore areas status and trends monitoring in Puget Sound. This payment is due on or before December 1, 2019. Submit payment according to Section S8.D, below.

2. All City and County Permittees covered under the *Phase II Western Washington Municipal Stormwater Permit,* August 1, 2013 – July 31, 2018 (extended to July 31, 2019), except the Cities of Aberdeen and Centralia, shall notify Ecology in writing which of the following two options for regional status and trends monitoring (S8.A.2.a or S8.A.2.b) the Permittee chooses to carry out during this permit term. The written notification with G19 signature is due to Ecology no later than December 1, 2019.

a. Make annual payments into a collective fund to implement regional receiving water status and trends monitoring of either: small streams and marine nearshore areas in Puget Sound; or, urban streams in Clark and Cowlitz Counties in the Lower Columbia River basin, depending on the Permittee's location. The annual payments into the collective fund are due on or before August 15 each year beginning in 2020. Submit payments according to Section S8.D, below.

Or

b. Conduct stormwater discharge monitoring per the requirements in S8.C.

Either option will fully satisfy the Permittee's obligations under this Section (S8.A.2). Each Permittee shall select a single option for this permit term.

B. Stormwater Management Program (SWMP) Effectiveness and Source Identification Studies

1. All Permittees that chose S8.C Effectiveness Studies Option #1 in the *Phase II Western Washington Municipal Stormwater Permit,* August 1, 2013 – July 31, 2018 (extended to July 31, 2019), shall make a one-time payment into the collective fund to implement effectiveness studies and source identification studies. The payment is due on or before December 1, 2019. Submit payment according to Section S8.D, below.

2. All City and County Permittees covered under the *Phase II Western Washington Municipal Stormwater Permit,* August 1, 2013 – July 31, 2018 (extended to July 31, 2019), shall notify Ecology in writing which of the following two options (S8.B.2.a or S8.B.2.b) for effectiveness and source identification studies the Permittee chooses to carry out during this permit term. The written notification with G19 signature is due to Ecology no later than December 1, 2019.

   a. Make annual payments into a collective fund to implement effectiveness and source identification studies. The annual payments into the collective fund are due on or before August 15 each year beginning in 2020. Submit payments according to Section S8.D, below.

      Or

   b. Conduct stormwater discharge monitoring per the requirements in S8.C.

   Either option will fully satisfy the Permittee's obligations under this Section (S8.B.2). Each Permittee shall select a single option for this permit term.

3. All Permittees shall provide information as requested for effectiveness and source identification studies that are under contract with Ecology as active Stormwater Action Monitoring (SAM) projects. These requests will be limited to records of SWMP activities and associated data tracked and/or maintained in accordance with S5 – *Stormwater Management Program for Cities, Towns, and Counties* and/or S9 – *Reporting Requirements*. A maximum of three requests during the permit term from the SAM Coordinator will be transmitted to the Permittee's permit coordinator via Ecology's regional permit manager. The Permittee shall have 90 days to provide the requested information.

C. Stormwater discharge monitoring.

1. This Section applies only to Permittees who choose to conduct stormwater discharge monitoring per S8.A.2.b and/or S8.B.2.b in lieu of participation in the regional status and trends monitoring and/or effectiveness and source identification studies. These Permittees shall conduct monitoring in accordance with Appendix 9 and an Ecology-approved Quality Assurance Project Plan (QAPP) as follows:

   a. Permittees who choose the option to conduct stormwater discharge monitoring for either S8.A.2 or S8.B.2 shall monitor three independent discharge locations.

      Permittees who choose the option to conduct stormwater discharge monitoring for both S8.A.2 and S8.B.2 shall conduct this monitoring at a total of six locations; at least four locations shall be independent (one location may be nested in another basin).

   b. No later than February 1, 2020, each Permittee shall submit to Ecology a draft stormwater discharge monitoring QAPP for review and approval. The QAPP shall be prepared in accordance with the requirements in Appendix 9. The final QAPP shall be submitted to Ecology for approval as soon as possible following finalization, and before August 15, 2020 or within 60 days of receiving Ecology's comments on the draft QAPP (whichever is later).

   c. Flow monitoring shall begin no later than October 1, 2020 or within 30 days of receiving Ecology's approval of the final QAPP (whichever is later). Stormwater discharge monitoring shall be fully implemented no later than October 1, 2021.

d. Data and analyses shall be reported annually in accordance with the Ecology-approved QAPP. Each Permittee shall enter into the Department's Environmental Information Management (EIM) database all water and solids concentration data collected pursuant to Appendix 9.

D. Payments into the collective funds.

1. Each Permittee's S8.A and S8.B payment amounts are listed in Appendix 11 and in the invoices that will be sent to the Permittee approximately three months in advance of each payment due date.

2. Mail payments according to the instructions in the invoice, or via United States Postal Service to:

Department of Ecology Cashiering Unit
P.O. Box 47611
Olympia, WA 98405-7611

S9. REPORTING REQUIREMENTS

A. No later than March 31 of each year beginning in 2020, each Permittee shall submit an annual report. The reporting period for the annual report will be the previous calendar year unless otherwise specified.

Permittees shall submit annual reports electronically using Ecology's Water Quality Permitting Portal (WQWebPortal) available on Ecology's website.

Permittees unable to submit electronically through Ecology's WQWebPortal shall contact Ecology to request a waiver and obtain instructions on how to submit an annual report in an alternative format.

B. Each Permittee is required to keep all records related to this Permit and the SWMP for at least five years.

C. Each Permittee shall make all records related to this Permit and the Permittee's SWMP available to the public at reasonable times during business hours. The Permittee will provide a copy of the most recent annual report to any individual or entity, upon request.

1. A reasonable charge may be assessed by the Permittee for making photocopies of records.

2. The Permittee may require reasonable advance notice of intent to review records related to this Permit.

D. The annual report for cities, towns, and counties

Each annual report shall include the following:

1. A copy of the Permittee's current SWMP Plan, as required by S5.A.2.

2. Submittal of the annual report form as provided by Ecology pursuant to S9.A, describing the status of implementation of the requirements of this Permit during the reporting period.

3. Attachments to the annual report form including summaries, descriptions, reports, and other information as required, or as applicable, to meet the requirements of this Permit during the reporting period, or as a required submittal. Refer to Appendix 3 for annual report questions.[31]
4. If applicable, notice that the MS4 is relying on another governmental entity to satisfy any of the obligations under this Permit.
5. Certification and signature pursuant to G19.D, and notification of any changes to authorization pursuant to G19.C.
6. A notification of any annexations, incorporations or jurisdictional boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period.

E. Annual report for Secondary Permittees

Each annual report shall include the following:

1. Submittal of the annual report form as provided by Ecology pursuant to S9.A, describing the status of implementation of the requirements of this Permit during the reporting period.
2. Attachments to the annual report form including summaries, descriptions, reports, and other information as required, or as applicable, to meet the requirements of this Permit during the reporting period. Refer to Appendix 4 for annual report questions.
3. If applicable, notice that the MS4 is relying on another governmental entity to satisfy any of the obligations under this Permit.
4. Certification and signature pursuant to G19.D, and notification of any changes to authorization pursuant to G19.C.
5. A notification of any jurisdictional boundary changes resulting in an increase or decrease in the Secondary Permittee's geographic area of permit coverage during the reporting period.

[31] New Permittees refer to Appendix 5 for annual report questions.

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this Permit shall be consistent with the terms and conditions of this Permit.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control to achieve compliance with the terms and conditions of this Permit.

G3. NOTIFICATION OF DISCHARGE, INCLUDING SPILLS

If a Permittee has knowledge of a discharge, including spills, into or from a MS4 which could constitute a threat to human health, welfare, or the environment, the Permittee shall:

A. Take appropriate action to correct or minimize the threat to human health, welfare and/or the environment.

B. Notify the Ecology regional office and other appropriate spill response authorities immediately but in no case later than within 24 hours of obtaining that knowledge.

C. Immediately report spills or other discharges which might cause bacterial contamination of marine waters, such as discharges resulting from broken sewer lines and failing onsite septic systems, to the Ecology regional office and to the Department of Health, Shellfish Program.

D. Immediately report spills or discharges of oils or hazardous substances to the Ecology regional office and to the Washington Emergency Management Division at 1-800-258-5990.

G4. BYPASS PROHIBITED

The intentional bypass of stormwater from all or any portion of a stormwater treatment BMP whenever the design capacity of the treatment BMP is not exceeded, is prohibited unless the following conditions are met:

A. Bypass is: (1) unavoidable to prevent loss of life, personal injury, or severe property damage; or (2) necessary to perform construction or maintenance-related activities essential to meet the requirements of the Clean Water Act (CWA); and

B. There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated stormwater, or maintenance during normal dry periods.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

G5. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law at reasonable times:

A. To enter upon the Permittee's premises where a discharge is located or where any records shall be kept under the terms and conditions of this Permit.

B. To have access to, and copy at reasonable cost and at reasonable times, any records that shall be kept under the terms of the Permit.

C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the Permit.

D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities.

E. To sample at reasonable times any discharge of pollutants.

G6. DUTY TO MITIGATE

The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this Permit which has a reasonable likelihood of adversely affecting human health or the environment.

G7. PROPERTY RIGHTS

This Permit does not convey any property rights of any sort, or any exclusive privilege.

G8. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the Permit shall be construed as excusing the Permittee from compliance with any other applicable federal, state, or local statutes, ordinances, or regulations.

G9. MONITORING

A. Representative Sampling

Samples and measurements taken to meet the requirements of this Permit shall be representative of the volume and nature of the monitored discharge, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

B. Records Retention

The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit, for a period of at least five years. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Ecology. On request, monitoring data and analysis shall be provided to Ecology.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who

performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Test Procedures

All sampling and analytical methods used to meet the monitoring requirements in this Permit shall conform to the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136, unless otherwise specified in this Permit or approved in writing by Ecology.

E. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations or at a minimum frequency of at least one calibration per year. Calibration records should be maintained for a minimum of three years.

F. Lab Accreditation

All monitoring data, except for flow, temperature, conductivity, pH, total residual chlorine, and other exceptions approved by Ecology, shall be prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 WAC. Soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by Ecology. Quick methods of field detection of pollutants including nutrients, surfactants, salinity, and other parameters are exempted from this requirement when the purpose of the sampling is identification and removal of a suspected illicit discharge.

G. Additional Monitoring

Ecology may establish specific monitoring requirements in addition to those contained in this Permit by administrative order or permit modification.

G10. REMOVED SUBSTANCES

With the exception of decant from street waste vehicles, the Permittee shall not allow collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of stormwater to be resuspended or reintroduced to the MS4 or to waters of the State. Decant from street waste vehicles resulting from cleaning stormwater facilities may be reintroduced only when other practical means are not available and only in accordance with the Street Waste Disposal Guidelines in Appendix 6. Solids generated from maintenance of the MS4 may be reclaimed, recycled, or reused when allowed by local codes and ordinances. Soils that are identified as contaminated pursuant to Chapter 173-350 WAC shall be disposed at a qualified solid waste disposal facility (see Appendix 6).

G11. SEVERABILITY

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit shall not be affected thereby.

G12. REVOCATION OF COVERAGE

The director may terminate coverage under this General Permit in accordance with Chapter 43.21B RCW and Chapter 173-226 WAC. Cases where coverage may be terminated include, but are not limited to the following:

A. Violation of any term or condition of this general permit;

B. Obtaining coverage under this general permit by misrepresentation or failure to disclose fully all relevant facts;

C. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

D. A determination that the permitted activity endangers human health or the environment, or contributes significantly to water quality standards violations;

E. Failure or refusal of the Permittee to allow entry as required in Chapter 90.48.090 RCW;

F. Nonpayment of permit fees assessed pursuant to Chapter 90.48.465 RCW;

Revocation of coverage under this general permit may be initiated by Ecology or requested by any interested person.

G13. TRANSFER OF COVERAGE

The director may require any discharger authorized by this General Permit to apply for and obtain an individual permit in accordance with Chapter 43.21B RCW and Chapter 173-226 WAC.

G14. GENERAL PERMIT MODIFICATION AND REVOCATION

This General Permit may be modified, revoked and reissued, or terminated in accordance with the provisions of WAC 173-226-230. Grounds for modification, revocation and reissuance, or termination include, but are not limited to the following:

A. A change occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this General Permit;

B. Effluent limitation guidelines or standards are promulgated pursuant to the CWA or Chapter 90.48 RCW, for the category of dischargers covered under this General Permit;

C. A water quality management plan containing requirements applicable to the category of dischargers covered under this General Permit is approved; or

D. Information is obtained which indicates that cumulative effects on the environment from dischargers covered under this General Permit are unacceptable.

E. Changes in state law that reference this Permit.

G15. REPORTING A CAUSE FOR MODIFICATION OR REVOCATION

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation and reissuance under General Condition G12, G14, or 40 CFR 122.62 must report such plans, or such information, to Ecology so that a decision can be made on whether action to modify, or revoke and reissue this Permit will be

required. Ecology may then require submission of a new or amended application. Submission of such application does not relieve the Permittee of the duty to comply with this Permit until it is modified or reissued.

G16. APPEALS

A. The terms and conditions of this General Permit, as they apply to the appropriate class of dischargers, are subject to appeal within thirty days of issuance of this General Permit, in accordance with Chapter 43.21B RCW, and Chapter 173-226 WAC.

B. The terms and conditions of this General Permit, as they apply to an individual discharger, are appealable in accordance with Chapter 43.21B RCW within thirty days of the effective date of coverage of that discharger. Consideration of an appeal of General Permit coverage of an individual discharger is limited to the General Permit's applicability or nonapplicability to that individual discharger.

C. The appeal of General Permit coverage of an individual discharger does not affect any other dischargers covered under this General Permit. If the terms and conditions of this General Permit are found to be inapplicable to any individual discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

D. Modifications of this Permit are appealable in accordance with Chapter 43.21B RCW and Chapter 173-226 WAC.

G17. PENALTIES

40 CFR 122.41(a)(2) and (3), 40 CFR 122.41(j)(5), and 40 CFR 122.41(k)(2) are hereby incorporated into this Permit by reference.

G18. DUTY TO REAPPLY

The Permittee shall apply for permit renewal at least 180 days prior to the specified expiration date of this Permit.

G19. Certification and Signature

All formal submittals to Ecology shall be signed and certified.

A. All permit applications shall be signed by either a principal executive officer or ranking elected official.

B. All formal submittals required by this Permit shall be signed by a person described, above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described, above, and submitted to Ecology, and

2. The authorization specifies either an individual or a position having responsibility for the overall development and implementation of the stormwater management program. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

C. Changes to authorization. If an authorization under condition G19.B.2 is no longer accurate because a different individual or position has responsibility for the overall development and implementation of the stormwater management program, a new authorization satisfying the requirements of condition G19.B.2 must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification. Any person signing a formal submittal under this Permit shall make the following certification:

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that Qualified Personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations."

G20. Non-compliance notification

In the event a Permittee is unable to comply with any of the terms and conditions of this Permit, the Permittee must:

A. Notify Ecology of the failure to comply with the permit terms and conditions in writing within 30 days of becoming aware that the non-compliance has occurred. The written notification must include all of the following:

1. A description of the non-compliance, including dates.
2. Beginning and end dates of the non-compliance, and if the compliance has not been corrected, the anticipated date of correction.
3. Steps taken or planned to reduce, eliminate, or prevent reoccurrence of the non-compliance.

B. Take appropriate action to stop or correct the condition of non-compliance.

G21. UPSETS

Permittees must meet the conditions of 40 CFR 122.41(n) regarding "Upsets." The conditions are as follows:

A. ***Definition.*** "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

B. ***Effect of an upset.*** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (C) of this condition are met. Any determination made during administrative

review of claims that noncompliance was caused by upset, and before an action for noncompliance, will not constitute final administrative action subject to judicial review.

C. ***Conditions necessary for demonstration of upset.*** A Permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:

1. An upset occurred and that the Permittee can identify the cause(s) of the upset;
2. The permitted facility was at the time being properly operated; and
3. The Permittee submitted notice of the upset as required in 40 CFR 122.41(l)(6)(ii)(B) (24-hour notice of noncompliance).
4. The Permittee complied with any remedial measures required under 40 CFR 122.41(d) (Duty to Mitigate).

D. ***Burden of proof.*** In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

DEFINITIONS AND ACRONYMS

This Section includes definitions for terms used in the body of the Permit and in all the appendices except Appendix 1. Terms defined in Appendix 1 are necessary to implement requirements related to Appendix 1.

40 CFR means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

AKART means All Known, Available, and Reasonable methods of prevention, control and Treatment. See also State Water Pollution Control Act, Chapter 90.48.010 RCW and Chapter 90.48.520 RCW.

