

APPENDIX 1 – Minimum Technical Requirements for New Development and Redevelopment

Section 1. Exemptions

Unless otherwise indicated in this Section 1, the practices described in this section are exempt from the Minimum Requirements, even if such practices meet the definition of new development or redevelopment.

Forest practices:

Forest practices regulated under Title 222 WAC, except for Class IV General forest practices that are conversions from timberland to other uses, are exempt from the provisions of the minimum requirements.

Commercial agriculture:

Commercial agriculture practices involving working the land for production are generally exempt. However, the conversion from timberland to agriculture, and the construction of impervious surfaces are not exempt.

Oil and Gas Field Activities or Operations:

Construction of drilling sites, waste management pits, and access roads, as well as construction of transportation and treatment infrastructure such as pipelines natural gas treatment plants, natural gas pipeline compressor stations, and crude oil pumping stations are exempt. Operators are encouraged to implement and maintain Best Management Practices to minimize erosion and control sediment during and after construction activities to help ensure protection of surface water quality during storm events.

Road Pavement Maintenance:

The following ~~roadpavement~~ maintenance practices are exempt: pothole and square cut patching, overlaying existing asphalt or concrete pavement with asphalt or concrete without expanding the area of coverage, shoulder grading, reshaping/regrading drainage systems, crack sealing, resurfacing with in-kind material without expanding the road prism, pavement preservation activities that do not expand the road prism, and vegetation maintenance.

The following ~~roadpavement~~ maintenance practices are not categorically exempt. -They are considered redevelopment. , and therefore are not categorically exempt. The extent to which this Appendix applies is explained for each circumstance.

- Removing and replacing a paved surface to base course or lower, or repairing the roadway pavement base: If impervious surfaces are not expanded, Minimum Requirements #1 - #5 apply. ~~However, in most cases, only Minimum Requirement #2, Construction Stormwater Pollution Prevention, will be germane. Where appropriate, project proponents are encouraged to look for opportunities to use permeable and porous pavements.~~
- Extending the pavement edge without increasing the size of the road prism, or paving graveled shoulders: These are considered new impervious surfaces and are subject to the minimum requirements that are triggered when the thresholds identified for new or redevelopment projects are met.
- Resurfacing by upgrading from dirt to gravel, asphalt, or concrete; upgrading from gravel to asphalt, or concrete; or upgrading from a bituminous surface treatment (“chip seal”) to asphalt or concrete: These are considered new impervious surfaces and are subject to the minimum requirements that are triggered when the thresholds identified for new or redevelopment projects are met.

Underground utility projects:

Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics are only subject to Minimum Requirement #2, Construction Stormwater Pollution Prevention.

~~All other new development is subject to one or more of the Minimum Requirements (see Section 3 of this Appendix).~~

Section 2. Definitions Related to Minimum Requirements

Arterial – A road or street primarily for through traffic. ~~The term generally includes roads or streets considered collectors. A major arterial connects an Interstate Highway to cities and counties. A minor arterial connects major arterials to collectors. A collector connects an arterial to a neighborhood. A collector is not an arterial. It does not include A local access roads which are generally limited to providing access to abutting property. connects individual homes to a collector. See also RCW 35.78.010, -RCW 36.86.070, and RCW 47.05.021.~~

Bioretention – ~~Engineered facilities that store and treat stormwater by passing it through a specified soil profile, and either retain or detain the treated stormwater for flow attenuation. Refer to the Stormwater Management Manual for Western Washington (SWMMWW) (2012), Chapter 7 of Volume V for Bioretention BMP types and design specifications.~~

Certified Erosion and Sediment Control Lead (CESCL) - means an individual who has current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Washington Department of Ecology Department (Ecology) (see BMP C160 in the *Stormwater Management Manual for Western Washington (2005/2012)*). -A CESCL is knowledgeable in the principles and practices of erosion and sediment control. -The CESCL must have the skills to assess site conditions and construction

activities that could impact the quality of stormwater and, the effectiveness of erosion and sediment control measures used to control the quality of stormwater discharges. -Certification is obtained through an Ecology approved erosion and sediment control course. -Course listings are provided online at Ecology's web-site.

Commercial Agriculture means those activities conducted on lands defined in RCW 84.34.020(2) and activities involved in the production of crops or livestock for commercial trade. An activity ceases to be considered commercial agriculture when the area on which it is conducted is proposed for conversion to a nonagricultural use or has lain idle for more than five years, unless the idle land is registered in a federal or state soils conservation program, or unless the activity is maintenance of irrigation ditches, laterals, canals, or drainage ditches related to an existing and ongoing agricultural activity.

Converted vegetation (areas) - The surfaces on a project site where native vegetation, pasture, scrub/shrub, or unmaintained non-native vegetation (e.g., himalayan blackberry, scotch broom) are converted to lawn or landscaped areas, or where native vegetation is converted to pasture.

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Effective Impervious surface — Those impervious surfaces that are connected via sheet flow or discrete conveyance to a drainage system. Impervious surfaces are considered ineffective if: 1) the runoff is dispersed through at least one hundred feet of native vegetation in accordance with BMP T5.30 – “Full Dispersion” as described in Chapter 5 of Volume V of the *Stormwater Management Manual for Western Washington (SWMMWW) (2005/12)*; 2) residential roof runoff is infiltrated in accordance with Downspout Full Infiltration Systems in BMP T5.10A in Volume III of the *SWMMWW (2012)*; or 3) approved continuous runoff modeling methods indicate that the entire runoff file is infiltrated.

Erodible or leachable materials – Wastes, chemicals, or other substances that measurably alter the physical or chemical characteristics of runoff when exposed to rainfall. -Examples include erodible soils that are stockpiled, uncovered process wastes, manure, fertilizers, oily substances, ashes, kiln dust, and garbage dumpster leakage.

Hard Surface – An impervious surface, a permeable pavement, or a vegetated roof.

Highway – A main public road connecting towns and cities

Impervious surface — A ~~hard~~**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 ~~hard~~**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 storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater. -Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for purposes of determining whether the thresholds for application of minimum

requirements are exceeded. -Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.

Land disturbing activity – Any activity that results in ~~movement of earth, or~~ 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 a 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.

Low Impact Development (LID) – 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.

LID Best Management Practices – 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, minimal excavation foundations, vegetated roofs, and water re-use.

LID Principles – 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.

Maintenance – Repair and maintenance includes activities conducted on currently serviceable structures, facilities, and equipment that involves no expansion or use beyond that previously existing and results in no significant adverse hydrologic impact. -It includes those usual activities taken to prevent a decline, lapse, or cessation in the use of structures and systems. Those usual activities may include replacement of dysfunctional facilities, including cases where environmental permits require replacing an existing structure with a different type structure, as long as the functioning characteristics of the original structure are not changed. One example is the replacement of a collapsed, fish blocking, round culvert with a new box culvert under the same span, or width, of roadway. In regard to stormwater facilities, maintenance includes assessment to ensure ongoing proper operation, removal of built up pollutants (i.e. sediments), replacement of failed or failing treatment media, and other actions taken to correct defects as identified in the maintenance standards of Chapter 4, Volume V of the SMMWW. See also RoadPavement Maintenance exemptions in Section 1 of this Appendix.

Native vegetation – 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, and vine maple; shrubs such as willow,

elderberry, salmonberry, and salal; and herbaceous plants such as sword fern, foam flower, and fireweed.

New development – 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 impervioushard 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.

On-site Stormwater Management BMPs: As used in this appendix, a synonym for Low Impact Development BMPs.

Permeable pavement – Pervious concrete, porous asphalt, permeable pavers or other forms of pervious or porous paving material intended to allow passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir.

Pervious Surface – Any surface material that allows stormwater to infiltrate into the ground. Examples include lawn, landscape, pasture, native vegetation areas, and permeable pavements.

Pollution-generating hard surface (PGHS) – Those hard surfaces considered to be a significant source of pollutants in stormwater runoff. See the listing of surfaces under pollution-generating impervious surface.

Pollution-generating impervious surface (PGIS) – Those impervious surfaces considered to be a significant source of pollutants in stormwater runoff. Such surfaces include those which are subject to: vehicular use; industrial activities (as further defined in the glossary of the SWMMWW (2012)); ~~or~~ storage of erodible or leachable materials, wastes, or chemicals, and which receive direct rainfall or the run-on or blow-in of rainfall; ~~–Erodible or leachable materials, wastes, or chemicals are those substances which, when exposed to rainfall, measurably alter the physical or chemical characteristics of the rainfall runoff. Examples include erodible soils that are stockpiled, uncovered process wastes, manure, fertilizers, oily substances, ashes, kiln dust, and garbage dumpster leakage. Metal roofs are also considered to be PGIS unless they are coated with an inert, non-leachable material (e.g., baked-on enamel coating); or –roofs that are subject to venting significant amounts of dusts, mists, or fumes from of manufacturing, commercial, or other indoor activities~~ pollutants.

Pollution-generating pervious surfaces (PGPS) – Any non-impervious surface subject to vehicular use, industrial activities (as further defined in the glossary of the SWMMWW (2012)); or storage of erodible or leachable materials, wastes, or chemicals, and that receive direct rainfall or run-on or blow-in of rainfall, use of pesticides and fertilizers, or loss of soil. Typical PGPS include permeable pavement subject to vehicular used roads, driveways and parking lots, lawns, and landscaped areas including; golf courses, parks, cemeteries, and sports fields (natural and artificial turf).

Pre-developed condition – The native vegetation and soils that existed at a site prior to the influence of Euro-American settlement. The pre-developed condition shall be assumed to be a

forested land cover unless reasonable, historic information is provided that indicates the site was prairie prior to settlement.

Project site – That portion of a property, properties, or right of way subject to land disturbing activities, new impervioushard surfaces, or replaced impervioushard surfaces.

Rain Garden – A non-engineered shallow landscaped depression, with compost-amended native soils and adapted plants. The depression is designed to pond and temporarily store stormwater runoff from adjacent areas, and to allow stormwater to pass through the amended soil profile. Refer to the Rain Garden Handbook for Western Washington Homeowners (WSU 2007 or as revised) for rain garden specifications and construction guidance.

Receiving waters - Bodies of water or surface water systems to which surface runoff is discharged via a point source of stormwater or via sheet flow. Ground water to which surface runoff is directed by infiltration.

Redevelopment – On a site that is already substantially developed (i.e., has 35% or more of existing impervioushard surface coverage), the creation or addition of impervioushard 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 impervioushard surface that is not part of a routine maintenance activity; and land disturbing activities.

Replaced hard surface: For structures, the removal and replacement of hard surfaces down to the foundation. For other hard surfaces, the removal down to bare soil or base course and replacement.

Replaced impervious surface – For structures, the removal and replacement of any exterior impervious surfaces or down to the foundation. For other impervious surfaces, the removal down to bare soil or base course and replacement.

Site – The area defined by the legal boundaries of a parcel or parcels of land that is (are) subject to new development or redevelopment. For road projects, the length of the project site and the right-of-way boundaries define the site.

Source control BMP – 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. ~~This~~ The SWMMWW (2012)-manual 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. See Volume IV of the SWMMWW Stormwater Management Manual for Western Washington (20052012) for details.

Threshold Discharge Area – An onsiteon-site area draining to a single natural discharge location or multiple natural discharge locations that combine within one-quarter mile downstream (as determined by the shortest flowpath). The examples in Figure 2.1 below illustrate this definition.

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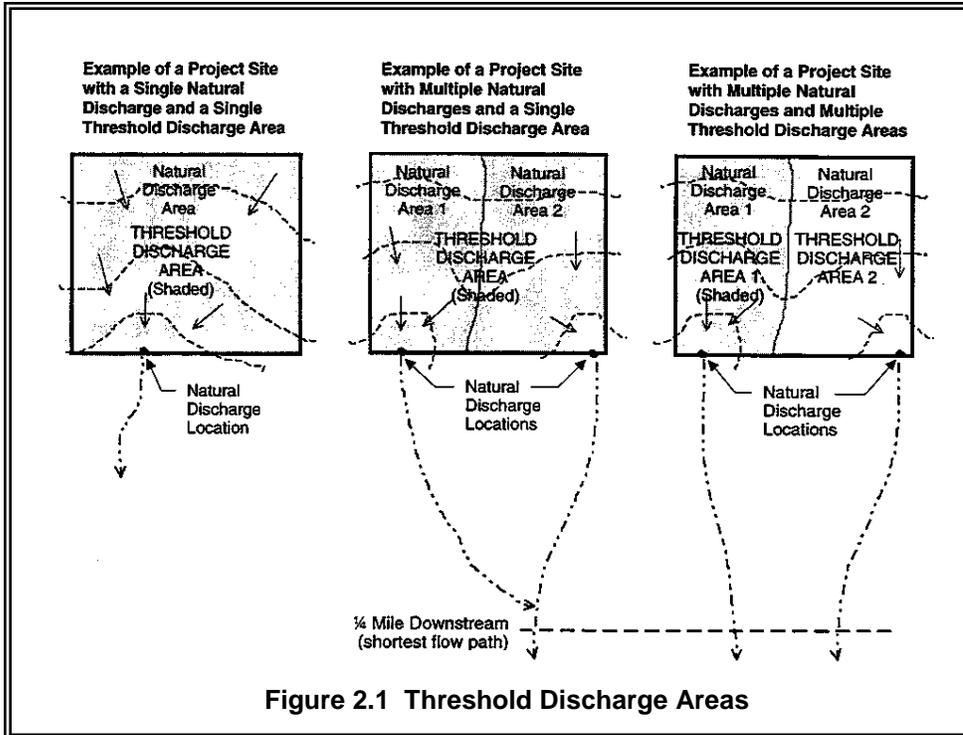


Figure 2.1 Threshold Discharge Areas

[manual appendix](#) are applied to project sites with multiple discharge points.

Vehicular Use – Regular use of an impervious or pervious surface by motor vehicles. The following are **subject to regular vehicular use**: roads, un-vegetated road shoulders, bike lanes within the traveled lane of a roadway, driveways, parking lots, ~~unfenced~~**unrestricted access** fire lanes, vehicular equipment storage yards, and airport runways.

The following are not considered **subject to regular vehicular use**: paved bicycle pathways separated from and not subject to drainage from roads for motor vehicles, ~~fenced~~**restricted access** fire lanes, and infrequently used maintenance access roads.

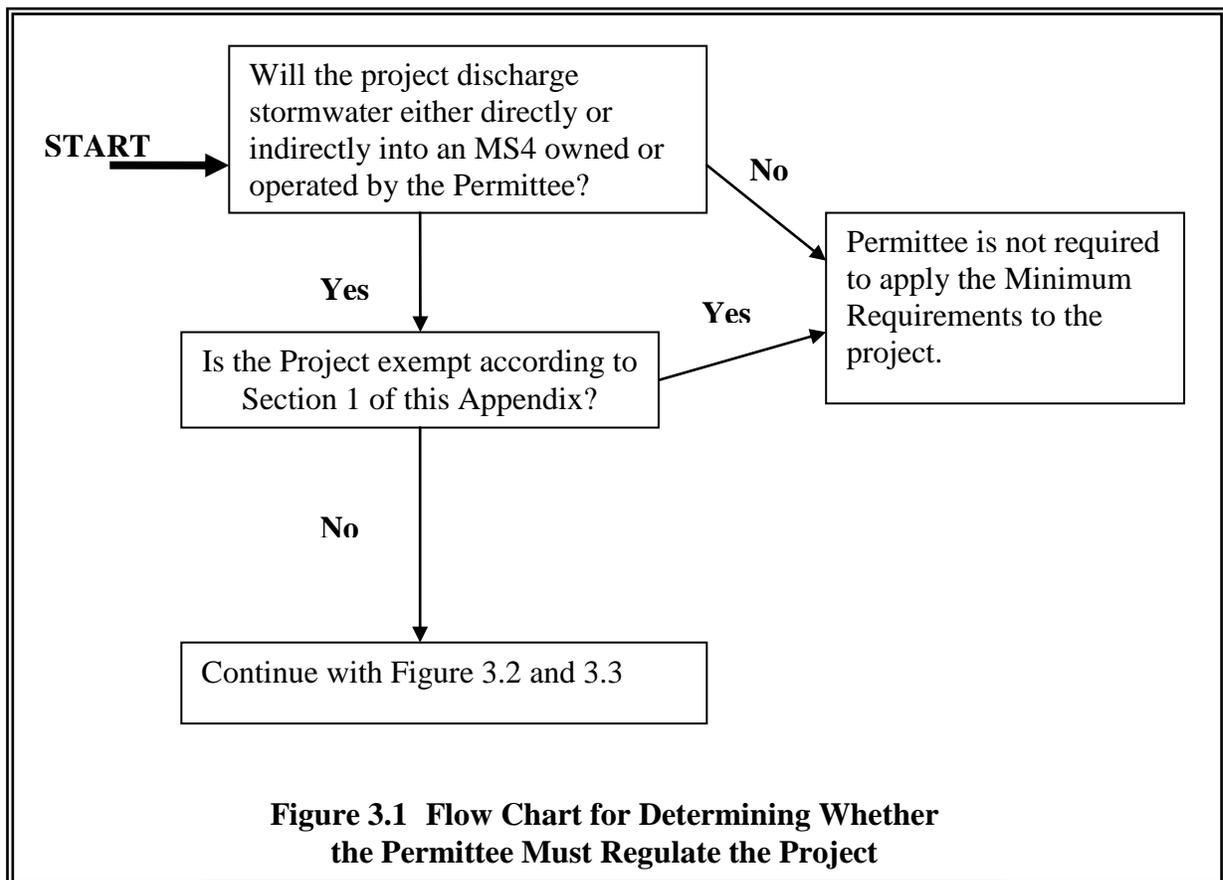
Wetland – Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands.