All Known, Available and Reasonable Methods of Prevention, Control and Treatment (AKART) refers to the State Water Pollution Control Act, Chapter 90.48.010 RCW and Chapter 90.48.520 RCW.

Applicable TMDL means a TMDL which has been approved by EPA on or before the issuance date of this Permit, or prior to the date that Ecology issues coverage under this Permit, whichever is later.

Beneficial Uses means uses of waters of the State, which include but are not limited to use for domestic, stock watering, industrial, commercial, agricultural, irrigation, mining, fish and wildlife maintenance and enhancement, recreation, generation of electric power and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the State.

Best Management Practices are the schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices approved by Ecology that, when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington State.

BMP means Best Management Practice.

Bypass means the diversion of stormwater from any portion of a stormwater treatment facility.

Circuit means a portion of a MS4 discharging to a single point or serving a discrete area determined by traffic volumes, land use, topography or the configuration of the MS4.

Component or **Program Component** means an element of the Stormwater Management Program listed in S5 - *Stormwater Management Program for Cities, Towns, and Counties*, or S6 – S*tormwater Management Program for Secondary Permittees*, or S7 – *Compliance with Total Maximum Daily Load Requirements*, or S8 – *Monitoring and Assessment*, of this Permit.

Community-based social marketing is a social marketing methodology. It employs a systematic approach intended to change the behavior of communities to reduce their impact on the environment. Realizing that providing information is usually not sufficient to initiate behavior change, community-based social marketing uses tools and findings from social psychology to discover the perceived barriers to behavior change and ways of overcoming these barriers.

Conveyance System means that portion of the municipal separate storm sewer system designed or used for conveying stormwater.

Co-Permittee means an owner or operator of an MS4 which is in a cooperative agreement with at least one other applicant for coverage under this Permit. A Co-Permittee is an owner or operator of a regulated MS4 located within or in proximity to another regulated MS4. A Co-Permittee is only responsible for permit conditions relating to discharges from the MS4 the Co-Permittee owns or operates. See also 40 CFR 122.26(b)(1).

CWA means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (6-483 and Pub. L. 97-117, 33 U.S.C. 1251 *et seq*.).

Director means the Director of the Washington State Department of Ecology, or an authorized representative.

Discharge Point means the location where a discharge leaves the Permittee's MS4 through the Permittee's MS4 facilities/BMPs designed to infiltrate.

Entity means a governmental body, or a public or private organization.

EPA means the U.S. Environmental Protection Agency.

Fully Stabilized means the establishment of a permanent vegetative cover, or equivalent permanent stabilization measures (such as riprap, gabions or geotextiles) which prevents erosion.

General Permit means a permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.

Groundwater means water in a saturated zone or stratum beneath the surface of the land or below a surface water body. Refer to Chapter 173-200 WAC.

Hazardous Substance means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or WAC 173-303-100.

Heavy Equipment Maintenance or Storage Yard means an uncovered area where any heavy equipment, such as mowing equipment, excavators, dump trucks, backhoes, or bulldozers are washed or maintained, or where at least five pieces of heavy equipment are stored on a long-term basis.

Highway means a main public road connecting towns and cities.

Hydraulically Near means runoff from the site discharges to the sensitive feature without significant natural attenuation of flows that allows for suspended solids removal. See Appendix 7 Determining Construction Site Sediment Damage Potential for a more detailed definition.

Hyperchlorinated means water that contains more than 10 mg/Liter chlorine.

Illicit Connection means any infrastructure connection to the MS4 that is not intended, permitted or used for collecting and conveying stormwater or non-stormwater discharges allowed as specified in this Permit (S5.C.5 and S6.D.3). Examples include sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, or outlets that are connected directly to the MS4.

Illicit Discharge means any discharge to a MS4 that is not composed entirely of stormwater or of non-stormwater discharges allowed as specified in this Permit (S5.C.5 and S6.D.3).

Impervious Surface means a non-vegetated surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or stormwater areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

Land Disturbing Activity means any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to clearing, grading, filling and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered land disturbing activity. Vegetation maintenance practices, including landscape maintenance and gardening, are not considered land disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.

LID means Low Impact Development.

LID BMP means Low Impact Development Best Management Practices.

LID Principles means land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

Low Impact Development (LID) means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

Low Impact Development Best Management Practices (LID BMP) means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, vegetated roofs, minimum excavation foundations, and water re-use.

Material Storage Facilities means an uncovered area where bulk materials (liquid, solid, granular, etc.) are stored in piles, barrels, tanks, bins, crates, or other means.

Maximum Extent Practicable refers to paragraph 402(p)(3)(B)(iii) of the federal Clean Water Act which reads as follows: Permits for discharges from municipal storm sewers shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques, and system, design, and engineering methods, and other such provisions as the Administrator or the State determines appropriate for the control of such pollutants.

MEP means Maximum Extent Practicable.

MS4 means Municipal Separate Storm Sewer System.

Municipal Separate Storm Sewer System means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

(i) Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of Washington State.

(ii) Designed or used for collecting or conveying stormwater.

(iii) Which is not a combined sewer;

(iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.; and

(v) Which is defined as "large" or "medium" or "small" or otherwise designated by Ecology pursuant to 40 CFR 122.26.

National Pollutant Discharge Elimination System means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the State from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington State Department of Ecology.

Native Vegetation means vegetation comprised of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. Examples include trees such as Douglas Fir, western hemlock, western red cedar, alder, big-leaf maple; shrubs such as willow, elderberry, salmonberry, and salal; and herbaceous plants such as sword fern, foam flower, and fireweed.

New Development means land disturbing activities, including Class IV General Forest Practices that are conversions from timber land to other uses; structural development, including construction or installation of a building or other structure; creation of hard surfaces; and subdivision, short subdivision and binding site plans, as defined and applied in Chapter 58.17 RCW. Projects meeting the definition of redevelopment shall not be considered new development. Refer to Appendix 1 for a definition of hard surfaces.

New Permittee means a city, town, or county that is subject to the *Western Washington Municipal Stormwater General Permit* and was not subject to the permit prior to July 1, 2019.

New Secondary Permittee means a Secondary Permittee that is covered under a municipal stormwater general permit and was not covered by the permit prior to July 1, 2019.

NOI means Notice of Intent.

Notice of Intent (NOI) means the application for, or a request for coverage under, a General Permit pursuant to WAC 173-226-200.

Notice of Intent for Construction Activity means the application form for coverage under the *Construction Stormwater General Permit.*

Notice of Intent for Industrial Activity means the application form for coverage under the *Industrial Stormwater General Permit.*

NPDES means National Pollutant Discharge Elimination System.

Outfall means a point source as defined by 40 CFR 122.2 at the point where a discharge leaves the Permittee's MS4 and enters a surface receiving waterbody or surface receiving waters. Outfall does not include pipes, tunnels, or other conveyances which connect segments of the same stream or other surface waters and are used to convey primarily surface waters (i.e., culverts).

Overburdened Community means minority, low-income, tribal, or indigenous populations or geographic locations in Washington State that potentially experience disproportionate environmental harms and risks. This disproportionality can be as a result of greater vulnerability to environmental hazards, lack of opportunity for public participation, or other factors. Increased vulnerability may be attributable to an accumulation of negative or lack of positive environmental, health, economic, or social conditions within these populations or places. The term describes situations where multiple factors, including both environmental and socio-economic stressors, may act cumulatively to affect health and the environment and contribute to persistent environmental health disparities.

Permittee unless otherwise noted, the term "Permittee" includes city, town, or county Permittee, Co-Permittee, New Permittee, Secondary Permittee, and New Secondary Permittee.

Physically Interconnected means that one MS4 is connected to another storm sewer system in such a way that it allows for direct discharges to the second system. For example, the roads with drainage systems and municipal streets of one entity are physically connected directly to a storm sewer system belonging to another entity.

Project site means that portion of a property, properties, or right-of-ways subject to land disturbing activities, new hard surfaces, or replaced hard surfaces. Refer to Appendix 1 for a definition of hard surfaces.

QAPP means Quality Assurance Project Plan.

Qualified Personnel means someone who has had professional training in the aspects of stormwater management for which they are responsible and are under the functional control of the Permittee. Qualified Personnel may be staff members, contractors, or volunteers.

Quality Assurance Project Plan means a document that describes the objectives of an environmental study and the procedures to be followed to achieve those objectives.

RCW means the Revised Code of Washington State.

Receiving Waterbody or **Receiving Waters** means naturally and/or reconstructed naturally occurring surface water bodies, such as creeks, streams, rivers, lakes, wetlands, estuaries, and marine waters, or groundwater, to which a MS4 discharges.

Redevelopment means, on a site that is already substantially developed (i.e., has 35% or more of existing hard surface coverage), the creation or addition of hard surfaces; the expansion of a building footprint or addition or replacement of a structure; structural development including construction, installation or expansion of a building or other structure; replacement of hard surface that is not part of a routine maintenance activity; and land disturbing activities. Refer to Appendix 1 for a definition of hard surfaces.

Regulated Small Municipal Separate Storm Sewer System means a Municipal Separate Storm Sewer System which is automatically designated for inclusion in the Phase II stormwater permitting program by

its location within an Urbanized Area, or by designation by Ecology and is not eligible for a waiver or exemption under S1.C.

Runoff is water that travels across the land surface and discharges to water bodies either directly or through a collection and conveyance system. See also "***Stormwater***."

SAM means Stormwater Action Monitoring

Secondary Permittee is an operator of a regulated small MS4 which is not a city, town or county. Secondary Permittees include special purpose districts and other public entities that meet the criteria in S1.B.

Sediment/Erosion-Sensitive Feature means an area subject to significant degradation due to the effect of construction runoff, or areas requiring special protection to prevent erosion. See Appendix 7 Determining Construction Site Sediment Damage Potential for a more detailed definition.

Shared Water Bodies means water bodies, including downstream segments, lakes and estuaries that receive discharges from more than one Permittee.

Significant Contributor means a discharge that contributes a loading of pollutants considered to be sufficient to cause or exacerbate the deterioration of receiving water quality or instream habitat conditions.

Small Municipal Separate Storm Sewer System means an MS4 that is not defined as "large" or "medium" pursuant to 40 CFR 122.26(b)(4) & (7) or designated under 40 CFR 122.26 (a)(1)(v).

Source Control BMP means a structure or operation that is intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants. The *SWMMWW* separates source control BMPs into two types. Structural Source Control BMPs are physical, structural, or mechanical devices, or facilities that are intended to prevent pollutants from entering stormwater. Operational BMPs are non-structural practices that prevent or reduce pollutants from entering stormwater.

Stormwater means runoff during and following precipitation and snowmelt events, including surface runoff, drainage or interflow.

Stormwater Action Monitoring (SAM) is the regional stormwater monitoring program for Western Washington. This means, for all of Western Washington, a stormwater-focused monitoring and assessment program consisting of these components: status and trends monitoring in small streams and marine nearshore areas, stormwater management program effectiveness studies, and source identification projects. The priorities and scope for SAM are set by a formal stakeholder group that selects the studies and oversees the program's administration.

Stormwater Associated with Industrial and Construction Activity means the discharge from any conveyance which is used for collecting and conveying stormwater, which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, or associated with clearing, grading and/or excavation, and is required to have an NPDES permit in accordance with 40 CFR 122.26.

Stormwater facility retrofits means both: projects that retrofit existing treatment and/or flow control facilities; and new flow control or treatment facilities or BMPs that will address impacts from existing development.

Stormwater Management Program (SWMP) means a set of actions and activities designed to reduce the discharge of pollutants from the MS4 to the MEP and to protect water quality, and comprising the components listed in S5 (for cities, towns, and counties) or S6 (for Secondary Permittees) of this Permit and any additional actions necessary to meet the requirements of applicable TMDLs pursuant to S7 – *Compliance with TMDL Requirements,* and S8– *Monitoring and Assessment*.

Stormwater Treatment and Flow Control BMPs/Facilities means detention facilities, permanent treatment BMPs/facilities; and bioretention, vegetated roofs, and permeable pavements that help meet Appendix 1 Minimum Requirements #6 (treatment), #7 (flow control), or both.

Surface Waters includes lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the State of Washington.

SWMMWW or **Stormwater Management Manual for Western Washington** means *Stormwater Management Manual for Western Washington (2019).*

SWMP means Stormwater Management Program.

TMDL means Total Maximum Daily Load.

Total Maximum Daily Load (TMDL) means a water cleanup plan. A TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The calculation must include a margin of safety to ensure that the water body can be used for the purposes the state has designated. The calculation must also account for seasonable variation in water quality. Water quality standards are set by states, territories, and tribes. They identify the uses for each water body, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use. The Clean Water Act, Section 303, establishes the water quality standards and TMDL programs.

Tributary Conveyance means pipes, ditches, catch basins, and inlets owned or operated by the Permittee and designed or used for collecting and conveying stormwater.

UGA means Urban Growth Area.

Urban Growth Area (UGA) means those areas designated by a county pursuant to RCW 36.70A.110.

Urbanized Area is a federally-designated land area comprising one or more places and the adjacent densely settled surrounding area that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile. Urbanized Areas are designated by the U.S. Census Bureau based on the most recent decennial census.

Vehicle Maintenance or Storage Facility means an uncovered area where any vehicles are regularly washed or maintained, or where at least 10 vehicles are stored.

Water Quality Standards means Surface Water Quality Standards, Chapter 173-201A WAC, Groundwater Quality Standards, Chapter 173-200 WAC, and Sediment Management Standards, Chapter 173-204 WAC.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the State" as defined in

Chapter 90.48 RCW which includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington.

Waters of the United States refers to the definition in 40 CFR 122.2.

Clearing, Grading, Grubbing, and Forest Practices

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Many property owners think that the first step toward development of their property is to clear it. However, there is good reason to take that step carefully with due diligence.

Areas to Avoid Clearing

Critical Areas

In clearing your property, you **must** avoid:

- **Wetlands**, **streams**, **lakes**, **ponds**, **marine shorelines**, and the area around them (in some cases 300 feet or more from the water)
- Areas with a **high risk of erosion or landslides**, generally slopes exceeding 30% gradient
- **Special flood hazard areas**, i.e., areas shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map as Zone A, AO, A1-A30, AH, V, V1-V30, or floodway.

Clearing within these areas may result in serious penalties from the County or other agencies. Submit a Request for Critical Areas Review to our department to ensure you avoid these areas.

Conserved Land

Some land, including your own, might be restricted by covenants held by a homeowner's association, or conservation easements held by neighbors, a land trust, or the County. Consider obtaining a title report from a title company prior to clearing to ensure your property doesn't have such restrictions.

Others' Property

It can be difficult to determine property boundaries on uncleared land. The true property owner can sue for timber trespass (cutting someone else's trees or shrubs),[1] which carries triple damages. Consider engaging a professional land surveyor to determine your property boundaries.

Grading

"Grading" is any combination of excavation or fill. "Excavation" is removal of earth material by artificial means. "Fill" is deposition of earth material by artificial means.

Generally, filling and grading requires a permit from Skagit County before the work is started. However, some filling and grading is exempt from permitting, including:[2]

- **excavation** for construction of a structure that has a building permit that includes the excavation;
- **excavation** that meets all of the following:
  - outside of critical areas and buffers (unless critical areas review occurred and the location approved);
  - < 2 ft deep;
  - does not obstruct natural drainage;
  - does not create a cut slope > 5 ft high and steeper than 1.5:1;
  - does not exceed 100 cu yards of excavated material.
- **fill** that is either:
  - Less than 1 ft deep, placed on natural terrain with a slope less than 12%, and outside of critical areas and buffers (unless critical areas review occurred and the location approve); OR
  - Less than 3 ft deep, not more than 100 cu yards, not intended to support structures, and outside of critical areas and buffers (unless there has been critical areas review of the project and the location has been approved).
- excavations for wells
- trenches for utilities
- agricultural activities (e.g., tilling, fertilizing, planting)
- cemetery graves
- refuse disposal sites controlled by other regulations
- exploratory excavations under the direction of a registered design professional
- work located primarily in a public way
- mining, quarrying, excavating, processing, or stockpiling rocks, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties

Any work that changes a natural drainage course requires a permit.

All work, even when it does not require a permit, must comply with the building, critical areas, and stormwater code.

Floodway is an extremely hazardous area with high erosion potential; grading is **not** permitted, unless a "No-Rise Study" is provided.

Cutting Trees

Harvest of merchantable timber is a "forest practice activity" under state law. Read on to determine when a permit is required. "Merchantable timber" means trees that will yield logs or fiber suitable in size and quality for the production of lumber, plywood, pulp, or other forest products. Generally, trees of 6 inches or more diameter at breast height (about 4½ feet) are considered merchantable timber.