Section 3. Applicability of the Minimum Requirements

3.1 Thresholds

Not all of the Minimum Requirements apply to every development or redevelopment project. The applicability varies depending on the project type and size ~~of the project~~. This section identifies thresholds that determine the applicability of the Minimum Requirements to different projects. Use the flow charts in Figures 3.1, 3.2 and 3.3 ~~must be used~~ to determine which of the Minimum Requirements apply. The Minimum Requirements themselves are presented in Section 4 of this Appendix.

Use the thresholds in sections 3.2 and 3.3 at the time of application for a subdivision, plat, short plat, building permit, or other construction permit. The plat or short plat approval shall identify all stormwater BMPs that are required for each lot. For projects involving only land disturbing activities, (e.g., clearing or grading), the thresholds apply at the time of application for the permit allowing or authorizing that activity. Note the exemption in Section 1 for forest practices other than Class IV General.



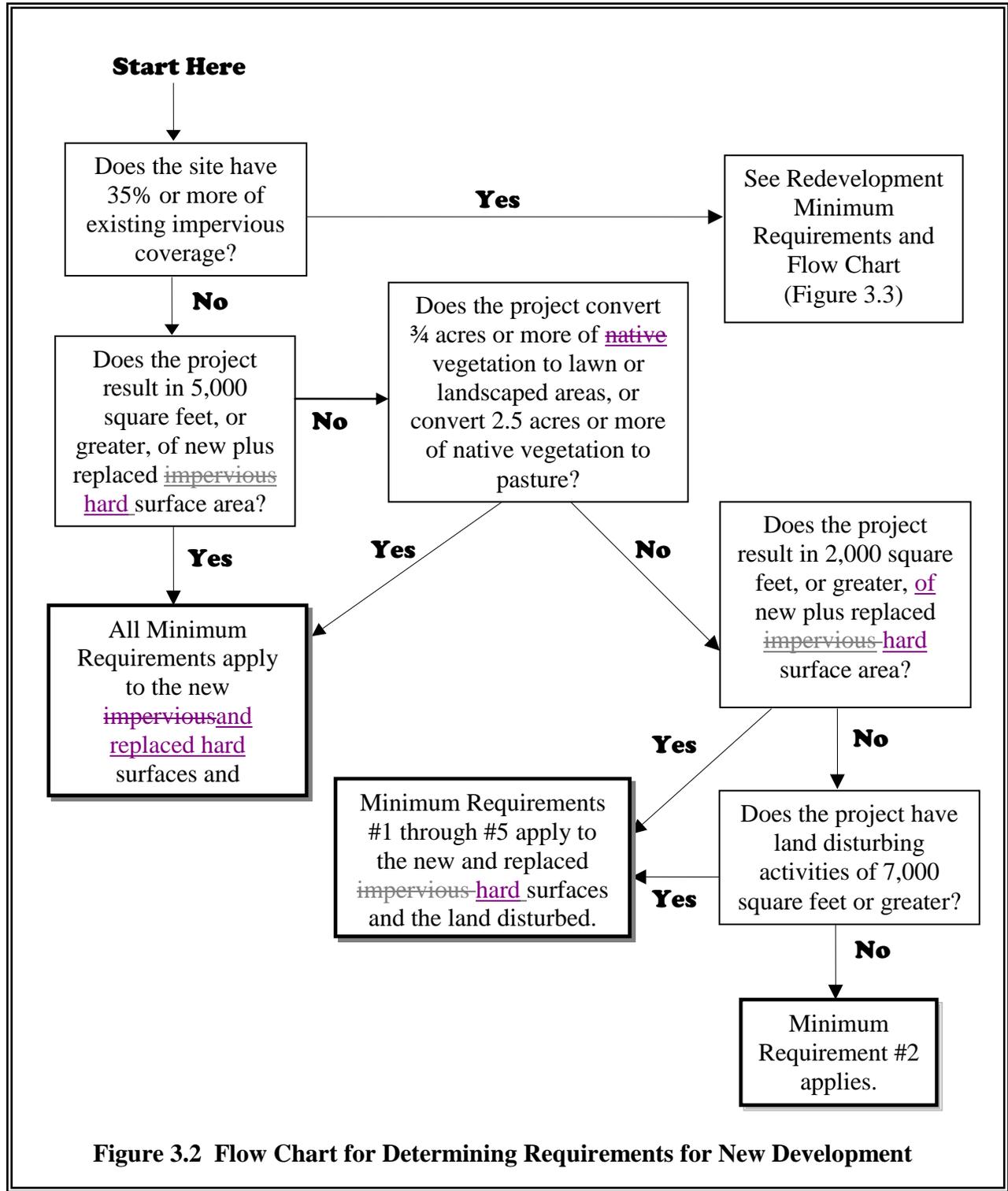


Figure 3.2 Flow Chart for Determining Requirements for New Development

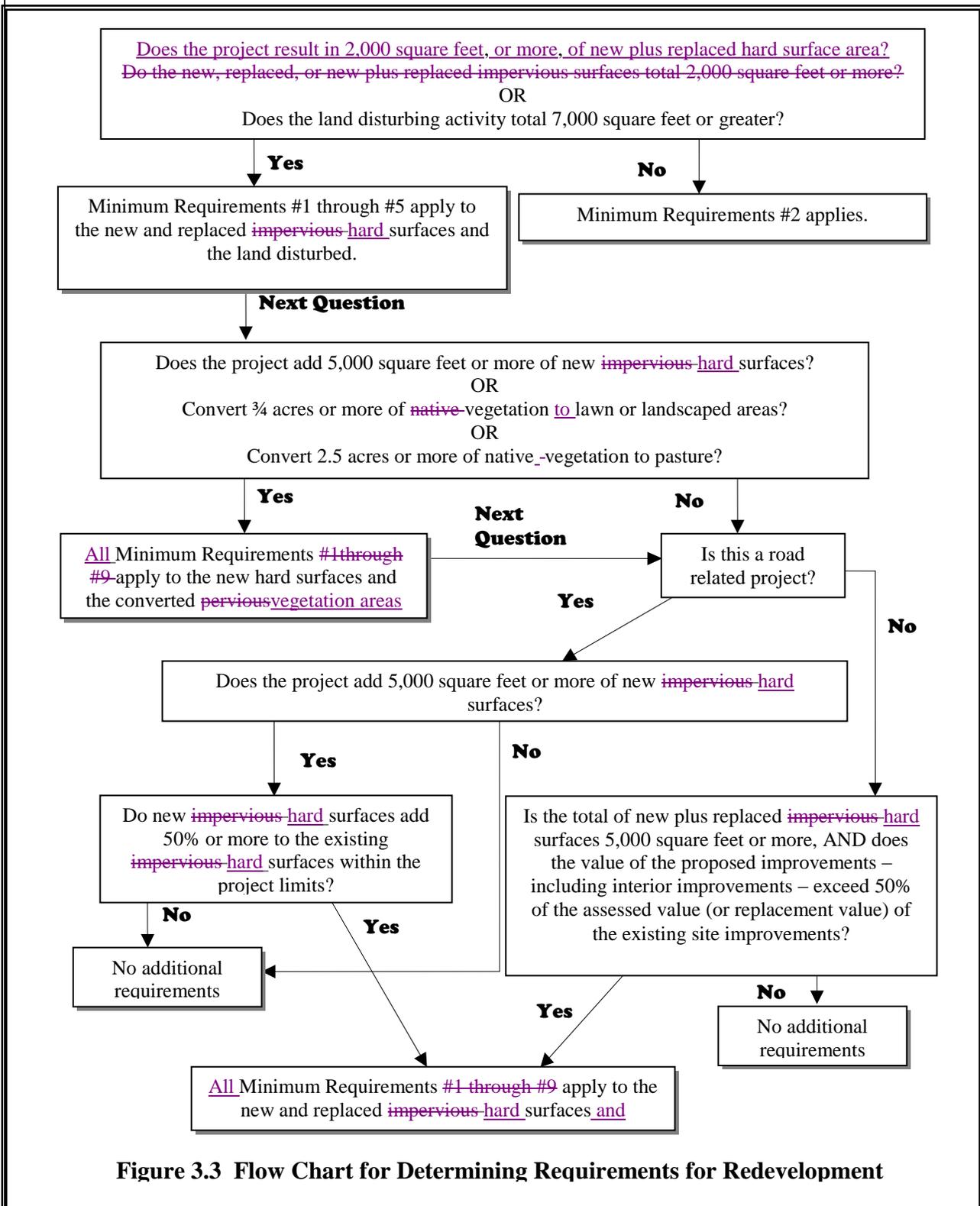


Figure 3.3 Flow Chart for Determining Requirements for Redevelopment

3.2 New Development

All new development ~~, regardless of size,~~ shall be required to comply with Minimum Requirement #2.

The following new development shall comply with Minimum Requirements #1 through #5 for the new and replaced ~~impervious hard~~ surfaces and the land disturbed:

- ~~Creates or adds~~Results in 2,000 square feet, or greater, of ~~new, replaced, or~~ new plus replaced ~~impervious hard~~ surface area, or
- Has land disturbing activity of 7,000 square feet or greater.;

The following new development shall comply with Minimum Requirements #1 through #109 for the new ~~and replaced impervious hard~~ surfaces and the converted ~~vegetation areas pervious surfaces~~:

- ~~Creates or adds~~Results in 5,000 square feet, or ~~more greater,~~ of new ~~plus replaced impervious hard~~ surface area, or
- Converts ¾ acres, or more, of ~~native~~-vegetation to lawn or landscaped areas, or
- ~~Converts 2.5 acres, or more, of~~ native vegetation to pasture.

3.3 Redevelopment

All redevelopment ~~, regardless of size,~~ shall be required to comply with Minimum Requirement #2. ~~In addition, all redevelopment that exceeds certain thresholds shall be required to comply with additional Minimum Requirements as follows.~~

The following redevelopment shall comply with Minimum Requirements #1 through #5 for the new and replaced ~~impervious hard~~ surfaces and the land disturbed:

- ~~Results in 2,000 square feet, or more, of new plus replaced hard surface area~~The new, replaced, or total of ~~new plus replaced~~ impervious surfaces is 2,000 square feet or more, or
- ~~Has land disturbing activity of 7,000 square feet or greater. 7,000 square feet or more of land disturbing activities.~~

The following redevelopment shall comply with Minimum Requirements #1 through #109 for the new ~~impervious hard~~ surfaces and converted ~~pervious vegetation~~ areas:

- Adds 5,000 square feet or more of new ~~impervious hard~~ surfaces or,
- Converts ¾ acres, or more, of ~~native~~-vegetation to lawn or landscaped areas, or
- Converts 2.5 acres, or more, of native vegetation to pasture.

~~If the runoff from the new impervious hard surfaces and converted pervious surfaces is not separated from runoff from other surfaces on the project site, the stormwater treatment facilities must be sized for the entire flow that is directed to them.~~

The local government may allow the Minimum Requirements to be met for an equivalent (flow and pollution characteristics) area within the same site. For public roads' projects, the equivalent area does not have to be within the project limits, but must drain to the same receiving water.

3.4 Additional Requirements for Re-development Project Sites

For road-related projects, runoff from the replaced and new impervious-hard surfaces (including pavement, shoulders, curbs, and sidewalks) and the converted vegetation areas shall meet all the Minimum Requirements if the new impervious-hard surfaces total 5,000 square feet or more and total 50% or more of the existing impervious-hard surfaces within the project limits. The project limits shall be defined by the length of the project and the width of the right-of-way.

Other types of redevelopment projects shall comply with ~~all the~~ Minimum Requirements #1 through #9 for the new and replaced impervious-hard surfaces and the converted vegetation areas if the total of new plus replaced impervious-hard surfaces is 5,000 square feet or more, and the valuation of proposed improvements – including interior improvements – exceeds 50% of the assessed value of the existing site improvements.

The Permittee may exempt or institute a stop-loss provision for redevelopment projects from compliance with Minimum Requirements #5 On-site Stormwater Management, Minimum Requirement #6 Runoff Treatment, Minimum Requirement #7 Flow Control and/or Minimum Requirement #8 Wetlands Protection for treatment, flow control, and wetlands protection as applied to the replaced impervious-hard surfaces if the Permittee has adopted a plan and a schedule that fulfills those requirements in regional facilities. See also Sections 5, 6 and 7 of this Appendix.

The Permittee may grant a variance/exception to the application of the flow control requirements to replaced impervious surfaces if such application imposes a severe economic hardship. See Section 6 of this Appendix.

3.5 Modification of the Minimum Requirements

Basin Planning is encouraged and may be used to tailor Minimum Requirement #5 On-site Stormwater Management, Minimum Requirement #6 Runoff Treatment, Minimum Requirement #7 Flow Control, and/or Minimum Requirement #8 Wetlands Protection. Basin planning may be used to support alternative treatment, flow control, and/or wetland protection requirements to those contained in Section 4 of this Appendix. Basin planning may also be used to demonstrate an equivalent level of treatment, flow control, and/or wetland protection through the construction and use of regional stormwater facilities. See Section 7 of this Appendix for details on Basin Planning and how Permittees may use basin planning ~~may be used~~ to modify the Minimum Requirements isn Section 4.

Section 4. Minimum Requirements

This Section describes the Minimum Requirements for stormwater management at new development and redevelopment sites. Section 3 of this Appendix should be consulted to determine which of the minimum requirements below apply to any given project. Figures 3.2 and 3.3 should be consulted to determine whether the minimum requirements apply to new surfaces, replaced surfaces, or new and replaced surfaces.

4.1 Minimum Requirement #1: Preparation of Stormwater Site Plans

The permittee shall require a Stormwater Site Plan from all projects meeting the thresholds in Section 3.1 of this Appendix. Stormwater Site Plans shall use site-appropriate development principles, as required and encouraged by local development codes, to retain native vegetation and minimize impervious surfaces to the extent feasible. Stormwater Site Plans shall be prepared in accordance with Chapter 3 of Volume 1 of the *Stormwater Management Manual for Western Washington (SWMMWW)* (~~2005~~2012).

4.2 Minimum Requirement #2: Construction Stormwater Pollution Prevention Plan (SWPPP)

Permittees may choose to allow compliance with this Minimum Requirement to be achieved for an individual site if the site is covered under Ecology's *General NPDES Permit for Stormwater Discharges Associated with Construction Activities* and fully implementing the requirements of that permit.

The Permittee may develop an abbreviated SWPPP format to meet the SWPPP requirement under this permit for sites that are less than 1 acre.

General Requirements Thresholds

All new development and redevelopment projects are responsible for preventing erosion and discharge of sediment and other pollutants into receiving waters.

Permittees must require a Construction Stormwater Pollution Prevention Plan (SWPPP) as part of the Stormwater Site Plan (see Minimum Requirement #1 above) for all projects which result in 2,000 sq. ft. or more of new plus replaced hard surface area, or which disturb 7,000 sq. ft. or more of land. ~~meet the thresholds in Section 3 of this Appendix.~~

Projects below those thresholds are not required to prepare a Construction SWPPP, but must consider all of the Elements listed below for Construction SWPPPs and develop controls for all elements that pertain to the project site. The Permittee may develop an abbreviated SWPPP format to meet the SWPPP requirement under this permit for project sites that will disturb less than 1 acre.

~~The SWPPP shall be implemented beginning with initial soil land disturbance and until final stabilization.~~

~~Sediment and Erosion control BMPs shall be consistent with the BMPs contained in chapters 3 and 4 of Volume II of the *Stormwater Management Manual for Western Washington (20052012)*, and/or other equivalent BMPs contained in technical stormwater manuals approved by the Department.~~

General Requirements

The SWPPP shall include a narrative and drawings. All BMPs shall be clearly referenced in the narrative and marked on the drawings. The SWPPP narrative shall include documentation to explain and justify the pollution prevention decisions made for the project. Each of the thirteen elements listed below must be considered and included in the SWPPP unless site conditions render the element unnecessary and the exemption from that element is clearly justified in the narrative of the SWPPP.