Are you cutting less than two acres of contiguous land ownership for personal use?

This is a Class 1 forest practice, which may not require a forest practice permit.

Are you cutting more than two acres of contiguous land ownership, but less than 5000 board feet, for personal use?

This is a Class 1 forest practice, which may not require a forest practice permit. A logging truck holds a little more than 5000 board feet. If you're unsure of your quantity of timber, the Department of Natural Resources can help you estimate.

Are you cutting more than 5000 board feet on more than two acres of contiguous land ownership, for any use or purpose?

This is a forest practice that requires a permit from the Department of Natural Resources. For more information, visit www.dnr.wa.gov/programs-and-services/forest-practices.

Planning to Build

Avoid a Forest Practice Conversion Moratorium

When you harvest more than 5,000 board feet AND you intend to convert the land to use other than forestry you will need to obtain a Class IV General forest practice conversion permit.[3] A Class IV-G permit is a collaborative application including both Skagit County (acting as the SEPA lead agency) and the Washington Department of Natural Resources (permit issuing agency). Apply with Skagit County Planning and Development Services.

A six-year moratorium on development applies to lands where a Class II, Class III, or Class IV Special forest practices permit has been issued or where a timber harvest meeting the criteria for a Class II, III, or IV-S has occurred without a permit. A moratorium is avoided by obtaining a Class IV G forest practice conversion permit, or a Conversion Option Harvest Plan (COHP) authorization.

Consider Future Stormwater Management

Skagit County recommends that you *not* clear your property until you are ready to begin construction. Stormwater management, especially within the County's NPDES Permit Area, can be made more difficult if the land is already cleared. The best practice is to:

1. Request a Critical Areas review to determine presence of critical areas on site.
2. Determine your desired size and approximate location of your construction and other impervious surfaces (driveways, parking, patios, etc.).
3. Identify the best method for managing stormwater onsite consistent with county requirements.
4. Design your project with that stormwater management method in mind, and apply for a building permit.

All land clearing within Skagit County's jurisdiction must follow a Stormwater Pollution Prevention Plan (SWPPP) to ensure erosion and sediment control. A model SWPPP is available at skagitcounty.net/stormwaterpermitting.

[1] RCW 64.12.030 and RCW 4.24.630.

[2] IBC Appendix J, Section J103.2, Exemptions, and amendments thereto adopted by SCC 15.04.030(1)(h).

[3] Some forest practices on some lands likely to be converted are governed by SCC 14.24.110 to ensure protection of critical areas.

Building Permit Application Packet

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
Voice 360-416-1320 · Inspections 360-416-1330 · www.skagitcounty.net/planning

This application is used for variety of projects; therefore, not all items may be necessary. Additional applications and supplemental forms that may be required, as well as helpful handouts, are found online at https://www.skagitcounty.net/Departments/PlanningAndPermit/forms.htm.

An application is required for each separate structure. Prior to submittal, please check online for form updates, as they may have changed during your project planning.

Step 1:

Prior to turning in this application, please review the **Building Permit Application Checklist** on the next page. Depending on your project's scope, additional approvals may be required before acceptable of your application submittal. Applications are arranged on the checklist to move you through the process as efficiently as possible. SEPA, variances, and special use permits may be applied for concurrently with the building permit, but at the risk of the applicant if the application is not approved.

Step 2:

Once items 1-10 are approved and you have completed items 11-16, the application should be submitted to our department. A plan check fee will be required once the application is deemed complete for submission.

Helpful Tips:

- Inquire about timeframes when planning your project and specify submittal date. Timeframes vary seasonally.
- Permits are valid for three years. If you cannot complete your project, you can request in writing a six month extension for free OR pay a renewal fee for a three year extension (SCC 15.04.020 Section 105.5).
- Do you need an estimate for your permit, other application costs, or impact fees? Ask a Permit Technician!
- Determine your project's zoning designation and read about it in the Skagit County Code. Your zoning designation will tell you if your project is permitted or if you need a special use permit, setbacks for your project, lot coverage and special conditions that may apply to your project. If your property is in a plat, read your plat notes.
- If you revise your project after submittal, there will be a minimum of one hour staff review fee added to your file. A revision will also add additional time on to your project, so please plan accordingly.
- If the review time goes past the estimate given at submittal, and you have not been contacted for more information, please do not hesitate to call us to inquire.
- Permit Technicians are available to assist with questions during Permit Center counter hours or by phone/email.
- Helpful links:
  - http://www.skagitcounty.net/Search/Property/
  - https://www.skagitcounty.net/Maps/iMap/

Building Permit Application Checklist

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
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Application #:
Date:

Owner Name: _____

Parcel Number(s): _____

APP	PDS	THE FOLLOWING MUST BE APPROVED BEFORE YOU APPLY FOR YOUR BUILDING PERMIT APPLICATION*:	
☐		1. Lot Certification	☐ Not required – interior remodel (no change of use), repair, or no expansion of structure ☐ Approved and recorded under auditor #_____; OR ☐ To be processed with building permit per staff review (recording fee will be applied)
☐		2. Project Address	☐ Not required per 15.24.040(11); OR ☐ Verified in database:_____
☐		3. Pre- App Meeting	☐ Not required per Skagit County Code 14.06.080; OR ☐ Meeting date:_____; OR ☐ Waiver approved with PDS staff signature (attach form)
☐		4. SEPA Checklist	☐ Not required, SEPA Exempt Use Description: _____; OR ☐ SEPA file #:_____
☐		5. Zoning Approval	☐ Zone: _____, Setbacks: F___S___S___R___ OR ☐ Variance permit #:_____ ☐ Permitted use type: _____; OR ☐ Special use permit #: _____
☐		6. Project Water Review	☐ Individual drilled well, review #_____ (water quality test current); OR ☐ Alternative approved water source, review #_____; OR ☐ Community well, review #_____ (specific to project); OR ☐ City of Anacortes, Town of La Conner, Skagit PUD-Judy Reservoir (attach original, signed proof of availability, expires 1 year from signature) ☐ Not required: _____
☐		7. Critical Areas Review	☐ Not required, interior remodel only, no increased septic use; OR ☐ Project area approval letter, PL#:_____; OR ☐ Protected Critical Area site plan, auditor #_____; OR ☐ Completed with plat, PL#:_____, OR ☐ Done with File #_____
☐		8. Shoreline	☐ Not required, project not in Shoreline Jurisdiction (map available at Permit Center); OR ☐ Shoreline jurisdiction, meets Shoreline Management Master Program requirements; OR ☐ Shoreline permit #:_____
☐		9. Access	☐ Not required, no dwelling unit proposed AND access point unchanged since March 1st, 1978; OR ☐ Access to existing private road:_____; OR ☐ Access easement auditor # :_____; OR ☐ Access to state highway, WSDOT permit attached; OR ☐ Access permit file #_____
☐		10. Septic/Sewer	☐ Not required, no plumbing, additional bedrooms, or commercial kitchen proposed; OR ☐ Septic permit #: _____ , # of approved bedrooms/users: _____; OR ☐ Public sewer (submit letter of availability at building permit submittal, expires in 1 year)

*A SEPA, variance, and special use permit can be applied for concurrently, but at the applicant's risk.

APP	PDS	COMPLETE THE FOLLOWING ITEMS AND ATTACH THEM TO YOUR APPLICATION:	
☐		11. Title Notices	☐ Required (attach worksheet and applicable title notices - printed, signed and notarized)
☐		12. Floodplain Application	☐ Not required, not in Flood Hazard Area, Panel #:_____ Zone:_____; OR ☐ In Flood Hazard Area, Panel #:_____ Zone: _____ BFE/Depth:____ Velocity:_____; OR ☐ Floodway (attach no-rise study if in Floodway)
☐		13. Stormwater Review	☐ Not required, interior remodel or deck w/ pervious surface underneath; OR ☐ Required (attach stormwater review worksheet)
☐		14. Fire Access	☐ Required, complies with Driveway Standards for Skagit County (see handout in packet)
☐		15. Site Plan	☐ Not required, interior remodel, excludes change of use to living space; OR ☐ Required (attach 2 copies of your site plan)
☐		16. Construction Plans	☐ New structures/additions (attach 2 construction plans, 1 extra floorplan); OR ☐ Interior remodel (attach 3 before/after floorplans and scope of work); OR ☐ Manufactured Home (attach 2 installation manuals, 2 floorplans)
☐		17. Fees	☐ Plan check fee (remaining fees will be collected at permit issuance)

Residential Project Details Sheet

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voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Application #:
Date:

Complete **AFTER** you have finalized your site planning and drawn up your construction plan. Confirm that dimensions listed and the breakdown of structure parts (i.e. garage, deck, etc) match the construction plan.

Property Owner					
Contact		Phone		Email	
Parcel No(s)		Site Address			
Building Type	☐ Residence (site-built) ☐ Residential garage/shed/shop/storage	☐ Accessory Dwelling Unit ☐ Manufactured home	☐ Agricultural building ☐ Other:		
Type of Work	☐ New ☐ Addition ☐ Remodel ☐ Repair ☐ Replacement ☐ Other:				
Is plumbing proposed?	☐ Yes ☐ No	Is project attached/detached to another structure?	☐ Attached ☐ Detached		
Is the lot vacant?	☐ Yes ☐ No	Do you own adjoining land?	☐ Yes, Parcel(s): _____ ☐ No		

☐ Site-Built

Proposed new living space:		Proposed new other space:	
Finished	sq ft	Garage	sq ft
Unfinished	sq ft	Shed	sq ft
Addition	sq ft	Carport	sq ft
Remodel	sq ft	Post frame	sq ft
Repair	sq ft	Deck/porch	sq ft
Other			
Foundation	lineal feet (if foundation only)		
Bedrooms	Existing:	Proposed new:	
Change of Use	From:	To:	

☐ Manufactured/Mobile Home

Make		Model	
# Bedrooms		Year	
Vehicle ID (VIN)			
Type	☐ manufactured/mobile ☐ modular (UBC)		
Footprint	sq ft		
Foundation	lineal feet (modular only)		
Installer			
Cert # WAINS			

☐ Non-Building Structures *(e.g., signs, containers, retaining walls)*

Description	
Area or Distance	☐ ft or ☐ sq ft
Project value	$

☐ Grading

Proposed fill	cu yds
Proposed excavation	cu yds
Amount of disturbed area	sq ft
Proposed tree removal	☐ Yes ☐ No
Proposed clearing/grubbing	☐ Yes ☐ No
Where will excavated material go?	

Staff Use Only:

Additional Fees (impact, plat notes, etc.):

Other Jurisdictions:

Associated Files:

Special Conditions of Project:

Commercial Project Details Sheet

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voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Application #:
Date:

Complete **AFTER** you have finalized your site planning and drawn up your construction plan. Confirm that dimensions listed and the breakdown of structure parts (i.e. garage, deck, etc) match the construction plan.

Property Owner					
Contact		Phone		Email	
Parcel No(s)		Site Address			
Building Type	☐ Commercial building ☐ Communications tower	☐ Commercial Coach ☐ Utility Building	☐ Agricultural building ☐ Other:		
Type of Work	☐ New ☐ Addition ☐ Repair ☐ Replacement ☐ Tenant Improvement ☐ Other:				
Project Title					
Is the lot vacant?	☐ Yes ☐ No	Do you own adjoining land?	☐ Yes, Parcel(s): _____ ☐ No		

☐ Proposed Construction

Footprint			sq ft
Number of stories		Height	
Heated	☐ Yes ☐ No		
Sprinklers	☐ Yes ☐ No		
Building use			
Project value	$		

☐ Proposed Change of Use

Current/recent use	
Proposed use	
Building area	sq ft
Number of stories	
Heated	☐ Yes ☐ No
Currently sprinkled	☐ Yes ☐ No
Other buildings within 30 feet?	☐ Yes ☐ No
Project value	$

☐ Non-Building Structures

e.g., signs, containers, retaining walls, sprinklers, alarms

Description	
Area or Distance	☐ ft or ☐ sq ft
Project value	$

☐ Tenant Improvement

Footprint	sq ft
Adjacent uses	
Heated	☐ Yes ☐ No
Currently sprinkled	☐ Yes ☐ No
Project value	$

☐ Commercial Coach

Make		Model	
# Bedrooms		Year	
Vehicle ID (VIN)			
Type	☐ manufactured/mobile ☐ modular (UBC)		
Footprint	sq ft		
Foundation	lineal feet (modular only)		
Installer			
Cert # WAINS			

Staff Use Only:

Additional Fees (impact, plat notes, etc.):

Other Jurisdictions:

Associated Files:

Special Conditions of Project:

Contact Information & Signature Form

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Voice 360-416-1320 · Inspections 360-416-1330 · www.skagitcounty.net/planning

Application #:
Date:

An application will not be accepted without this form. By signing this form, the undersigned certifies that the statements, answers, and information both on this form and the remainder of this permit application are true and correct to the best of his or her knowledge and belief.

Property Owner

Name _____ Parcel(s) _____

Mailing Address _____ Phone _____

City, State, Zip _____ Email _____

Contractor ☐ Same as property owner

Name _____ Phone _____

Mailing Address _____ Email _____

City, State, Zip _____ License # _____ Expires _____

Contact ☐ Same as property owner ☐ Same as contractor

Name _____ Phone _____

Mailing Address _____ Email _____

City, State, Zip _____ License # _____ Expires _____

Financing[1] ☐ None ☐ Lender below is providing construction financing ☐ Firm below has issued payment bond

Name _____ Mailing Address _____

Phone _____ City, State, Zip _____

☐ I am the owner of the subject property and I grant permission to field staff to enter the site to verify the presence or absence of critical areas and perform inspections of work proposed by this application; OR

☐ I have the consent of the owners of the subject property and have attached Agent Authorization Form(s) (SCC 14.06.090); OR

☐ This is a fire suppression permit, mechanical/plumbing permit, water review, or pre-development/pre-app meeting request; the property owner's authorization is not required.

Signature(s): _____ **Title:** _____

Printed Name: _____ **Company:** _____

Date: _____

[1] Required by RCW 19.27.095(2)(d) for building permit applications.

Agent Authorization Form

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
Voice 360-416-1320 · Inspections 360-416-1330 · www.skagitcounty.net/planning

Application #:
Date:

Use this form to authorize someone other than the property owner to apply for permits.

Project Site

Property Address: _____

City, State, Zip: _____

Authorization Statement

I/we, as the owners of the property identified above, authorize _____ to act as agent to submit applications, receive correspondence regarding the application, and sign title notices on my/our behalf.

I/we grant permission to field staff to enter the site to verify the presence or absence of critical areas and perform inspections of work proposed by this application.

Property Owner Signature(s)

Signature:	_____	Signature:	_____
Printed Name:	_____	Printed Name:	_____
Title:	_____	Title:	_____
Company:	_____	Company:	_____
Date:	_____	Date:	_____

Notarization

I certify that I know or have satisfactory evidence that _____ is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: _____

(Notary seal or stamp above)

_____
Signature of Notary Public

_____
Printed Name of Notary Public

My appointment expires _____

Site Plan Requirements Checklist

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voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Instructions

Check the box when you have placed the element on your site plan. Staff cannot accept applications without each of the required elements. All elements are **required** to be shown regardless of project type. Use the site plan example provided as guidance for drawing your own site plan. All plans and details must be legible, clear, and drawn to scale. Staff will review your site plan against our latest aerial imagery to ensure your site plan matches.