Clearing and grading activities for developments shall be permitted only if conducted pursuant to an approved site development plan (e.g., subdivision approval) that establishes permitted areas of clearing, grading, cutting, and filling. ~~When establishing these permitted clearing and grading areas, consideration should be given to minimizing removal of existing trees and minimizing disturbance/compaction of native soils except as needed for building purposes.~~ These permitted clearing and grading areas and any other areas required to preserve critical or sensitive areas, buffers, native growth protection easements, or tree retention areas as may be required by local jurisdictions, shall be delineated on the site plans and the development site.

The SWPPP shall be implemented beginning with initial land disturbance and until final stabilization. Sediment and Erosion control BMPs shall be consistent with the BMPs contained in chapters ~~3 and~~ 4 of Volume II of the *Stormwater Management Manual for Western Washington (SWMMWW)(2012)*.

Seasonal Work Limitations - From October 1 through April 30, clearing, grading, and other soil disturbing activities may only be authorized by the Permittee if silt-laden runoff will be prevented from leaving the site through a combination of the following:

1. Site conditions including existing vegetative coverage, slope, soil type and proximity to receiving waters; and
2. Limitations on activities and the extent of disturbed areas; and
3. Proposed erosion and sediment control measures.

Based on the information provided and/or local weather conditions, the Permittee may expand or restrict the seasonal limitation on site disturbance. The following activities are exempt from the seasonal clearing and grading limitations:

1. Routine maintenance and necessary repair of erosion and sediment control BMPs,
2. Routine maintenance of public facilities or existing utility structures that do not expose the soil or result in the removal of the vegetative cover to soil, and
3. Activities where there is one hundred percent infiltration of surface water runoff within the site in approved and installed erosion and sediment control facilities.

Construction Stormwater Pollution Prevention Plan (SWPPP) Elements

~~The construction site operator shall include each of the twelve elements below in the SWPPP and ensure that they are implemented unless site conditions render the element unnecessary and the exemption from that element is clearly justified in the SWPPP. The SWPPP shall include both narrative and drawings. All BMPs shall be clearly referenced in the narrative and marked on the drawings. The SWPPP narrative shall include documentation to explain and justify the pollution prevention decisions made for the project.~~

1. Preserve Vegetation/Mark Clearing Limits:

- a. ~~Prior to~~Before beginning land disturbing activities, 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.
- b. Retain ~~the~~ the duff layer, native top soil, and natural vegetation ~~shall be retained~~ in an undisturbed state to the maximum degree practicable.

2. Establish Construction Access:

- a. Limit ~~C~~ construction vehicle access and exit ~~shall be limited~~ to one route, if possible.
- b. Stabilize ~~A~~ access points ~~shall be stabilized~~ with a pad of quarry spalls, crushed rock, or other equivalent BMPs, to minimize ~~the~~ tracking of sediment onto public roads.
- c. Locate ~~W~~ wheel wash or tire baths ~~shall be located~~ on-site, if the stabilized construction's entrance is not effective in preventing tracking sediment ~~from being tracked~~ onto ~~public~~ roads.
- d. If sediment is tracked off site, clean the affected roadways ~~shall be cleaned~~ thoroughly at the end of each day, or more frequently as necessary (for example, during wet weather). Remove ~~S~~ sediment ~~shall be removed~~ from roads by shoveling, sweeping, or pick up sweeping and ~~shall be~~ transported the sediment to a controlled sediment disposal area.
- e. Conduct ~~S~~ street washing ~~is allowed~~ only after sediment is removed in accordance with 2.d, above.

- f. Control ~~S~~street wash wastewater ~~shall be controlled~~ by pumping back on-site, or otherwise ~~be prevented~~ it from discharging into systems tributary to waters of the ~~s~~State.
3. Control Flow Rates:
- a. Protect ~~P~~properties and waterways downstream ~~from of~~ development sites ~~shall be protected~~ from erosion and the associated discharge of turbid waters due to increases in the velocity and peak volumetric flow rate of stormwater runoff from the project site.
 - b. Where necessary to comply with 3.a, above, construct stormwater retention or detention facilities ~~shall be constructed~~ as one of the first steps in grading. Assure that ~~D~~detention facilities ~~shall be functional~~ properly prior to before constructing ~~on of~~ site improvements (e.g., impervious surfaces).
 - c. If permanent infiltration ponds are used for flow control during construction, protect these facilities ~~should be protected~~ from siltation during the construction phase.
4. Install Sediment Controls:
- ~~a.~~ ~~Stormwater runoff from disturbed areas shall pass through a sediment pond, or other appropriate sediment removal BMP, prior to leaving a construction site or prior to discharge to an infiltration facility. Runoff from fully stabilized areas may be discharged without a sediment removal BMP, but shall meet the flow control performance standard of 3.a, above.~~
 - ~~a~~b. Design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants.
 - b. Construct ~~S~~sediment control BMPs (sediment ponds, traps, filters, etc.) ~~shall be constructed~~ as one of the first steps in grading. -These BMPs shall be functional before other land disturbing activities take place.
 - c. Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site.
 - d. Direct stormwater runoff from disturbed areas through a sediment pond or other appropriate sediment removal BMP, before the runoff leaves a construction site or before discharge to an infiltration facility. Runoff from fully stabilized areas may be discharged without a sediment removal BMP, but must meet the flow control performance standard in 3.a, above.

~~ee.~~ Locate BMPs intended to trap sediment ~~on-on-~~site ~~shall be located~~ in a manner to avoid interference with the movement of juvenile salmonids attempting to enter off-channel areas or drainages.

f. Where feasible, design outlet structures that withdraw impounded stormwater from the surface to avoid discharging sediment that is still suspended lower in the water column.

5. Stabilize Soils:

a. ~~Stabilize~~ Exposed and unworked soils ~~shall be stabilized~~ by application of effective BMPs that prevent erosion. Applicable BMPs include, but are not limited to: temporary and permanent seeding, sodding, mulching, plastic covering, erosion control fabrics and matting, soil application of polyacrylamide (PAM), the early application of gravel base early on areas to be paved, and dust control.

b. Control stormwater volume and velocity within the site to minimize soil erosion.

c. Control stormwater discharges, including both peak flow rates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion.

~~bd.~~ Depending on the geographic location of the project, No sSoils ~~must not should~~ remain exposed and unworked for more than the time periods set forth below to prevent erosion:

- During the dry season (May 1 – September 30): 7 days
- During the wet season (October 1 – April 30): 2 days

~~e.~~ The time period may be adjusted by the Permittee, if the Permittee can show that local precipitation data justify a different standard.

~~de.~~ Stabilize Ssoils ~~shall be stabilized~~ at the end of the shift before a holiday or weekend if needed based on the weather forecast.

~~ef.~~ Stabilize Ssoil stockpiles ~~must be stabilized~~ from erosion, ~~protected~~ with sediment trapping measures, and where possible, ~~be located~~ away from storm drain inlets, waterways and drainage channels.

g. Minimize the amount of soil exposed during construction activity.

h. Minimize the disturbance of steep slopes.

i. Minimize soil compaction and, unless infeasible, preserve topsoil.

6. Protect Slopes:

- a. Design and construct cut-and-fill slopes in a manner ~~to that will~~ minimize erosion. Applicable practices include, but are not limited to, reducing continuous length of slope with terracing and diversions, reducing slope steepness, and roughening slope surfaces (for example, track walking).
- b. Divert ~~Off-site~~ stormwater (run-on) or ground water ~~shall be diverted~~ away from slopes and ~~undisturbed~~ areas with interceptor dikes, pipes and/or swales. -Off-site stormwater should be managed separately from stormwater generated on the site.
- c. At the top of slopes, collect drainage in pipe slope drains or protected channels to prevent erosion.
 - Temporary pipe slope drains ~~shall~~ must handle the ~~expected~~ peak 10-minute ~~flow~~ velocity of flow from a Type 1A, 10-year, 24-hour frequency storm for the developed condition. -Alternatively, the 10-year, 1-hour flow rate predicted by an approved continuous runoff model, increased by a factor of 1.6, may be used. -The hydrologic analysis ~~shall~~ must use the existing land cover condition for predicting flow rates from tributary areas outside the project limits. -For tributary areas on the project site, the analysis ~~shall~~ must use the temporary or permanent project land cover condition, whichever will produce the highest flow rates. -If using the Western Washington Hydrology Model to predict flows, bare soil areas should be modeled as “landscaped area.”
- d. Place ~~Excavated~~ material ~~shall be placed~~ on the uphill side of trenches, consistent with safety and space considerations.
- e. Place ~~Check~~ dams ~~shall be placed~~ at regular intervals within constructed channels that are cut down a slope.