APP	PDS	
☐	☐	**1. Paper** ☐ Use a standard engineering scale with a minimum scale of 1" = 40'. Note: • If the project area is too large to fit on the page at the minimum scale, submit a view showing the proposed project area only and provide a separate overview of the entire property on the same page. • **All critical area, floodplain, grading, zoning and building site plans must be drawn to the same scale.**
		2. Title Block ☐ Applicant's name ☐ Site address ☐ Parcel Number(s) ☐ Date ☐ Map scale (a graphic scale is preferred) ☐ North arrow ☐ Architect, engineer, and surveyor contact information, if applicable ☐ DOE Construction General Stormwater Permit number, if required
☐	☐	**3. Boundaries** ☐ Property line dimensions of all relevant parcels ☐ Easements (e.g., utility, drainage, dike, access, right-of-way, railroad) with Auditor's File Numbers ☐ Dashed lines for the required setbacks from all property lines, critical areas, and shorelines ☐ If within 200 feet of the ordinary high water mark (OHWM), show OHWM and setbacks from OHWM to all structures, including neighbors' structures, within 300 feet from both side of the property lines. **Please provide on a separate page.** ☐ If within 500 feet of a dike or levee, show measurements from the landward toe of the dike to the project
		4. Buildings ☐ Dimensions of ALL existing and proposed buildings on the parcels (including eaves) ☐ Building labels by use (e.g., residence, garage) ☐ Labeled decks, patios and porches. Show height and indicate covered/uncovered ☐ Dimensions of ALL existing and proposed hard surfaces on the property, including sidewalks, parking areas, driveways, etc. ☐ Retaining and landscape walls. Show height and type (e.g. concrete, masonry, rock, Ecology block, etc.)
☐	☐	**5. Access** ☐ Length/width of proposed and existing driveway and parking areas to public/private road connection point ☐ Access easement and right-of-way width(s) and pavement width/location within the easement ☐ Driveway grade in percent of slope, both in the direction of travel and the cross-slope ☐ Location and size of any required turnouts ☐ Driveway surface material (e.g., asphalt, pervious pavement, gravel) ☐ Dimensions of bridges on driveway or private road leading to a public road
		6. Wells and water lines ☐ Drinking water supply (existing and proposed, public or individual) ☐ Existing and proposed wells. Show a 100' radius around each well ☐ Public water mains ☐ Water supply pipes to all buildings
☐	☐	**7. Utilities** ☐ Utility poles, drainage ditches, culverts (including those in right-of-way adjacent to site) ☐ Below-grade pipes (e.g., water, sewer, telecom); include size, material type, and depth (if known) ☐ Location of any existing or proposed fuel tank (e.g., propane, fuel oil) ☐ Indicate above/below ground ☐ Show tank volume

		8. Septic/Sewer ☐ Method of sewage disposal ☐ For public sewer, show: ☐ location of sewer main ☐ private pipes to buildings ☐ For private septic, show existing and proposed: ☐ Tanks (must be 5' from the building foundation, 5’ from property lines, and 50' from any well) ☐ Drain fields (must be 10' from the building foundation, 5’ from property lines and 100' from any well) ☐ Lines/pipes
		9. Slope ☐ Existing slopes and area/depth of any proposed site grading or fill. Label existing slopes as “existing” or “Ex” ☐ Proposed final slope(s) of building site using contour lines or arrows to show direction and percent of slope(s). Percentage % of slope = rise (change in elevation) divided by run (distance) multiplied by 100. ☐ Identify any erosion or landslide areas and any potentially unstable slopes greater than 15%
		10. Stormwater and Temporary Erosion & Sedimentation Control (TESC) ☐ Location and dimensions of existing and proposed stormwater components, including but not limited to: ☐ Infiltration or dispersion systems ☐ Stormwater ponds or other facilities such as raingardens or bio-retention ☐ Roof and footing drain lines, including specific downspout locations, if known ☐ Floor drains within the building, if connecting to the stormwater system or discharging to the outside ☐ Rainwater catchment systems ☐ Trees 12”diameter or larger, on or adjacent to the site, in the vicinity of stormwater components ☐ Temporary erosion and sediment control (“TESC”) techniques: ☐ Work/clearing limits: a boundary defining the limit of the work area, and those areas to be protected. Examples of areas to be protected include trees, stormwater infiltration areas, and wetlands. ☐ Location & type of TESC BMP: Show location of all applicable TESC best management practice (BMP) facilities. See also Stormwater Pollution Prevention Plan (SWPPP). ☐ Location of stabilized construction entrance; minimum of 25 feet long for residential projects, minimum 100 feet long for all other project types. ☐ Location of porta-pottie(s); should be at least 25 feet away from any storm inlets or critical areas ☐ Location of materials stockpiles, equipment and supply staging area. Areas to be used for septic drainfields and stormwater infiltration should be protected and avoided. ☐ Location of washout basin(s), e.g., concrete washout. ☐ If you project proposes the following, a separate stormwater site plan must be prepare by a qualified professional and must include an offsite analysis. • Land-disturbing activity greater than or equal to one acre; • Grading greater than or equal to 500 cubic yards; • Any improvements within County right-of-way for which the County will ultimately assume responsibility for maintenance.
		11. Floodplain ☐ Method and location of Compensatory flood storage, if property is not protected by a dike/levee ☐ Statement that impervious surface does not exceed 10% of surface area of the portion of the lot in the SFHA unless demonstrated that there will be no net increase in the rate and volume of stormwater surface runoff that will leave the site or that the impact is mitigated
		12. Miscellaneous ☐ Mark all existing buildings and features with (E), proposed with (P), and future with (F) ☐ Draw clouds around any revisions from previous site plans you submitted for this application ☐ You may not discharge runoff directly onto the surface of a public road.[1] ☐ You may not discharge runoff into County-owned roadside ditches without permission. ☐ You must direct runoff and infiltration away from septic drain fields.[2] ☐ You must direct runoff to not adversely affect adjacent properties, or cause a significant adverse impact to down-gradient properties.[3]

[1] SCC 14.32.080(1)(c)
[2] SCC 14.32.080(1)(d)
[3] SCC 14.32.080(1)(e)-(f)

Title Notice Worksheet

Planning & Development Services · 1800 Continental Place · Mount Vernon WA
Voice 360-416-1320 · Inspections 360-416-1330 ·www.skagitcounty.net/planning

This worksheet is designed to assist in title notice requirement determination. Skagit County's iMap can help you answer questions 2, 3, and 5. If it's determined a title notice is required, you will be emailed the documents needed along with steps for completion prior to permit issuance.

1. Accessory Dwelling Unit (ADU)

Are you proposing a new or modified ADU?

- ☐ No. Nothing further required. Go to question **2**.
- ☐ Yes. You will receive a title notice to complete.

2. Airport Environs Overlay (AEO)

Q1. Is your parcel within the Airport Environs Overlay? [2]

- ☐ No. Nothing further required. Go to question **3**.
- ☐ Yes. What is your Airport Compatibility Zone (ACZ)?
  - ☐ ACZ 1. No recordings are required. Go to **Q2**.
  - ☐ ACZ 2-6. You must record certain title notices with the County Auditor. The Port of Skagit County will assist you with these notices and pay for the recordings. Call the Port at 360-757-0011 to schedule an appointment at the Port Administration Office. Provide the Auditor's File Number(s) for the documents that they record: _____

Q2. If your project is anywhere in the AEO, does your proposed building height impede the contours shown on the AEO FAA Aeronautical Review Map? (Layer List = AEO FAA Aeronautical Review Contours)

- ☐ No. Nothing further required. Go to question **3.**
- ☐ Yes. Submit online a Notice of Proposed Construction or Alteration (FAA Form 7460-1) to the FAA at least 45 days before the proposed start date of the proposed construction or alteration, and attach proof of your form submission (e.g., an email receipt).

3. Pipeline Safety

Is your parcel wholly or partially within 100 feet of any hazardous liquid or natural gas transmission pipeline as depicted on the Skagit County's pipeline map?[3]

- ☐ No. Nothing further required. Go to question **4**.
- ☐ Yes. Choose one:
  - ☐ Provide the Auditor's File Number of the document already recorded: _____; or
  - ☐ You will receive a title notice to complete.

4. Special Flood Hazard Areas (SFHA)

Is your project area wholly or partially within SFHA (Zone A, A1-30, AE, AH, A0, A99, V, V1-30 and VE)?

- ☐ No. Nothing further required. Go to question **5**.
- ☐ Yes. Choose one:
  - ☐ Provide the Auditor's File Number of the document already recorded: _____; or
  - ☐ You will receive a title notice to complete.

5. Natural Resource Lands (NRL)

Q1. Are you proposing a new primary residence on land zoned Agricultural—Natural Resource Land (Ag-NRL)?

- ☐ No. Go to question **Q2**.
- ☐ Yes. Is your parcel size greater than 1 acre?
  - ☐ No. Nothing further required. Go to question **Q2**.
  - ☐ Yes. You must demonstrate three years of income from **your own** commercial agricultural production on the parcel averaging at least $100 per acre per year for the last three years.[1] You will receive an Affidavit Certifying Accessory Use to Commercial Agricultural Production and a Notice of Development Activity on Designated Agricultural Land.

Q2. Is your parcel **outside of and immediately adjacent** to natural resource land zoning, which includes Agriculture, Industrial Forest, Secondary Forest, Rural Resource, or Natural Resource Industrial?

- ☐ No. Nothing further required.
- ☐ Yes. Are you proposing a new building **within 200 feet** of natural resource land zoning?
  - ☐ No. Nothing further required.
  - ☐ Yes. Choose one:
    - ☐ Provide the Auditor's File Number of the document already recorded: _____; or
    - ☐ For Secondary Forest, Rural Resource, and Natural Resource Industrial, you will receive a Waiver of 200' NRL Setback for SF-NRL, NRI, and RRC-NRL Zoning.
    - ☐ For Agriculture and Industrial Forest, you will received a Waiver of 200' NRL Setback for AG-NRL and IF-NRL Zoning and;
      - ☐ Will need to obtain adjacent landowner's approval on the title notice; or
      - ☐ Leave the adjacent landowner section blank and submit a letter stating that you were unable to obtain landowner's approval and the reasons why including dates and methods of contact.

[1] AOI August 25, 2009, revised May 14, 2010. Rental income is not considered agricultural income.
[2] SCC 14.16.210
[3] SCC 14.16.835

Development In or Adjacent to NRL

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voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Application #:
Date:

Notice of Development

If you apply for a development permit on a site in, or within 500 feet of, any Natural Resource Lands zone, the application must include this signed statement.[1] Go to https://www.skagitcounty.net/Maps/iMap/ and select Comprehensive Plan under Planning and Development Services to determine if this requirement applies to your project. Applications submitted on or after July 5, 2016, no longer require a title notice recorded with the Auditor. If a building permit was approved prior to the date above, the document can be found in the Recorded Document link on Skagit County's Property Search Page for the given property address.

Site

Site Address _____ City _____ Zip _____

Parcel No(s) _____ Zoning _____

Property Owner(s)

Name _____ Mailing Address _____

City, State _____ Zip _____ Phone _____

Statement

This parcel lies within an area or is within 500 feet of an area designated as a natural resource land (agricultural, forest, and mineral resource lands of long-term commercial significance) in Skagit County. A variety of natural resource land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals; or from spraying, pruning, harvesting, or mineral extraction with associated activities, which occasionally generates traffic, dust, smoke, noise, and odor. Skagit County has established natural resource management operations as a priority use on designated natural resource lands, and area residents should be prepared to accept such incompatibilities, inconveniences, or discomfort from normal, necessary natural resource land operations when performed in compliance with best management practices and local, State, and Federal law. In the case of mineral lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals. In addition, greater setbacks than typical may be required from the resource area, consistent with SCC 14.16.810. Contact Skagit County Planning and Development Services for details.

Signature(s): _____ **Title:** _____

Printed Name: _____ **Company:** _____

Date: _____

[1] Skagit County Code 14.16.870, implementing RCW 36.70A.060(1)(b).

Stormwater Review Worksheet

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
Voice 360-416-1320 · Inspections 360-416-1330 · www.skagitcounty.net/planning

Application #:
Date:

This worksheet is required if your project adds ANY impervious/hard surface or disturbs ANY of the land on your property. The amount of impervious/hard surface or land disturbance on your parcel correlates to the amount of stormwater it will generate, and its potential impact on downstream properties. Stormwater requirements are determined based on where the project is occurring and how much disturbance is taking place. Answer the information below to determine what stormwater requirements apply to your project.

Helpful Definitions

- **Hard surface** means an impervious surface, a permeable pavement, or a vegetated roof.
- **Impervious surface** means a non- vegetated surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area, which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to rooftops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces, which similarly impeded the natural flow of stormwater. SCC 14.04.020.
- **Land Disturbing Activity** means any activity that result in a change in the existing soil cover (both vegetative and nonvegetative) or the existing soil topography, including clearing, grading, filling and excavation.

Attachments, if required by this worksheet

☐ Stormwater Pollution Prevention Plan (SWPPP) See Part 2.
☐ Best Management Practices (BMPs) for stormwater components, such as infiltration trench, drywell, rain garden, etc.
☐ Plat notes and/or stormwater report for the property. Site-specific limitations, including plat design, variances, geo-technical reports, etc. may be more restrictive than the thresholds and requirements represented in this worksheet.

Part 1 Project Site Details

① Use the categories to help define your hard surface areas. Use the "Other" lines as needed. It is important to count all surfaces and that measurements are consistent with your site plan.

② Fill in the square footage of existing hard surfaces that you do not intend to alter.

③ If you plan to create new hard surface OR replace existing hard surfaces with new hard surfaces, list those amounts in column 3. If you plan to REMOVE hard surfaces as part of your project **and not** replace them, list those as negative amounts, using the "Other" lines as necessary.

① Type of Impervious or Hard Surface	② Existing (sq ft)	③ New or Replaced (sq ft)
House + attached garage roof area **(include eaves)**		
Detached garage + carport roof area **(include eaves)**		
Accessory dwelling unit roof area **(include eaves)**		
Parking area + driveway + compacted gravel		
Patio + covered deck area		
Sidewalk		
Permeable pavement or vegetated roof (hard surface)		
Other:		
Other:		
Other:		
Other:		
Totals of Above		Ⓐ

Additional Information and Calculations

Is your project area in an Urban Growth Area?	Ⓑ
Is your project area in the NPDES area?	Ⓒ
Is your project area in the 100 year floodplain?	Ⓓ
Lot size (sq ft)	
% Existing and New or Replaced Coverage (surface ÷ lot size x 100)	Ⓕ %
Total land-disturbing activity	Ⓖ

Part 2 Construction Stormwater Pollution Prevention Plan ("Construction SWPPP")

A Construction SWPPP is required to ensure your construction uses proper methods to control erosion and sediment. PDS provides a model Construction SWPPP, or you can draft your own consistent with the Stormwater Management Manual for Western Washington. **Make sure to add your Construction SWPPP elements to your site plan.** Choose one:

☐ I will use the Model Construction SWPPP for **non-engineered projects only.**
☐ I will use a custom Construction SWPPP, which I have attached. Required for **engineered projects**.

☐ I want to defer submittal of a Custom Construction SWPPP. Projects that require coverage under the Ecology Construction General Stormwater Permit (clearing, grading, and excavating activities that disturb one or more acres) may defer submittal. The Construction SWPPP must be submitted prior to permit issuance. Deferred submittal may delay your permit approval. Please note that the County reviews the Construction SWPPP, but has no role in review or issuance of the Ecology Construction General Stormwater Permit.

Part 3 Stormwater Requirement Threshold Determination

Use the numbers and information you generated from page one to guide you through stormwater requirements for your project. This will help you determine whether you need to fully comply with the Stormwater Manual or if you can use Limited Stormwater Planning.

Q1: Does your project add or replace 20,000 sq ft of impervious/hard surface, convert 1.5 acres or more of vegetation to lawn, or convert 5 acres or more of vegetation to pasture?

- ☐ **No**. Go to next question.
- ☐ **Yes**. Go to **Part 4a Full Stormwater Manual** section of this form.

Q2: Is any portion of your project site within the County's NPDES Permit Area (Ⓒ), within an Urban Growth Area (Ⓑ), or is your project a commercial, industrial, institutional, or multifamily residential?

- ☐ **No**. Go to next question.
- ☐ **Yes**. Does your project add 2,000 sq ft impervious/hard surface or disturb 7,000sq ft of land**?**
  - ☐ No. Go to next question.
  - ☐ Yes. Go to **Part 4a Full Stormwater Manual** section of this form.

Q3: Is your parcel less than one acre?

- ☐ Yes. Does your project propose 4,000 sq ft or more of new or replacement of existing, hard surface?
  - ☐ No. Is your land disturbing activity more than 14,000 sq ft?
    - ☐ Yes. Go to **Part 4a Full Stormwater Manual** section of this form.
    - ☐ No. Go to next question.
  - ☐ Yes. Go to **Part 4a Full Stormwater Manual** section of this form.
- ☐ No. Does your project propose 7,000 sq ft or more of new or replacement of existing, hard surface?
  - ☐ No. Is your land disturbing activity more than 14,000 sq ft?
    - ☐ Yes. See **Part 4b Limited Stormwater Planning** section of this form. Go to next question.
    - ☐ No. Go to next question.
  - ☐ Yes. See **Part 4b Limited Stormwater Planning** section of this form. Go to next question.

Q4: Is your project in the floodplain or coastal flood area (Special Hazard Flood Area/ SFHA) (Ⓓ)?

- ☐ **No**. Turn in page 1 and 2 of the worksheet and a copy of the **Model Construction Stormwater Pollution Prevention Plan (SWPPP)** with your grading/building application. Nothing further required.
- ☐ **Yes.** Go to **Part 4c Floodplain LID Compliance**.