7. Protect Drain Inlets:

- a. Protect ~~Storm~~ drain inlets made operable during construction ~~shall be protected~~ so that stormwater runoff does not enter the conveyance system without first being filtered or treated to remove sediment.
- b. Clean or remove and replace ~~Inlet~~ protection devices ~~shall be cleaned or removed and replaced~~ when sediment has filled one-third of the available storage (unless a different standard is specified by the product manufacturer).

8. Stabilize Channels and Outlets:

- a. Design, construct, and stabilize ~~All~~ ~~temporary~~ on-site conveyance channels ~~shall be designed, constructed, and stabilized~~ to prevent erosion from the following expected peak flows:

- Channels ~~shall-must~~ handle the ~~expected~~ peak 10-minute ~~flow-velocity~~ of flow from a Type 1A, 10-year, 24-hour frequency storm for the developed condition. -Alternatively, the 10-year, 1-hour flow rate ~~predicted-indicated~~ by an approved continuous runoff model, increased by a factor of 1.6, may be used. -The hydrologic analysis ~~shall-must~~ use the existing land cover condition for predicting flow rates from tributary areas outside the project limits. -For tributary areas on the project site, the analysis shall use the temporary or permanent project land cover condition, whichever will produce the highest flow rates. -If using the Western Washington Hydrology Model to predict flows, bare soil areas should be modeled as “landscaped area.”
 - b. Provide Stabilization, including armoring material, adequate to prevent erosion of outlets, adjacent stream banks, slopes, and downstream reaches ~~shall be provided~~ at the outlets of all conveyance systems.
9. Control Pollutants:
- a. Design, install, implement and maintain effective pollution prevention measures to minimize the discharge of pollutants.
 - b. Handle and dispose ~~A~~ll pollutants, including waste materials and demolition debris, that occur ~~on-site~~ ~~shall be handled and disposed of~~ in a manner that does not cause contamination of stormwater.
 - ~~b~~c. Provide Cover, containment, and protection from vandalism ~~shall be provided~~ for all chemicals, liquid products, petroleum products, and other materials that have the potential to pose a threat to human health or the environment. On-site fueling tanks ~~shall-must~~ include secondary containment. Secondary containment means placing tanks or containers within an impervious structure capable of containing 110% of the volume contained in the largest tank within the containment structure. Double-walled tanks do not require additional secondary containment.
 - ~~e~~d. Conduct Maintenance, fueling and repair of heavy equipment and vehicles ~~shall be conducted~~ using spill prevention and control measures. Clean Contaminated surfaces ~~shall be cleaned~~ immediately following any spill incident.
 - ~~d~~e. Discharge Wheel wash or tire bath wastewater ~~shall be discharged~~ to a separate on-site treatment system that prevents discharge to surface water, such as closed-loop recirculation or upland application, or to the sanitary sewer, with local sewer district approval.
 - ~~e~~f. Application of fertilizers and pesticides ~~shall be conducted~~ in a manner and at application rates that will not result in loss of chemical to stormwater runoff. Follow Manufacturers’ label requirements for application rates and procedures ~~shall be followed~~.

- fg. ~~Use BMPs shall be used~~ to prevent ~~or treat~~ contamination of stormwater runoff by pH modifying sources. ~~These~~ sources for this contamination include, but are not limited to: bulk cement, cement kiln dust, fly ash, new concrete washing and curing waters, waste streams generated from concrete grinding and sawing, exposed aggregate processes, dewatering concrete vaults, concrete pumping and mixer washout waters.
- h. ~~Adjust the pH of stormwater if necessary to prevent~~ Permittees shall require construction site operators to adjust the pH of stormwater if necessary to prevent violations of water quality standards.
- i. Assure that washout of concrete trucks is performed off-site or in designated concrete washout areas only. Do not wash out concrete trucks onto the ground, or into storm drains, open ditches, streets, or streams. Do not dump excess concrete on-site, except in designated concrete washout areas. Concrete spillage or concrete discharge to surface waters of the State is prohibited.
- j. ~~Permittees shall require construction site operators to~~ Obtain written approval from Ecology the Department prior to ~~before~~ using chemical treatment other than CO₂ or dry ice to adjust pH.

10. Control De-Watering:

- a. Discharge F foundation, vault, and trench de-watering water, which have similar characteristics to stormwater runoff at the site, ~~shall be discharged~~ into a controlled conveyance system ~~prior to~~ before discharge to a sediment trap or sediment pond.
- b. Discharge C clean, non-turbid de-watering water, such as well-point ground water, ~~can be discharged~~ to systems tributary to, or directly into surface waters of the ~~s~~State, as specified in 8, above, provided the de-watering flow does not cause erosion or flooding of receiving waters. Do not route C clean de-watering water ~~should not be routed~~ through stormwater sediment ponds. Note that "surface waters of the State" may exist on a construction site as well as off site; for example, a creek running through a site.
- ~~c.~~ Handle highly turbid or otherwise contaminated dewatering water separately from stormwater.
- ~~d.~~ Other treatment or de-watering disposal options may include:
- (i) ~~(i)~~ Infiltration;
- (ii) ~~(ii)~~ Transport offsite/off-site in vehicle, such as a vacuum flush truck, for legal disposal in a manner that does not pollute state waters;
- (iii) ~~(iii)~~ Ecology-approved on-site chemical treatment or other suitable treatment technologies ~~approved by the Permittee;~~

~~(iv)~~ ~~(iv)~~ ~~s~~Sanitary or combined sewer discharge with local sewer district approval, if there is no other option. ~~;~~ ~~or~~

~~(v)~~ ~~(v)~~ ~~u~~Use of a sedimentation bag with outfall to a ditch or swale for small volumes of localized de-watering.

~~d. Highly turbid or contaminated dewatering water shall be handled separately from stormwater.~~

11. Maintain BMPs:

- a. Maintain and repair ~~A~~all temporary and permanent erosion and sediment control BMPs ~~shall be inspected, maintained and repaired~~ as needed to assure continued performance of their intended function in accordance with BMP specifications.
- b. Remove ~~A~~all temporary erosion and sediment control BMPs ~~shall be removed~~ within 30 days after achieving final site stabilization ~~is achieved~~ or after the temporary BMPs are no longer needed.

12. Manage the Project:

- a. Phase ~~D~~development projects ~~shall be phased~~ to the maximum degree practicable and ~~shall~~ take into account seasonal work limitations.
- b. ~~The Permittee must require construction site operators~~ Inspection and monitoring – Inspect, to maintain, and repair ~~as needed,~~ all ~~sediment and erosion control~~ BMPs as needed to assure continued performance of their intended function.

~~c. Maintaining an updated construction SWPPP – Maintain, update, and implement the SWPPP.~~

~~ed. The Permittee must require construction site operators to periodically inspect their sites. For p~~Projects that disturb one or more acres must have, site inspections ~~shall be~~ conducted by a Certified Erosion and Sediment Control Lead (CESCL). Project sSites **disturbing less than one acre may have a CESCL or a person without CESCL certification conduct inspections. By the initiation of construction, ~~t~~The SWPPP must ~~who shall be identified in the SWPPP the CESCL or inspector, and who shall~~ must be present on-site or on-call at all times.**

13. Protect Low Impact Development BMPs

- a. Protect all Bioretention and Rain Garden BMPs from sedimentation through installation and maintenance of erosion and sediment control BMPs on portions of the site that drain into the Bioretention and/or Rain Garden BMPs. Restore the BMPs to their fully functioning condition if they accumulate sediment during construction. Restoring the BMP must include removal of sediment and any

sediment-laden Bioretention/rain garden soils, and replacing the removed soils with soils meeting the design specification.

- b. Prevent compacting Bioretention and Rain Garden BMPs by excluding construction equipment and foot traffic. Protect completed lawn and landscaped areas from compaction due to construction equipment.
- c. Control erosion and avoid introducing sediment from surrounding land uses onto permeable pavements. Do not allow muddy construction equipment on the base material or pavement. Do not allow sediment-laden runoff onto permeable pavements or base materials.
- d. Pavements fouled with sediments or no longer passing an initial infiltration test must be cleaned using procedures from the local stormwater manual or the manufacturer's procedures.

De.: Keep all heavy equipment off existing soils under LID BMPs that have been excavated to final grade to retain the infiltration rate of the soils.

4.3 Minimum Requirement #3: Source Control of Pollution

All known, available and reasonable source control BMPs must be required for ~~to~~ all projects approved by the Permittee. -Source control BMPs must be selected, designed, and maintained in accordance with Volume IV of the *Stormwater Management Manual for Western Washington (2005/2012)* or an approved equivalent manual approved by ~~the~~ DepartmentEcology.

4.4 Minimum Requirement #4: Preservation of Natural Drainage Systems and Outfalls

Natural drainage patterns shall be maintained, and discharges from the project site shall occur at the natural location, to the maximum extent practicable. -The manner by which runoff is discharged from the project site must not cause a significant adverse impact to downstream receiving waters and down gradient properties. -All outfalls require energy dissipation.

4.5 Minimum Requirement #5: On-site Stormwater Management

Applicability

Except as provided below, ~~T~~the Permittee must require On-site Stormwater Management BMPs in accordance with the following project thresholds, standards, and lists to infiltrate, disperse, and retain stormwater runoff ~~onsite~~on-site to the ~~maximum~~ extent feasible without causing flooding or erosion impacts.

~~Roof Downspout Control BMPs, functionally equivalent to those described in Chapter 3 of Volume III of the *Stormwater Management Manual for Western Washington (2005)*,~~

Projects qualifying as flow control exempt in accordance with Section 4.7 of this Appendix do not have to achieve the LID performance standard, nor consider bioretention, rain gardens, permeable pavement, and full dispersion if using List #1 or List #2. However, those projects must implement BMP T5.13; BMPs T5.10A, B, or C; and BMP T5.11 or T5.12, if feasible.

Project Thresholds

1. Projects triggering only Minimum Requirements #1 through #5 shall either:

- a. Use -On-site Stormwater Management BMPs from List #1 for all surfaces within each type of surface in List #1; or
- b. Demonstrate compliance with the LID Performance Standard. Projects selecting this option cannot use Rain Gardens. They may choose to use Bioretention BMPs as described in the SWMMWW (2012)¹.

±2. Projects triggering Minimum Requirements #1 through #9 must meet the requirements in Table 4.1

~~Projects - Minimum Requirements #1 through -, On site Stormwater Management -~~

¹ All references to the Stormwater Management Manual for Western Washington are to the 2012 version.

Table 4.1: On-site Stormwater Management Requirements for Projects Triggering Minimum Requirements #1 - #9

<u>Project Type and Location</u>	<u>Requirement</u>
<u>New development on any parcel inside the UGA, or new development outside the UGA on a parcel less than 5 acres</u>	<u>Low Impact Development Performance Standard and BMP T5.13; or Mandatory List- #2 (applicant option).</u>
<u>New development outside the UGA on a parcel greater thanof 5 acres or larger</u>	<u>Low Impact Development Performance Standard and BMP T5.13.</u>
<u>Redevelopment on any parcel inside the UGA, or redevelopment outside the UGA on a parcel less than 5 acres</u>	<u>Low Impact Development Performance Standard and BMP T5.13; or Mandatory List #2 (applicant option).</u>
<u>Redevelopment outside the UGA on a parcel greater thanof -5 acres or larger</u>	<u>Low Impact Development Performance Standard and BMP T5.13.</u>

NOTE: This table refers to the Urban Growth Area (UGA) as designated under the Growth Management Act (GMA) (chapter 36.70A RCW) of the State of Washington. If the Permittee is located in a county that is not subject to planning under the GMA, the city limits shall be used instead.

Low Impact Development Performance Standard

Stormwater discharges shall match developed discharge durations to pre-developed durations for the range of pre-developed discharge rates from 8% of the 2-year peak flow to 50% of the 2-year peak flow. -Refer to the Standard Flow Control Requirement section in Minimum Requirement #7 for information about the assignment of the pre-developed condition. -Project sites that must also meet minimum requirement #7 shall match flow durations between 8% of the 2-year flow through the full 50-year flow.

List #1: On-site Stormwater Management BMPs for Projects Triggering Minimum Requirements #1 through #5

For each surface, consider the BMP’s in the order listed for that type of surface. Use the first BMP that is considered feasible. No other On-site Stormwater Management BMP is necessary for that surface. Feasibility shall be determined by evaluation against:

1. Design criteria, limitations, and infeasibility criteria identified for each BMP in the SWMMWW; and

2. Competing Needs Criteria listed in Chapter 5 of Volume V of the SWMMWW.

Lawn and landscaped areas:

- Post-Construction Soil Quality and Depth in accordance with BMP T5.13 in Chapter 5 of Volume V of the SWMMWW

Roofs:

1. Full Dispersion in accordance with BMP T5.30 in Chapter 5 of Volume V of the SWMMWW, or Downspout Full Infiltration Systems in accordance with BMP T5.10A in Section 3.1.1 of Volume III of the SWMMWW.
2. Rain Gardens in accordance with the “Rain Garden Handbook for Western Washington,” or Bioretention in accordance with Chapter 7 of Volume V of the SWMMWW. -The rain garden or bioretention facility must have a minimum horizontal projected surface area below the overflow which is at least 5% of the area draining to it.
3. Downspout Dispersion Systems in accordance with BMP T5.10B in Section 3.1.2 of Volume III of the SWMMWW.
4. Perforated Stub-out Connections in accordance with BMP T5.10C in Section 3.1.3 of Volume III of the SWMMWW.

Other Hard Surfaces:

1. Full Dispersion in accordance with BMP T5.30 in Chapter 5 of Volume V of the SWMMWW.
2. Permeable pavement² in accordance with BMP T5.15 in Chapter 5 of Volume V of the SWMMWW, or Rain Gardens in accordance with the “Rain Garden Handbook for Western Washington,” or Bioretention in accordance with Chapter 7 of Volume V of the SWMMWW. The rain garden or bioretention facility must have a minimum horizontal projected surface area below the overflow which is at least 5% of the area draining to it.
3. Sheet Flow Dispersion in accordance with BMP T5.12, or Concentrated Flow Dispersion in accordance with BMP T5.11 in Chapter 5 of Volume V of the SWMMWW.

List #2: On-site Stormwater Management BMPs for Projects Triggering Minimum Requirements #1 through #9

For each surface, consider the BMPs in the order listed for that type of surface. Use the first BMP that is considered feasible. -No other On-site Stormwater Management BMP is necessary for that surface. Feasibility shall be determined by evaluation against:

² This is not a requirement to pave these surfaces. Where pavement is proposed, it must be permeable to the extent feasible unless full dispersion is employed.

1. Design criteria, limitations, and infeasibility criteria identified for each BMP in the SWMMWW; and
2. Competing Needs Criteria listed in Chapter 5 of Volume V of the SWMMWW.

Lawn and landscaped areas:

- Post-Construction Soil Quality and Depth in accordance with BMP T5.13 in Chapter 5 of Volume V of the SWMMWW

Roofs:

1. Full Dispersion in accordance with BMP T5.30 in Chapter 5 of Volume V of the SWMMWW, or Downspout Full Infiltration Systems in accordance with BMP T5.10A in Section 3.1.1 of Volume III of the SWMMWW
2. Bioretention (See Chapter 7 of Volume V of the SWMMWW) facilities that have a minimum horizontally projected surface area below the overflow which is at least 5% of the of the total surface area draining to it
3. Downspout Dispersion Systems in accordance with BMP T5.10B in Section 3.1.2 of Volume III of the SWMMWW
4. Perforated Stub-out Connections in accordance with BMP T5.10C in Section 3.1.3 of Volume III of the SWMMWW.

Other Hard Surfaces:

1. Full Dispersion in accordance with BMP T5.30 in Chapter 5 of Volume V of the SWMMWW
2. Permeable pavement² in accordance with BMP T5.15 in Chapter 5 of Volume V of the SWMMWW
3. Bioretention (See Chapter 7, Volume V of the SWMMWW) facilities that have a minimum horizontally projected surface area below the overflow which is at least 5% of the of the total surface area draining to it.
4. Sheet Flow Dispersion in accordance with BMP T5.12, or Concentrated Flow Dispersion in accordance with BMP T5.11 in Chapter 5 of Volume V of the SWMMWW

4.6 Minimum Requirement #6: Runoff Treatment

Project Thresholds

When assessing a project against the following thresholds, only consider those hard and pervious surfaces that are subject to this minimum requirement as determined in Section 3 of this Appendix.

The following require construction of stormwater treatment facilities (see Table 4.1 below):

- Projects in which the total of effective, pollution-generating impervious hard surface (PGHS) is 5,000 square feet or more in a threshold discharge area of the project, or
- Projects in which the total of pollution-generating pervious surfaces (PGPS) – not including permeable pavements - is three-quarters (3/4) of an acre or more in a threshold discharge area, and from which there –iswill be a surface discharge in a natural or man-made conveyance system from the site.