Part 4a Full Stormwater Manual Compliance

Because your project is subject to the requirements of the County's NPDES Permit or in an UGA, your project must plan for stormwater management in full compliance with Ecology's Stormwater Management Manual for Western Washington.

Q1. Follow the flow charts at the end of this worksheet to identify which Minimum Requirements apply to your project. Choose one:
☐ My project is subject to Minimum Requirements **1 through 5**.
☐ My project is subject to Minimum Requirements **1 through 9**.

Please refer to the Stormwater Management Manual's Minimum requirements at www.skagitcounty.net/stormwaterpermitting to plan appropriately for your project. See Skagit County's **Stormwater Sizing and Design Guidelines** for a list of common best management practice methods.

Guidance for Minimum Requirement 5: Low-Impact Development (LID) Requirements

Minimum Requirement 5 in the Stormwater Management Manual requires Low-Impact Development techniques to manage stormwater, unless the applicant demonstrates that those techniques are infeasible at the project site. Find complete descriptions of each technique in Chapter 5 and Chapter 7 of Volume 5 of the Stormwater Management Manual.

Q2. Is your project subject to Minimum Requirements 1-9?
☐ **No**. You must use the Stormwater BMPs from LID List #1 (below) to manage your stormwater OR use the LID Performance Standard, which requires an engineer to demonstrate compliance.
☐ **Yes**. Are you developing **outside** an Urban Growth Area **AND** on a parcel 5 acres or larger?
☐ **Yes**. You must use the LID Performance Standard, which requires an engineer to demonstrate compliance.
☐ **No**. You must use the Stormwater BMPs from LID List #2 (below) to manage your stormwater OR use the LID Performance Standard, which requires an engineer to demonstrate compliance.

LID Lists

Check the box to indicate which BMP(s) you are using in each column. **BMPs are listed in descending order of requirement**. To move downward in the list below, the applicant must demonstrate infeasibility of each BMP using each BMP's infeasibility criteria and **attach infeasibility analysis** if you are not using the first item in each column. Please note, if you are located in the Big Lake Watershed, you do not need to provide infeasibility analysis for a Rain Garden or Bioretention.

LID List #1

Roof	Lawn & Landscaped Areas	Other Surfaces
☐ Choose from: ☐ Full Dispersion (BMP T5.30) or ☐ Downspout Full Infiltration (BMP T5.10A) ☐ Choose from: ☐ Rain Gardens (BMP T5.14A) or ☐ Bioretention (BMP T7.30) ☐ Downspout Dispersion Systems (BMP T5.10B) ☐ Perforated Stub-out Connection (BMP T5.10C)	☐ Post-Construction Soil Quality and Depth (BMP T5.13)	☐ Choose from: ☐ Permeable Pavements (BMP T5.15) or ☐ Rain Gardens (BMP T5.14A) or ☐ Bioretention (BMP T7.30) ☐ Choose from: ☐ Sheet Flow Dispersion (BMP T5.12) or ☐ Concentrated Flow Dispersion (BMP T5.11)

LID List #2

Roof	Lawn & Landscaped Areas	Other Surfaces
☐ Choose from: ☐ Full Dispersion (BMP T5.30) or ☐ Downspout Full Infiltration (BMP T5.10A) ☐ Bioretention (BMP T7.30) ☐ Downspout Dispersion Systems (BMP T5.10B) ☐ Perforated Stub-out Connection (BMP T5.10C)	☐ Post-Construction Soil Quality and Depth (BMP T5.13)	☐ Permeable Pavements (BMP T5.15) ☐ Bioretention (BMP T7.30**)** ☐ Choose from: ☐ Sheet Flow Dispersion (BMP T5.12) or ☐ Concentrated Flow Dispersion (BMP T5.11)

Part 4a Full Stormwater Manual Compliance (Continued)

Site Sediment Transport Potential Requirement

Answer the following questions to determine if a site inspection is required prior to clearing and construction.[1] If soil testing has been performed on site, such as for a proposed septic system, use those results to determine the predominant soil type on the site. Otherwise, use soil information from the USDA soil survey (https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm) to determine Hydrologic Soil Group (Table of Engineering Index Properties for step 1.D) and Erosion Potential (Table of Water Features for step 1.E).

Question	**Points**
Will clearing or grading occur in the wet season (October 1-May 1)? ☐ Yes (50 pts) ☐ No (0 pts)	
Is the proposed depth of cut or height of fill greater than ten feet? ☐ Yes (25 pts) ☐ No (0 pts)	
Will you intercept surface or groundwater entering the site? ☐ Yes (0 pts) ☐ No (25 pts)	
How much site area do you propose to clear or grade? ☐ <5,000 sq ft (0 pts) ☐ 5,000 sq. ft. – 1 acre (30 pts) ☐ >1 acre (50 pts)	
What quantity of excavation, fill, and material moved onsite do you propose? (cubic yards; see chart on last page) ☐ <500 (0 pts) ☐ >5,000 – 10,000 (10 pts) ☐ 500 – 5,000 (5 pts) ☐ >10,000 – 20,000 (25 pts) ☐ >20,000 (40 pts)	
What is the existing slope of your site? (average over the full area of the project site) ☐ 2% or less (0 pts) ☐ >2-5% (5 pts) ☐ >5-10% (15 pts) ☐ >10-15% (30 pts) ☐ >15% (50 pts)	
Answer the following questions only if you have not yet reached a total of 100 points:	
What is the hydrologic soil group of your site? (helps gauge runoff potential of predominant soils) ☐ Group A (0 pts) ☐ Group B (10 pts) ☐ Group C (20 pts) ☐ Group D (40 pts)	
What is the erosion potential of predominant soils? ☐ GW, GP, SW, SP soils (**0 pts**) ☐ Dual classification (e.g., GW-GM) (**10 pts**) ☐ GM, GC, SM, SC soils (**20 pts**) ☐ ML, CL, MH, CH soils (**40 pts**)	
Total Points	

Q3. Are your total points equal to or greater than 100?

☐ **Yes**. Project site has a high potential for sediment transport. County stormwater staff will inspect the site prior to any clearing, grading or construction. **Please call in for your stormwater inspection at 360-416-1330**.

☐ **No**. Nothing further required.

[1] NPDES Permit S5.C.4.b.ii, and Appendix 7.

Reference: Minimum Requirements Flow Chart

Stormwater Management Manual Figure I-2.4.1 and Figure I-2.4.2

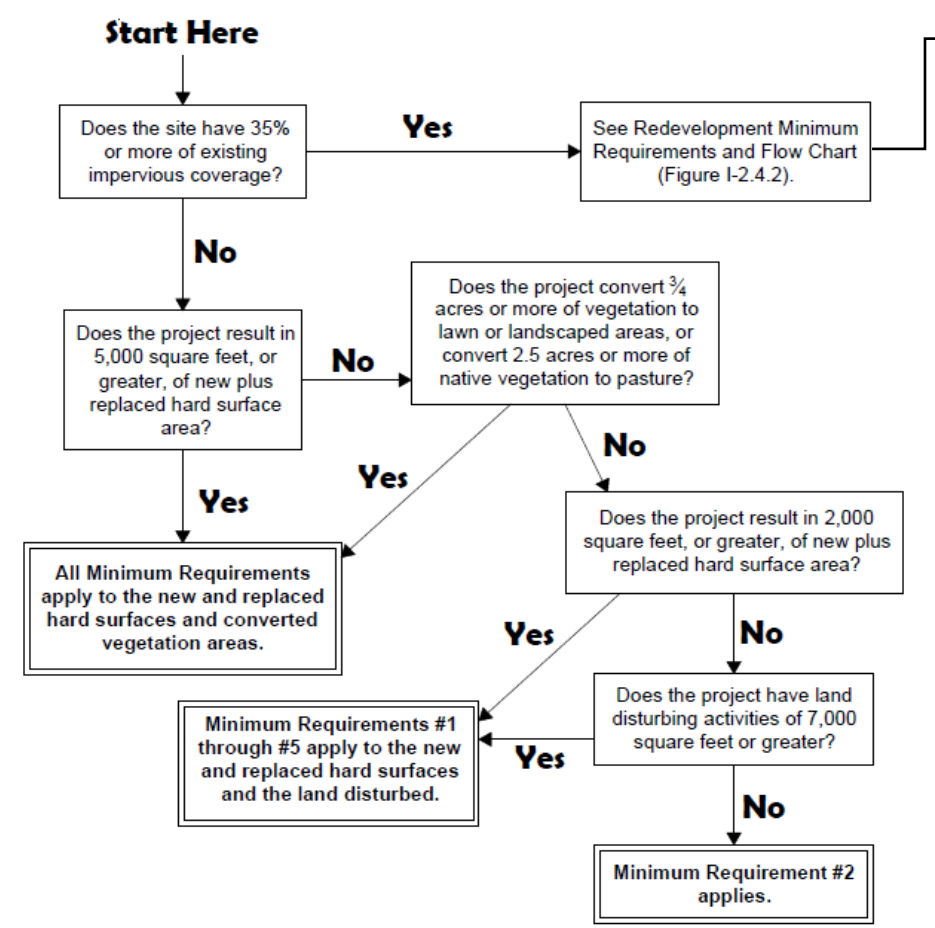


Figure I-2.4.1
Flow Chart for Determining Requirements for New Development

Revised June 2015

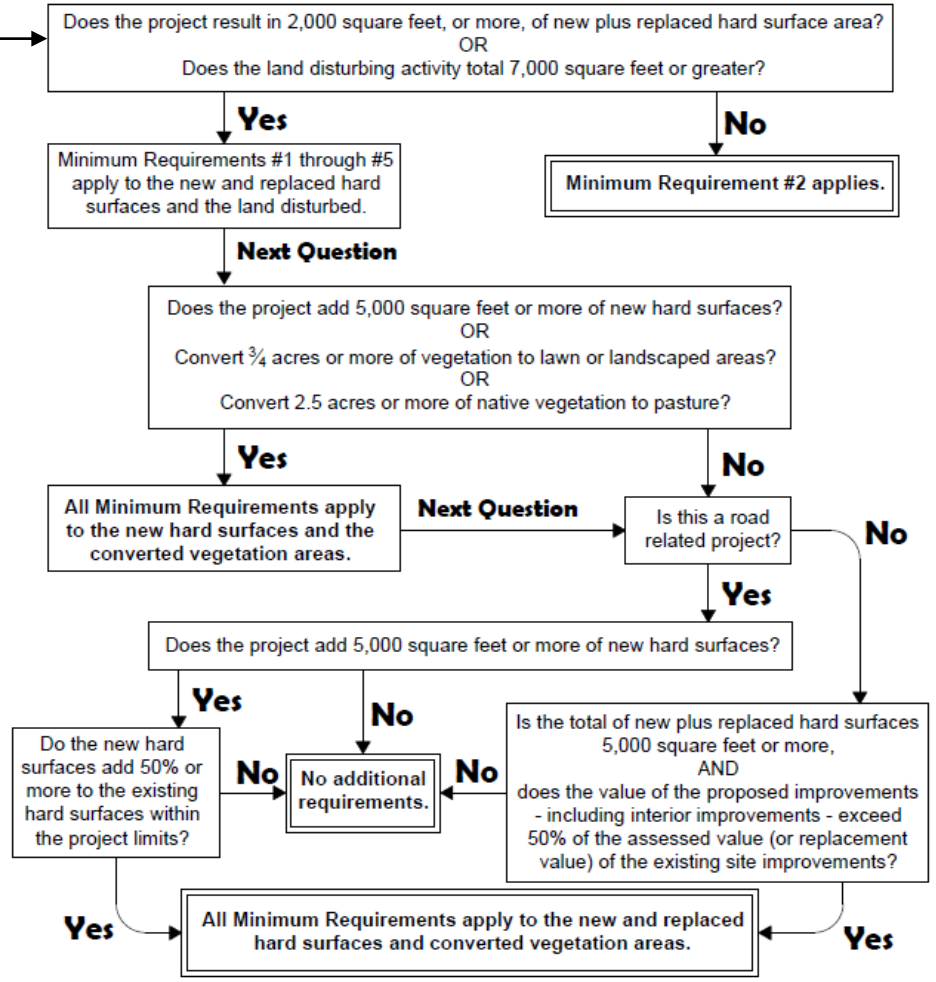


Figure I-2.4.2
Flow Chart for Determining Requirements for Redevelopment

Revised June 2015

Part 4b Limited Stormwater Planning

Essential Stormwater Management Techniques Requirement

- Stormwater from roofs and hard surfaces must be managed. See **Stormwater Sizing and Design Guidelines** for methods.
- To reduce the stormwater you generate, consider the following: [2]
  - Limit clearing and grading to the minimum necessary for construction of permitted uses and associated utilities.
  - Limit lawn areas, driveways, and roads and locate them in a manner that results in the least disruption to the topography and native vegetation on the site.
  - Cluster lots, dwelling units, or building structures during the conceptual planning stage to preserve open space, reduce total impervious surface area, and minimize development impacts on critical areas and associated buffers.
- If your parcel is one acre or larger and your project proposes 7,000 sq ft of new plus replaced hard surface, or 14,000 sq ft or more of land disturbing activity, you must also fully comply with Stormwater Management Manual Minimum Requirement 4 to preserve natural drainage.

Part 4c Floodplain LID Compliance

LID is a storm water management strategy that emphasizes conservation and the use of existing natural site features by integrating them with distributed, small-scale storm water controls to mimic natural hydrologic patterns. LID also captures and stores water for later reuse, filters out pollutants, and reduces water velocities during storm events.

☐ Impervious surface **shall not exceed 10%** of surface area of the portion of the lot in the SFHA unless demonstrated that there will be no net increase in the rate and volume of stormwater surface runoff that will leave the site or that the impact is mitigated.[1]

☐ Low Impact Development (LID) techniques must be used where technically feasible to minimize or avoid stormwater effects. See **Stormwater Sizing and Design Guidelines** for methods.

Low Impact Development (LID) techniques that primarily focus on infiltration may not be feasible in portions of some floodplains due to factors such as high groundwater soil quality, slope, drainage, and vegetative cover type. Thus, even where infiltration is not feasible, other LID techniques may be used that focus on water quality (rainwater collection and reuse, vegetation retention, and bioswales). See the **Infiltration Test Worksheet** *to determine through testing if infiltration is feasible.*

[2] SCC 14.32.070(3)(a)-(c)
[1] SCC 14.34.150(3)

Model Construction SWPPP Worksheet

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
Voice 360-416-1320 · Inspections 360-416-1330 · www.skagitcounty.net/stormwaterpermitting

Application #:
Date:

General Information

Project Name		**Parcel Size**	acres
Project Address			
Property Owner		**Phone**	
Site Contact		**Phone**	
Project Description	*Describe the nature and purpose of the construction project. Include the total size of the area, any increase in existing impervious area; the total area expected to be disturbed by clearing, grading, excavation or other construction activities, including off-site borrow and fill areas; and the volumes of grading cut and fill that are proposed.*		

Site Conditions

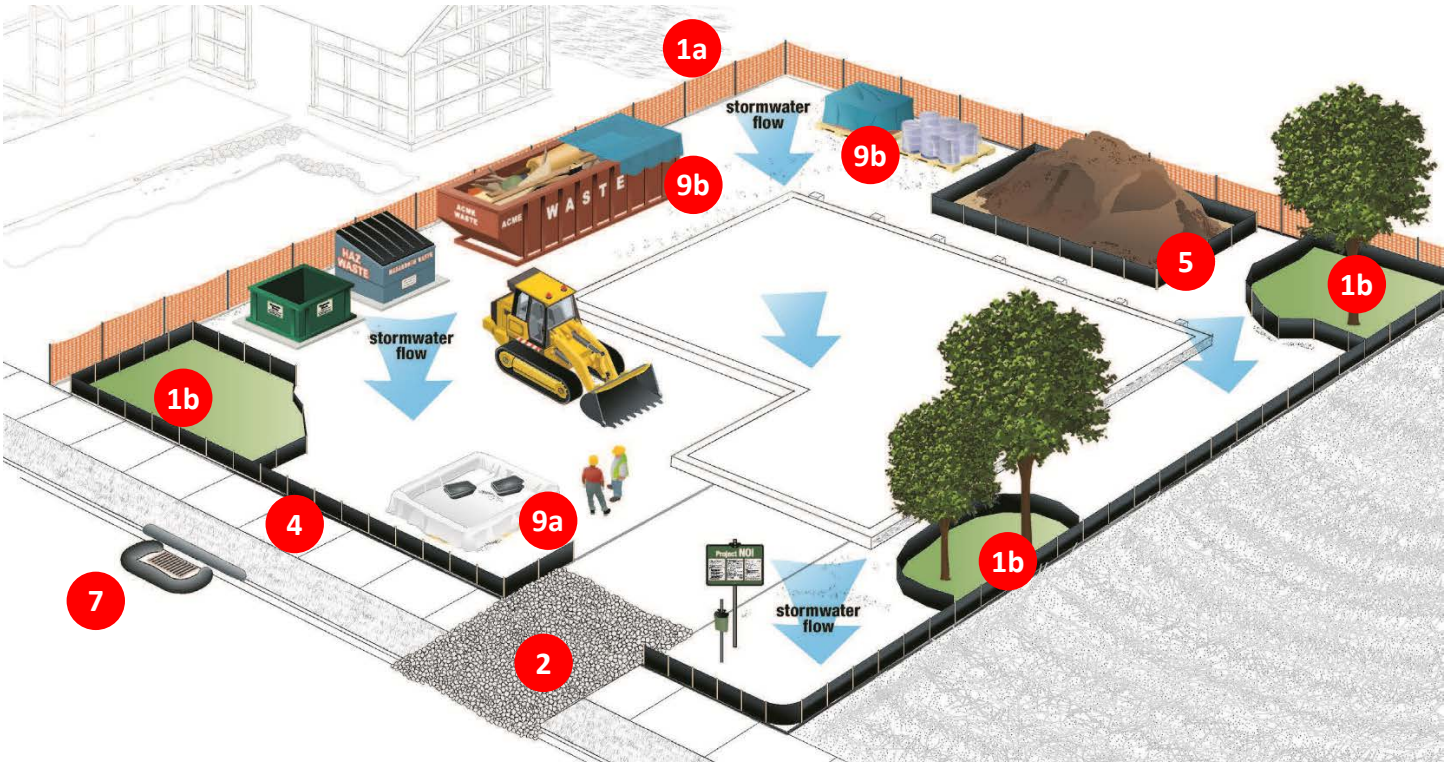
☐ **Adjacent Areas**. See the site plan, drainage plan, and construction drawings approved for the associated permit.

☐ **Critical areas.** See the critical areas site plan approved for the associated permit. Attach a copy of your critical areas site plan.

☐ Attach a copy of your building/grading permit site plan. All Best Management Practices (BMPs) chosen from this packet **MUST** be drawn on your site plan and numbered accordingly.

Best Management Practices Illustration

Turn the page to see information corresponding to each numbered circle below.



About this Pollution Prevention Plan

This is Skagit County's model Construction Stormwater Pollution Prevention Plan ("Construction SWPPP") intended to ensure your construction project minimizes erosion and does not contribute pollution, including sediment, to stormwater. This Model SWPPP is primarily intended for single-family residential construction.

This plan uses certain Best Management Practices ("BMPs") from the Stormwater Management Manual. Some detailed descriptions are included; the remainder are available at www.skagitcounty.net/stormwaterpermitting. The listed BMPs are the minimum necessary; **if erosion occurs, you must add additional BMPs as necessary to control it.**

You should include your Construction SWPPP in your contract with your builder. You must keep a copy of this SWPPP on the construction site or within reasonable access to the site for construction and inspection personnel at all times.

Property owners and contractors are responsible for ensuring all aspects of BMPs are followed, including those not shown on the detail sheets. This Construction SWPPP should be considered a living document and must be updated as needed to reflect site conditions.

1 Preserve Vegetation/Mark Clearing Limits

Before any land disturbance, including clearing and grading, **clearly mark** all clearing limits, sensitive areas and their buffers, and trees that are to be preserved within the construction area. Retain natural vegetation in an undisturbed state to the maximum extent practical. Use these BMPs:

- C101 to preserve natural vegetation
- C102 to establish buffer zones around important vegetation you want to save
- **C103 High Visibility Fencing** to mark the boundaries of your buffers
- **C233 Silt Fence** to ensure sediment doesn't leave the site

2 Establish Construction Access

Construction vehicles can damage or compact soils, create sediment pollution, or track sediment onto public roads.

All equipment and vehicles that access the construction area **must** use an existing driveway or a stabilized construction entrance.

- Use BMP C105 Stabilized Construction Entrance wherever traffic will be entering or leaving a construction site if paved roads are within 1,000 ft of the site. Construct a 12-inch thick pad of 4-inch to 8-inch quarry spalls, a 4-inch course of asphalt treated base, or use existing pavement. Place a separation geotextile under the spalls to prevent fine sediment from pumping up into the rock pad. Install the construction entrance prior to any vehicles entering the site, at the location shown on the site plan. Create only one construction entrance per site.
- Use BMP **C103 High Visibility Fencing** to restrict traffic to the construction entrance.
- Remove any sediment that is tracked onto pavement by shoveling or street sweeping, and remove the collected sediment or stabilize it on site.

3 Control Flow Rates (not shown)

Stormwater on a cleared site can create significant flows that can damage downstream properties.

Protect properties and waterways downstream of the project site from erosion and the associated discharge of turbid waters. If your project is required to control flow rates, you must use the following BMPs as shown on the approved site plan:

- C203 Water Bars
- **C209 Outlet Protection**
- **C235 Straw Wattles**

4 Install Sediment Controls

When land is devegetated, stormwater can pick up sediment, a pollutant. BMPs can prevent sediment from leaving the site.

You must install sediment controls before land disturbance to effectively minimize and control the discharge of pollutants and sediments.

Use and properly install BMP **C233 Silt Fence.** You *must* bury the filter fabric as shown in the diagram in order for the BMP to be effective. You *must* repair the silt fence if it is damaged.

Consider the following additional BMPs:

- C231 Brush Barrier
- C232 Gravel Filter Berm
- **C234 Vegetated Strip**
- **C235 Straw Wattles**

Note that C230 Straw Bale Barrier is no longer an approved BMP.

5 Stabilize Soils

Leaving soils devegetated or exposed needlessly creates erosion and sediment problems.

- Stabilize all exposed soils whenever construction work will stop for more than two days at a time during the wet season (October 1 to April 30) or 7 days the rest of the year (the dry season).

- Stabilize all exposed soils at the end of the shift before a holiday or weekend.
- Stabilize all exposed soils with either vegetation, mat coverings, mulching, or in those areas to be paved, a compacted base material.
- Use BMP C123 Plastic Covering over all stockpiles with plastic or burlap if left unworked. Place sand-filled burlap or geotextile bags every 3 to 6 ft along seams and tie them together with twine to hold them in place.
- If you excavate soil for the foundation, backfill that soil against the foundation and grade it to drain away from the building. Once the disturbed landscape areas are graded, you must seed or sod the grass areas.

Consider the following additional BMPs:

- C120 Temporary and Permanent Seeding
- C121 Mulching
- C122 Nets and Blnakets
- C124 Sodding
- C125 Topsoiling/Composting
- C131 Gradient Terraces
- C140 Dust Control

6 Protect Slopes (not shown)

Slopes can be especially vulnerable to erosion, but BMPs can mitigate sediment problems.

Design and construct cut-and-fill slopes to minimize erosion. Use the following practices:

- Reduce continuous length of slope with terracing and diversions
- Reduce slope steepness
- Roughen slope surfaces
- Use BMP C123 Plastic Covering over all exposed slopes
- Use BMP C120 Temporary and Permanent Seeding as soon as possible on exposed slopes

Manage off-site stormwater (run-on) separately from stormwater generated onsite. Divert off-site stormwater or groundwater away from slopes and disturbed areas with interceptor dikes, pipes, or swales.

You may not create cut slopes over 4 feet high or slopes steeper than 2 feet horizontal to 1 foot vertical. Fill slopes may not exceed 4 feet high or 3 feet horizontal to 1 foot vertical. Slopes that exceed these criteria require engineering.

Consider the following additional BMPs:

- C121 Mulching
- C122 Nets and Blankets
- C124 Sodding
- C203 Water Bars
- C208 Triangular Silt Dike (Geotextile-Encased Check Dam

7 Protect Drain Inlets

Storm drains are designed to collect and transport clean stormwater, not water polluted with sediment or other pollutants. Storm drain inlets must be protected so that runoff does not enter the stormwater system without first being filtered or treated or both.

- Use BMP **C220 Storm Drain Inlet Protection** to protect all proposed and existing storm drain inlets during construction so that stormwater runoff does not enter the stormwater conveyance system without first being filtered or treated (or both) to remove sediment or other pollutants.
- Clean or remove and replace inlet protection devices when sediment has filled one-third of the available storage (unless a different standard is specified by the product manufacturer).
- Keep all approach roads clean.
- Do not allow sediment and street wash water to enter storm drains without treatment.

8 Stabilize Channels and Outlets

Stormwater channels and outlets can themselves erode unless stabilized with rock or other armoring.

Design, construct, and stabilize all on-site conveyance channels to prevent erosion as needed. Use BMP **C209 Outlet Protection** to provide stabilization, including armoring material adequate to prevent erosion of outlets, adjacent streambanks, slopes, and downstream reaches at the outlets of all conveyance systems.

Consider the following additional BMPs:

- C122 Nets and Blankets
- C202 Channel Lining

9 Control Pollutants

Waste materials, demolition debris, and other pollutants that occur onsite during construction can contaminate the stormwater system unless managed. Cement and related products can modify the pH of stormwater.

Provide cover, containment, and protection from vandalism for all chemicals, liquid products, petroleum products, and other materials that have the potential to pose a threat to human health or the environment.

Anytime you pour concrete, perform washout of the concrete trucks following BMP C154 Concrete Washout Area at designated washout areas only. Locate washout areas at least 50 ft from sensitive areas such as storm drains, open ditches, or water bodies, including wetlands.

Clean contaminated surfaces immediately following any spill incident. Apply fertilizers and pesticides in a manner and at rates that will not result in loss of chemical via stormwater runoff.

Use the following additional BMPs:

- C151 Concrete Handling
- C152 Sawcutting and Surfacing Pollution Prevention
- C153 Material Storage, Delivery, and Containment

10 Control De-Watering (not shown)

De-watering water extracted from foundations, vaults, or trenches, has similar characteristics to stormwater runoff at the site and can cause the same impacts unless properly managed.

You may discharge clean, non-turbid de-watering, such as well-point ground water, to systems that are tributaries to, or directly into, surface waters if the de-watering flow does not cause erosion or flooding or interfere with the operation of the stormwater system.

Use the following BMPs:

- **C220 Storm Drain Inlet Protection**
- C236 Vegetative Filtration

11 Maintain BMPs (not shown)

All temporary and permanent erosion and sediment control BMPs must be maintained and repaired as needed to assure continued performance of their intended function.

During the dry season, inspect sediment control BMPs weekly or after a runoff-producing storm event. During the wet season, inspect BMPs daily. Use BMP C150 Materials on Hand to ensure you are ready for a heavy rain.

All temporary erosion and sediment control BMPs must be removed within 30 days after the County determines that the site is stabilized or after the temporary BMPs are no longer needed. Trapped sediment must be removed or stabilized on site. Disturbed soil areas resulting from removal of BMPs or vegetation must be permanently stabilized.

12 Manage the Project (not shown)

Phasing a project, especially when revegetation occurs as part of each phase, can help prevent the transport of sediment from the site.

- Fully implement this Construction SWPPP at all times.
- Modify this Construction SWPPP whenever there is a change in design, construction, operation, or maintenance at the construction site that has or could have a significant effect on the discharge of pollutants to waters of the state.
- Inspect, maintain, and repair all BMPs as needed to ensure continued performance of their intended function.

13 Protect Low-Impact Development BMPs

Low-Impact Development techniques can be damaged if they are compacted or accumulate sediment during construction.

If there are any Low-Impact Development BMPs planned for the site:

- Use BMP **C103 High Visibility Fence** to exclude all construction and foot traffic from the infiltration, bio-retention, or rain garden areas.
- Protect all infiltration areas or bio-retention and rain garden BMPs from sedimentation through installation and maintenance of erosion and sediment control BMPs on portions of the site that drain into those areas.
- Use BMP **C233 Silt Fence** or **C234 Vegetated Strip** to control and avoid introducing sediment onto permeable pavements. Bury the bottom of the filter fabric at least 4 inches below the ground surface. **Backfill and tamp soil in place over the buried portion of the filter fabric, so that no flow can pass beneath the fence and scouring cannot occur.** Drive or place the fence posts into the ground at least 18 inches. A 12-inch minimum depth is allowed if topsoil or other soft subgrade soil is not present and 18 inches cannot be reached.
- If pavements are fouled with sediments or no longer pass an initial infiltration test, clean them using procedures from the Stormwater Manual or the manufacturer's procedures.

Consider the following additional BMPs:

- C102 Buffer Zones
- C208 Triangular Silt Dike
- C231 Brush Barrier

Temporary Erosion and Sediment Control Material Suppliers

This list is not meant to be all-inclusive; other supply sources may be available. Not all supplies may be available from one source. It is the responsibility of the person(s) doing the work to ensure they have the supplies they need, and they are installed correctly.

ACF West
Woodinville Corporate Center II
Building A #400
15540 Woodinville-Redmond Road
Woodinville, WA 98072
Phone: 425-415-6115 or 1-800-423-4567
www.acfwest.com

H.B. Jaeger
1687 Port Drive
Burlington, WA 98233
Phone: 360-707-5958
www.hbjaeger.com

Ferguson Supply
2010 Park Lane
Burlington, WA 98233
Phone: 360-707-2030
www.ferguson.com

Lefeber Turf Farm
15195 State Route 536
Mount Vernon, WA 98273
Phone: 360-428-4054
www.lefeberturf.com

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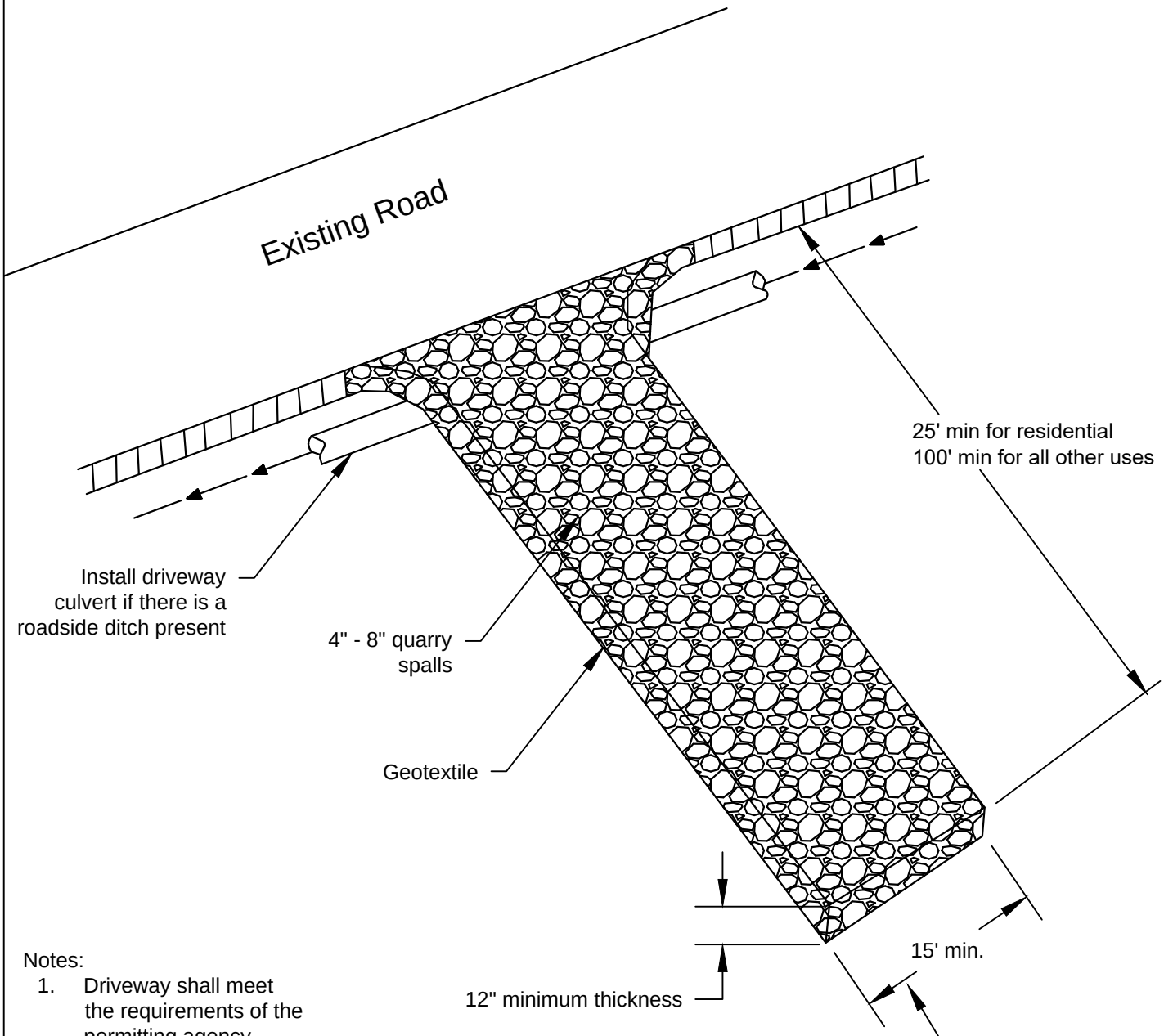


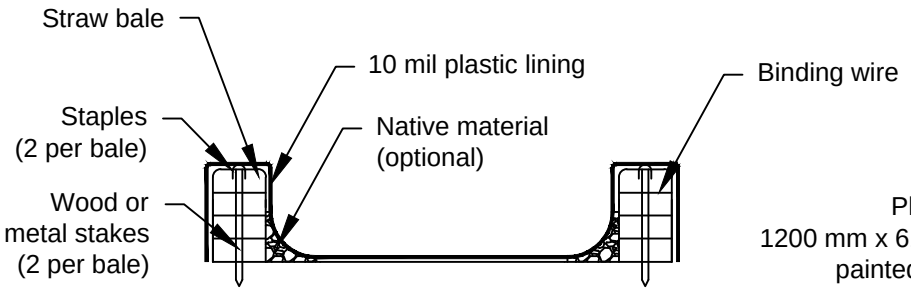
Notes:

1. Driveway shall meet the requirements of the permitting agency.
2. It is recommended that the entrance be crowned so that runoff drains off the pad.

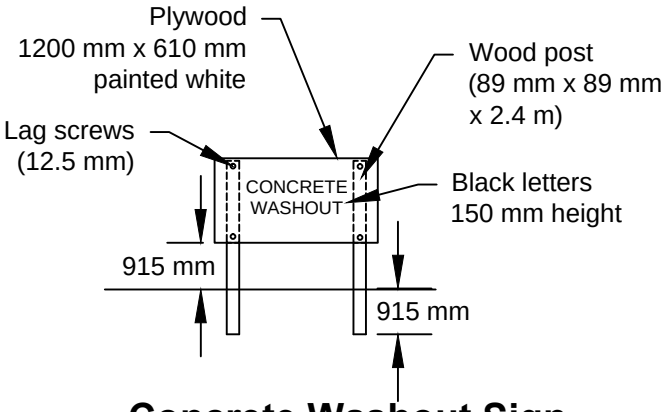
DEPARTMENT OF ECOLOGY
State of Washington

BMP C105--Figure II-4.1.1
Stabilized Construction Entrance

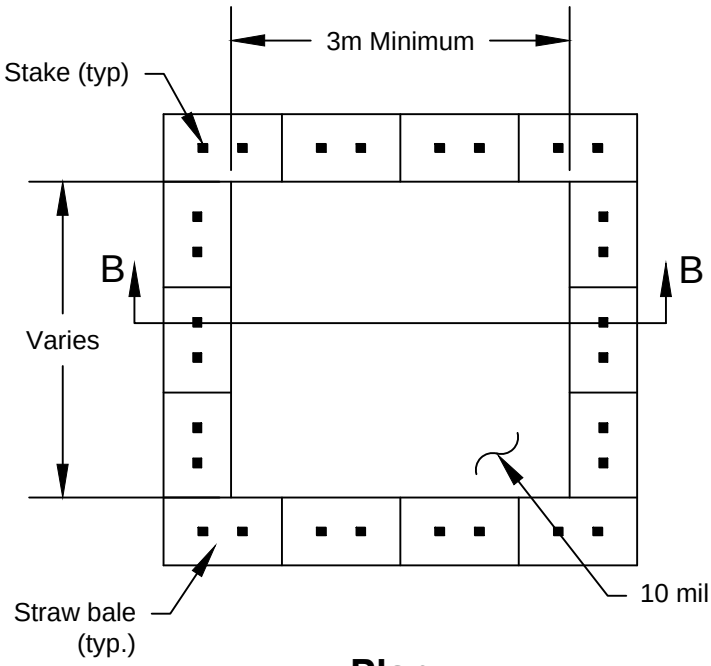
Revised June 2015



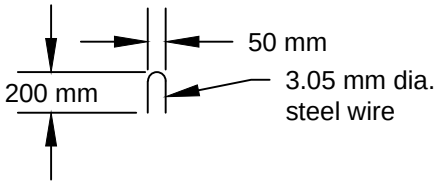
Section B-B



Concrete Washout Sign Detail (or equivalent)



Plan



Staple Detail

Notes:

1. Actual layout determined in the field.
2. The concrete washout sign shall be installed within 10 m of the temporary concrete washout facility.

Type "Above Grade" with Straw Bales

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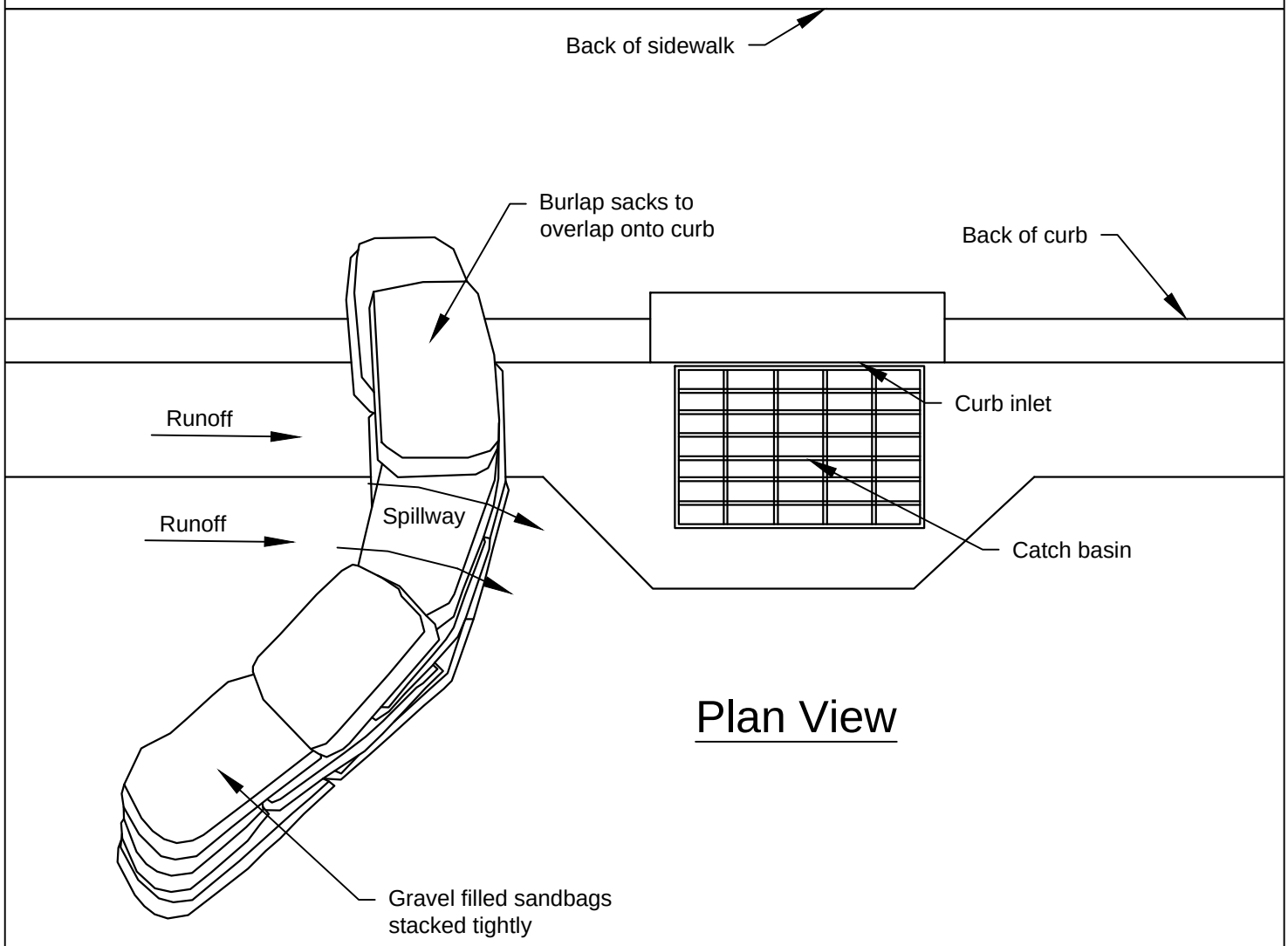
State of Washington

BMP C154--Figure II-4.1.7b
Concrete Washout Area

Revised June 2015



Plan View

Notes:

1. Place curb type sediment barriers on gently sloping street segments, where water can pond and allow sediment to separate from runoff.
2. Sandbags of either burlap or woven 'geotextile' fabric, are filled with gravel, layered and packed tightly.
3. Leave a one sandbag gap in the top row to provide a spillway for overflow.
4. Inspect barriers and remove sediment after each storm event. Sediment and gravel must be removed from the traveled way immediately.

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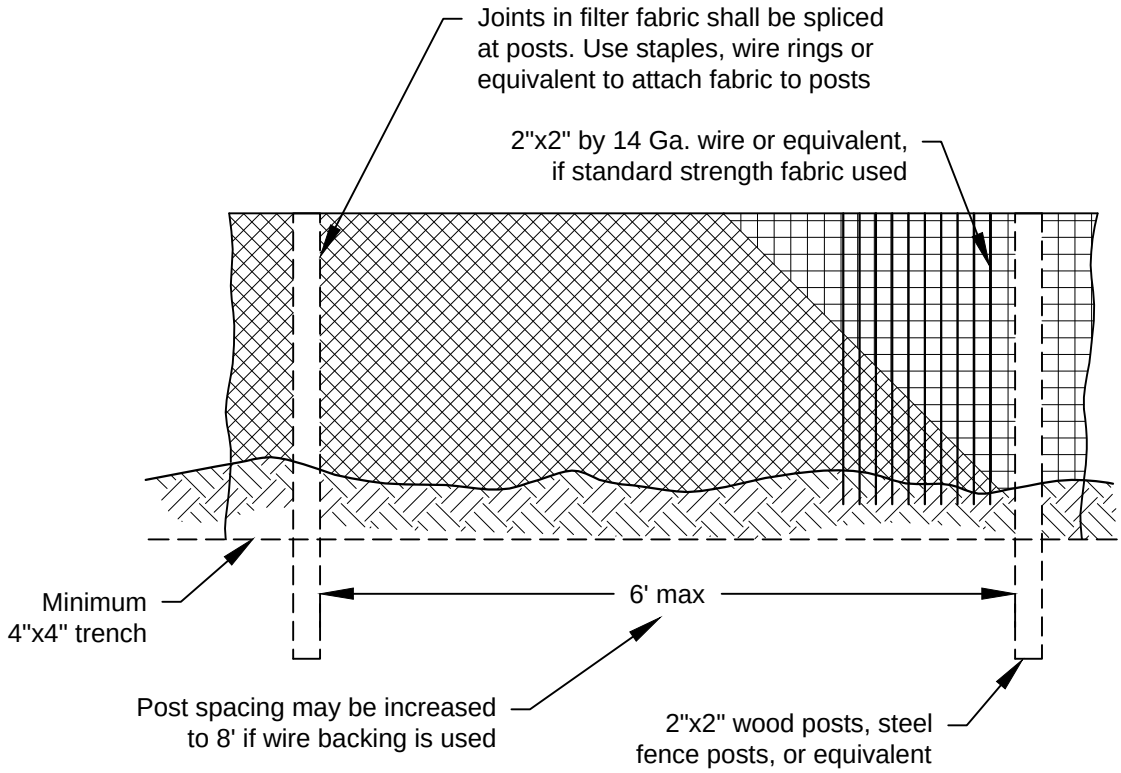
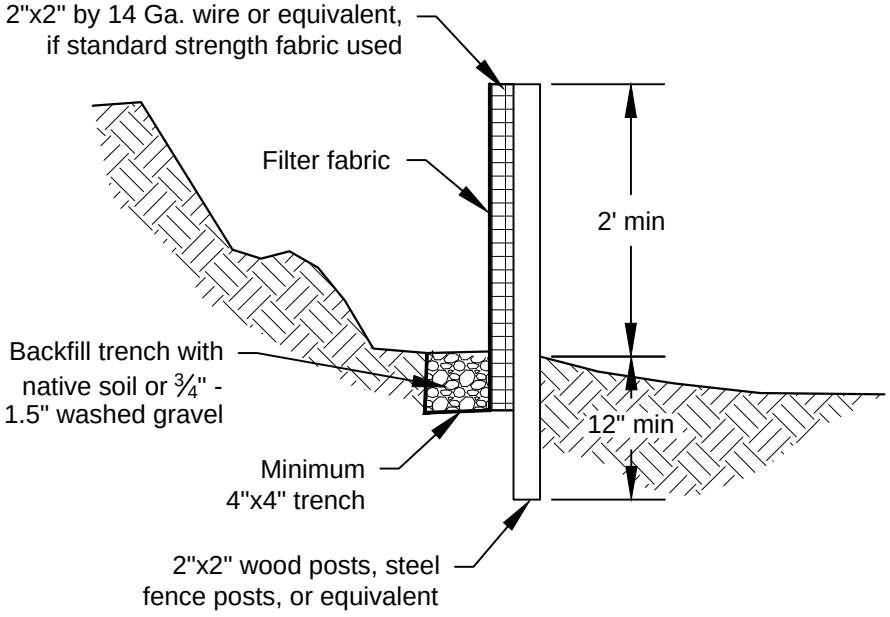
State of Washington

BMP C220--Figure II-4.2.10
Curb and Gutter Barrier

Revised September 2015





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State of Washington

BMP C233--Figure II-4.2.12
Silt Fence

Revised October 2014

BMP C235: Wattles

Purpose

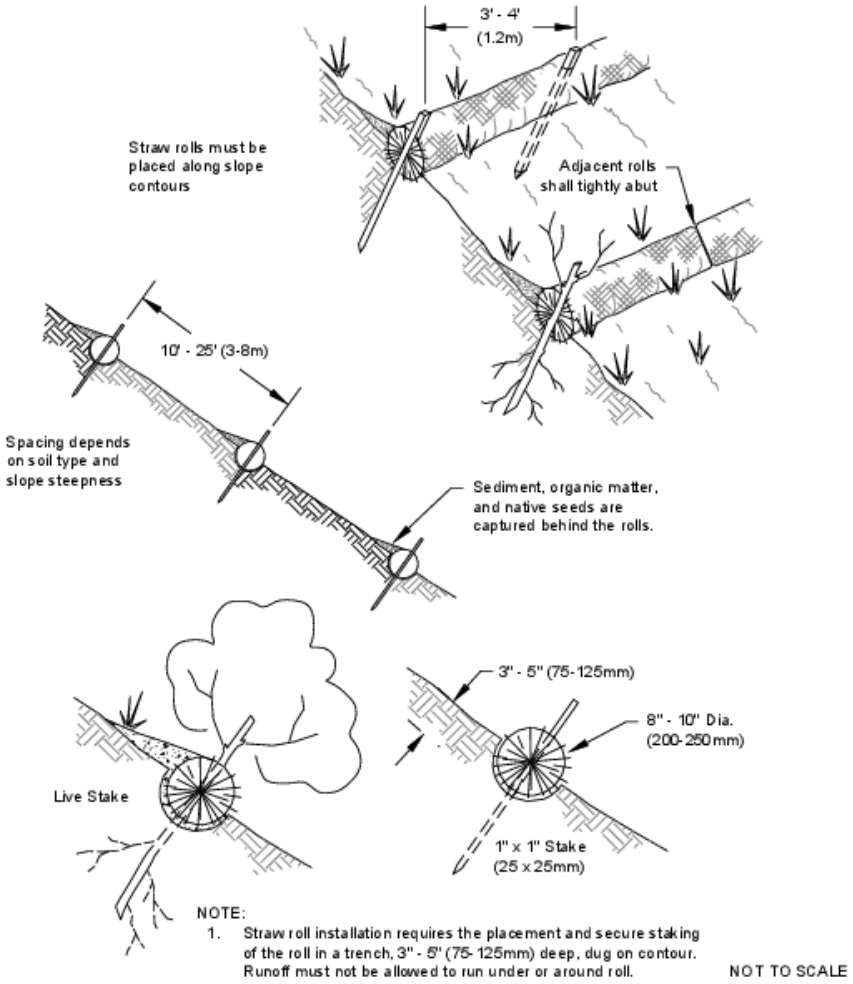
Wattles are temporary erosion and sediment control barriers consisting of straw, compost, or other material that is wrapped in biodegradable tubular plastic or similar encasing material. They reduce the velocity and can spread the flow of rill and sheet runoff, and can capture and retain sediment. Wattles are typically 8 to 10 inches in diameter and 25-30 feet in length. Wattles are placed in shallow trenches and staked along the contour of disturbed or newly constructed slopes.

Conditions of Use

- Use wattles:
  - In disturbed areas that require immediate erosion protection.
  - On exposed soils during the period of short construction delays, or over winter months.
  - On slopes requiring stabilization until permanent vegetation can be established.
- The material used dictates the effectiveness period of the wattle. Generally, Wattles are typically effective for one to two seasons.
- Prevent rilling beneath wattles by properly entrenching and abutting wattles together to prevent water from passing between them.

Design Criteria

- Install wattles perpendicular to the flow direction and parallel to the slope contour.
- Narrow trenches should be dug across the slope on contour to a depth of 3- to 5-inches on clay soils and soils with gradual slopes. On loose soils, steep slopes, and areas with high rainfall, the trenches should be dug to a depth of 5- to 7- inches, or 1/2 to 2/3 of the thickness of the wattle.
- Start building trenches and installing wattles from the base of the slope and work up. Spread excavated material evenly along the uphill slope and compacted using hand tamping or other methods.
- Construct trenches at intervals of 10- to 25-feet depending on the steepness of the slope, soil type, and rainfall. The steeper the slope the closer together the trenches.
- Install the wattles snugly into the trenches and abut tightly end to end. Do not overlap the ends.



- Install stakes at each end of the wattle, and at 4-foot centers along entire length of wattle.
- If required, install pilot holes for the stakes using a straight bar to drive holes through the wattle and into the soil.
- Wooden stakes should be approximately 3/4 x 3/4 x 24 inches min. Willow cuttings or 3/8-inch rebar can also be used for stakes.
- Stakes should be driven through the middle of the wattle, leaving 2 to 3 inches of the stake protruding above the wattle.

Maintenance Standards

- Wattles may require maintenance to ensure they are in contact with soil and thoroughly entrenched, especially after significant rainfall on steep sandy soils.
- Inspect the slope after significant storms and repair any areas where wattles are not tightly abutted or water has scoured beneath the wattles.

Approved as Equivalent

Ecology has approved products as able to meet the requirements of BMP C235, available for review at www.ecy.wa.gov/programs/wq/stormwater/newtech/equivalent.html

Driveway Standards for Skagit County

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

A driveway to serve residential *or* commercial uses must meet the following standards from the International Fire Code.[1] These standards are the minimum and apply to all building permits. Roads within a new subdivision must comply with the Skagit County Road Standards.

When Fire Access is Required

You must provide a fire apparatus access road for every facility, building, or portion of a building constructed or moved into or within the jurisdiction when the facility is over 150 feet from a fire apparatus access. Exceptions may be made for minor additions or accessory buildings to existing dwellings when in the opinion of the Fire Marshal the addition or accessory building may not create significantly dangerous situations.

General Design Standards

The standards on the left apply to driveways serving 1-2 residential lots. The standards on the right apply to private roads that serve more than two lots must comply with the Skagit County Road Standards.

	1-2 residential lots	3 or more residential lots or commercial use
Width	12'	20’
Vertical Clearance	13'6"	13’6”
Turning Radius–Inside	20'	20’
Turning Radius–Outside	50'	50’
Turnouts	20' wide and 30' long every 300'	N/A
Road Terminus (for roadways exceeding 150 ft)	Acceptable means of turning around fire apparatus approved by the Fire Marshal	96’ cul-de-sac standards or as approved by the Fire Marshal
Bridges	Pursuant to Skagit County Road Standards	Pursuant to Skagit County Road Standards

Standards Based on Grade

All residential and commercial driveways must meet these standards.

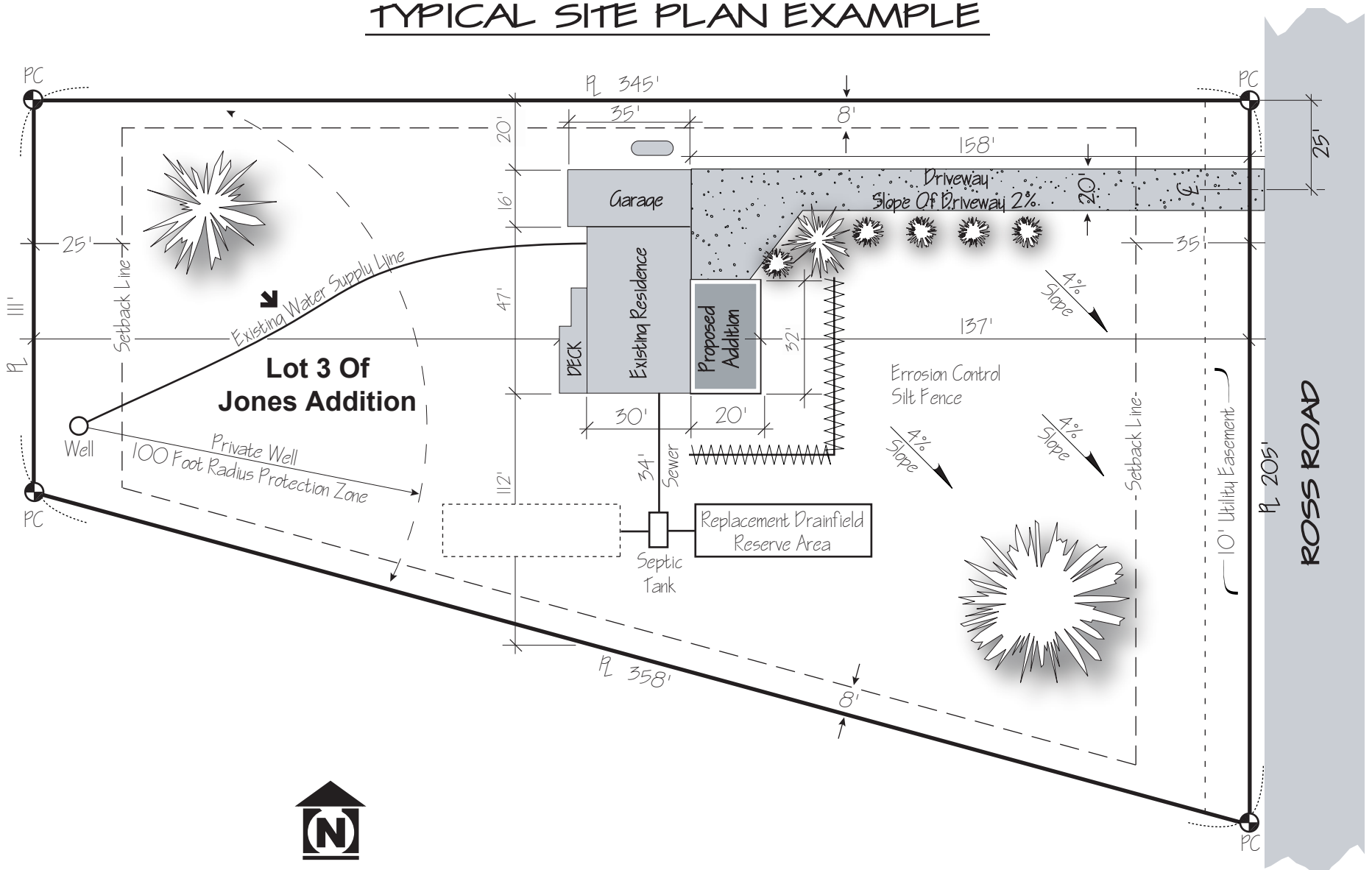
Grade	Surface	Fire Suppression System	Water Storage
≤ 12%	gravel or equivalent; or concrete, asphalt, or equivalent	Not required	Not required
> 12% and ≤ 14%	concrete, asphalt, or equivalent	Not required	Not required
> 14% and ≤ 16%	gravel or equivalent; or concrete, asphalt, or equivalent	NFPA 13D system required	Not required
> 16%	gravel or equivalent; or concrete, asphalt, or equivalent	NFPA 13D system required	10,000-gallon water storage tank with dry hydrant required for each residence

Notes

- The Fire Marshal may make modifications to these standards if the road is not buildable because of topography, waterways, non-negotiable grades, or similar conditions. These modifications are based on the building being protected by NFPA 13D automatic sprinkler systems, and additional fire protection as required by the Fire Marshal.
- For roads accepted or platted by Skagit County prior to June 11, 1990, the Fire Marshal may modify these standards if firefighting or rescue operations would still be possible.
- For lots not in a fire district and accessible only by water, the access road requirement may be waived if the project meets all of the other requirements of Skagit County Unified Development Code to qualify for a building permit.
- Emergency vehicle access roads or driveways may not be obstructed in any manner, including vehicle parking. Width and clearance requirements consistent with these standards must be maintained at all times.
- Security gates across fire access roads must be approved by the Skagit County Fire Marshal. Security gates must have an approved means of emergency operation by fire personnel.

[1] SCC 15.04.030(2)(f).

TYPICAL SITE PLAN EXAMPLE



Name: JOHN R. DOE	**Address:** 1142 CROFT ROAD SEDRO-WOOLLEY, WA	**Scale:** 1" = 40'
Site Address: 12345 ROSS ROAD	**Property ID#:** P12345	**Date:** 6/15/2004

Residential Construction Plan Requirements

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

For the fastest review, construction plans for residences should include all of the following information in the order shown. Small deviations are ok.

Code Summary and General Notes

- Identify version/edition of the building code
- Identify building areas – square footage of home, garage, decks, patios, etc.
- Energy code information and credits

Elevation Plans

- A view of each side of the building (label N, S, E, W)
- All windows and doors
- Elevation measurements—show existing grade, floor height, top of wall, top of roof
- If lot is sloped, show lower and upper grade. Elevations should reflect the topography of the building site.
- Pitch of roof
- Type of finishes (siding, brick or stone, roofing, soffit)
- Base flood elevation and finished floor height, if in the floodplain

Floor Plan (each story or level)

- Room names
- Decks, porches, and patios along with steps
- Cabinets
- Measurements of exterior of building and interior rooms dimensions to scale
- Exterior and interior wall widths
- Door and window locations (with sizes and types)
- Plumbing fixture locations (toilets, sinks, tubs, showers, dishwasher, washer, water heater)
- Mechanical devices (heating system, bath fans, kitchen fan, dryer, whole-house ventilation system)
- Smoke detectors and carbon monoxide detector
- Stairs—See Detail requirements below
- Fireplace—note gas or wood
- Attic access—location and size
- Headers supporting roof—list type and size
- Window and door headers (for lower floor, if applicable)

Foundation Plan

- Footing size (width and thickness)
- Wall size (width and height)
- Rebar placement for wall footing and walls (horizontal and vertical)
- Foundation bolt size and spacing along with square washers
- Foundation vents size and location placement
- Flood openings, including calculations if applicable
- Hold-downs—type and location placement
- If slab on grade, vapor barrier and R-10 insulation

Floor Framing Plan

- Supports for floor joist framed pony wall or post and beam (show size and spacing)
- Floor joist size, span and spacing
- Blocking and connections (e.g., joist hangers, post brackets)
- Sheathing type
- Location of interior point loads

Roof Framing Plan

- Truss or stick framing layout
- Ventilation requirements for roof

Wall Bracing Plan

- Plan for each story showing either:
  - Engineering—name each wall line for exterior walls and interior walls; or
  - Prescriptive framed panels—provide type of bracing method, minimum wall length for wind and seismic, hold-down requirements and footing requirements for interior braced wall panels. See the Simpson Wall Bracing Calculator for more info.
- Location of hold downs

Wall Cross Sections

- Exterior wall (from foundation to roof)
- Wall—bottom plate, stud, top plates, sheathing, insulation,
- Base flood elevation, finish floor elevation, type of materials used, if in the floodplain

Details

- Header framing method with insulation
- Flashing for windows and doors
- Waterproofing
- Ventilation
- Step foundation detail
- Pony or cripple wall detail
- Stair detail, including head height, rise, run and railing information
- Deck to wall—Ledger, bolting requirements, joist size and span, joist hangers, lateral attachment, flashing
- Deck to roof—footing size and rebar, post bracket, post, post to beam attachment, beam size and spacing
- Foundation—listing footing and wall size, rebar size and placement, bolt size and placement, plate
- Floor—joist size, sheet size, insulation
- Roof—framing, sheeting, roofing, soffit, insulation

WSEC Requirements

http://www.energy.wsu.edu/buildingefficiency/energycode.aspx

- Prescriptive Worksheet
- Glazing Schedule
- Heating System Sizing Worksheet
- Alterations (Remodel Worksheet)

Commercial Construction Plan Requirements

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Plans for projects other than residential structures should include **all the information required for residential plans** plus the following:

Cover Page

- Code edition
- Occupancy groups
- Type of construction
- Square footage of each floor level and occupancy group
- Deferred submittals requested
- List of special inspections
- Energy code information

Egress Plan

- Occupant load calculation for each area
- Exit doors with width
- Exit passage ways and stairs including width required for occupant load at each segment
- Cumulative occupant load along egress paths
- Show travel distance to exits from farthest points in building

Accessibility Details

- Parking and path of travel to building
- Restrooms
- Hallways and doorways
- Work stations/cabinets
- Signage
- Door hardware – location, type, and function

Mechanical Plan

- Type of heating system
  - Electric, gas, or other
  - Forced air, heat pump, mini-split, in-floor, radiant
- Seismic connections
- Duct work
  - Heat (location and size)
  - Return air (location and size)
  - Exhaust runs (location and size)
- Gas piping – size, length, seismic strapping, and low, medium or high pressure

Plumbing Plan

- Underground plumbing plan
- Isometric drawing for underground (waste and water)
- Fixture layout—both within and outside of building footprint
- Hot water tank size, including water line sizing and check valves

Lighting Plan

- Photometric for parking lot
- Photometric for egress
- Photometric for emergency lighting
- Photometric for interior building lighting
- Lighting fixture locations

Suspended Ceiling

- Grid layout
- Seismic edge metal detail
- Seismic bracing detail
- Seismic uplift detail
- Light location
- HVAC location

Civil Drawings

- Earth work – cut & fill
- Topography
- Drainage
- Erosion control
- Underground utilities
- Square footage of sidewalks, buildings including overhang, gravel driveways, parking, paving and all other impervious surfaces

WSEC Forms for Nonresidential

https://waenergycodes.com/web_tool_forms.php?energy_code=2018

- Envelope
- Lighting Compliance
- Mechanical

Schedule of Impact Fees

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
Voice 360-416-1320 · Inspections 360-416-1330 · www.skagitcounty.net/planning

Skagit County Ordinance O20160010, 020180006, O20180011
updated December 4, 2018

This schedule of impact fees is effective on the date of adoption of the ordinance and replaces all previously adopted impact fees. Applicants must pay adopted impact fees at the time required by code; applications do not vest to previously adopted impact fee schedules.

Per SCC 14.30, the County can collect impact fees on behalf of any district (including a city or town within their municipal UGAs) only if that district's Capital Facilities Plan is incorporated by reference into the County's Capital Facilities Plan. The County will stop collecting impact fees at the end of the last year of the district's latest Capital Facilities Plan incorporated by reference into the County's comprehensive plan.

District (including city or town)	*Type*	*Residential (per unit)*		*Commercial/ Non-Residential*	*Collection Expires*
		Single-Family	*Multi-Family*		
Mount Vernon School District	school	$9,421	$1,134	n/a	2023
Sedro-Woolley School District	school	$1,678	$847	n/a	2020
City of Mount Vernon (UGA)	parks	$855	$789	n/a	2022
	streets	See attached schedule for all MV traffic impact fees.			2022
City of Sedro-Woolley (UGA)	parks	$1500 per unit	$1500 per unit	n/a	2022
	fire	$0.28 per sq ft	$0.28 per sq ft	n/a	2022
	streets	See attached map and rate schedule for **residential** impact fees.		See attached map and rate schedule for **non-residential** impact fees.	2022
City of Anacortes (UGA)	streets	See attached schedule for traffic impact fees.			2021

Administration fee: Per SCC 14.30.020, the County may also collect an administration fee whenever impact fees are required. The County's collection of an administration fee, pursuant to SCC 14.30.020, is in addition to any impact fees collected for a district. The County will not collect a district's own administration fees.

The administration fee is:

(a) for residential development: $35 per dwelling unit;

(b) for non-residential development: 1% of the impact fee or $35, whichever is more.

For more detail regarding impact fees, please visit:
http://inside.skagit.local/PlanningAndPermit/Documents/CFP/Impact%20Fees%20Schedule%202018.pdf