Table 4.1 – Treatment Requirements by Threshold Discharge Area				
	< ¾ acres of PGPS	≥ ¾ acres PGPS	< 5,000-sf PGIS	≥ 5,000-sf PGIS
Treatment Facilities		✓		✓
Onsite Stormwater BMPs	✓	✓	✓	✓

PGPS = pollution-generating pervious surfaces
 PGIS = pollution-generating impervious surfaces
 -sf = square feet

Treatment-Type Thresholds

1. Oil Control:

Treatment to achieve Oil Control applies to projects that have “high-use sites.” High-use sites are those that typically generate high concentrations of oil due to high traffic turnover or the frequent transfer of oil. High-use sites include:

- An area of a commercial or industrial site subject to an expected average daily traffic (ADT) count equal to or greater than 100 vehicles per 1,000 square feet of gross building area;
- An area of a commercial or industrial site subject to petroleum storage and transfer in excess of 1,500 gallons per year, not including routinely delivered heating oil;
- An area of a commercial or industrial site subject to parking, storage or maintenance of 25 or more vehicles that are over 10 tons gross weight (trucks, buses, trains, heavy equipment, etc.);
- A road intersection with a measured ADT count of 25,000 vehicles or more on the main roadway and 15,000 vehicles or more on any intersecting roadway, excluding projects proposing primarily pedestrian or bicycle use improvements.

2. Phosphorus Treatment:

The requirement to provide phosphorous control is determined by the local government with jurisdiction (e.g., through a lake management plan), or the Department of Ecology (e.g., through a waste load allocation). The local government may have developed a management plan and implementing ordinances or regulations for control of phosphorus from new/redevelopment for the receiving water(s) of the stormwater drainage. The local government can use the following sources of information for pursuing plans and implementing ordinances and/or regulations:

- a. Those waterbodies reported under section 305(b) of the Clean Water Act, and designated as not supporting beneficial uses due to phosphorous;
- b. Those listed in Washington State's Nonpoint Source Assessment required under section 319(a) of the Clean Water Act due to nutrients.

3. Enhanced Treatment:

Except where specified below under “4. Basic Treatment, Enhanced treatment for reduction in dissolved metals is required for the following project sites that: 1) discharge directly to fish-bearing streams, lak fresh waters or conveyance systems tributary to,es,fresh waters designated for aquatic life use or that have an existing aquatic life use; or 2) use infiltration strictly for flow control – not treatment – and the discharge is within ¼ mile of a fresh water designated for aquatic life use or that has an existing aquatic life use: or to waters or conveyance systems tributary to fish-bearing streams or lakes:

Industrial project sites,
Commercial project sites,
Multi-family project sites, and
High AADT roads as follows:

Within Urban Growth Management Areas:

- Fully controlled and partially controlled limited access highways with Annual Average Daily Traffic (AADT) counts of 15,000 or more
- All other roads with an AADT of 7,500 or greater

Outside of Urban Growth Management Areas:

- Roads with an AADT of 15,000 or greater unless discharging to a 4th Strahler order stream or larger;
- Roads with an AADT of 30,000 or greater if discharging to a 4th Strahler order stream or larger (as determined using 1:24,000 scale maps to delineate stream order).

However, such sites listed above that discharge directly (or, indirectly through a municipal storm sewer system) to Basic Treatment Receiving Waters (Appendix I-C of the *Stormwater Management Manual for Western Washington (2005-2012)*), and Any areas of the above-listed project sites that are identified as subject to Basic Treatment requirements (below), are ~~also~~ not also subject to Enhanced Treatment requirements. For developments with a mix of land use types, the Enhanced Treatment requirement shall apply when the runoff from the areas subject to the Enhanced Treatment requirement comprise 50% or more of the total runoff within a threshold discharge area.

4. Basic Treatment:

Basic Treatment is required in the following circumstances generally applies to:

- Project sites that discharge to the ground, UNLESS:
 - 1) The soil suitability criteria for infiltration treatment are met (See Chapter 3, Volume III of the SWMMWW), and ~~alternative pretreatment is provided~~ (see Chapter ~~6,3 of~~ Volume ~~VIII~~ of the *Stormwater Management Manual for Western Washington (2005-2012)* for soil suitability criteria); or
 - 2) The project site uses infiltration strictly for flow control – not treatment - and the discharge is within ¼-mile of a phosphorus sensitive lake (use a Phosphorus Treatment facility), or
 - 3) The project site is industrial, commercial, multi-family residential, or a high AADT road (consistent with the Enhanced Treatment-type thresholds listed above) and is within ¼ mile of a fresh water designated for aquatic life use or that has an existing aquatic life use, fish-bearing stream, or a lake (use an Enhanced Treatment facility).
- Residential projects not otherwise needing phosphorus control as designated by USEPA, the Department of Ecology, or by the Permittee; ~~and~~
- Project sites discharging directly (or indirectly through a municipal separate storm sewer system) to Basic Treatment Receiving Waters (Appendix I-C of the SWMMWW (2012)), salt waters, river segments, and lakes listed in Appendix I-C of the *Stormwater Management Manual for Western Washington (2005-2012)*; and
- Project sites that drain to fresh water streams that is not designated for aquatic life use, and does not have an existing aquatic life use; and project sites that drain are not fish-bearing, or to waters not tributary to waters designated for aquatic life use or that have an existing aquatic life use, fish-bearing streams;

- Landscaped areas of industrial, commercial, and multi-family project sites, and parking lots of industrial and commercial project sites that do not involve pollution-generating sources (e.g., industrial activities, customer parking, storage of erodible or leachable material, wastes or chemicals) other than parking of employees' private vehicles. -For developments with a mix of land use types, the Basic Treatment requirement shall apply when the runoff from the areas subject to the Basic Treatment requirement comprise 50% or more of the total runoff within a threshold discharge area.

Treatment Facility Sizing

Size stormwater treatment facilities for the entire area that drains to them, even if some of those areas are not pollution-generating, or were not included in the project site threshold decisions (Section 3 of this appendix) or the treatment threshold decisions of this minimum requirement.

Water Quality Design Storm Volume: The volume of runoff predicted from a 24-hour storm with a 6-month return frequency (a.k.a., 6-month, 24-hour storm). -Wetpool facilities are sized based upon the volume of runoff predicted through use of the Natural Resource Conservation Service curve number equations in Chapter 2 of Volume III of the *Stormwater WManagement Manual for Western Washington (20052012)*, for the 6-month, 24-hour storm. -Alternatively-, when using an approved continuous runoff model, the water quality design storm volume shall be equal to the simulated daily volume that represents the upper limit of the range of daily volumes that accounts for 91% of the entire runoff volume over a multi-decade period of record. the 91st percentile, 24-hour runoff volume indicated by an approved continuous runoff model may be used.

Water Quality Design Flow Rate

1. Preceding Detention Facilities or when Detention Facilities are not required:

The flow rate at or below which 91% of the runoff volume, as estimated by an approved continuous runoff model, will be treated. -Design criteria for treatment facilities are assigned to achieve the applicable performance goal (e.g., 80% TSS removal) at the water quality design flow rate (e.g., 80% TSS removal). At a minimum, 91% of the -total runoff volume, as estimated by an approved continuous runoff model, must pass through the treatment facility(ies) at or below the approved hydraulic loading rate for the facility(ies).

2. Downstream of Detention Facilities:

The water quality design flow rate must be the full 2-year release rate from the detention facility.

~~Alternative methods may be used if they identify volumes and flow rates that are at least equivalent.~~

~~That portion of any development project in which the above PGIS or PGPS thresholds are not exceeded in a threshold discharge area shall apply On-site Stormwater Management BMPs in accordance with Minimum Requirement #5.~~

Treatment Facility Selection, Design, and Maintenance

Stormwater treatment facilities shall be:

~~Stormwater treatment facilities shall be:~~

- ~~• Selected in accordance with the process identified in Chapter 4 of Volume I, and Chapter 2 of Volume V of the *Stormwater WManagement Manual for Western Washington* (20052012),~~
- ~~• Designed in accordance with the design criteria in Volume V of the *Stormwater WManagement Manual for Western Washington* (20052012), and~~
- ~~• Maintained in accordance with the maintenance schedule in Volume V of the *Stormwater WManagement Manual for Western Washington* (20052012).~~

Additional Requirements

The discharge of untreated stormwater from pollution-generating ~~impervioushard~~ surfaces to ground water must not be authorized by the Permittee, except for the discharge achieved by infiltration or dispersion of runoff ~~from residential sites~~ through use of On-site Stormwater Management BMPs in accordance with Chapter 5, Volume V and Chapter 7, Volume V of the SWMMWW (2012); or by infiltration through soils meeting the soil suitability criteria in Chapter 3 of Volume III of the SWMMWW (2012).

4.7 Minimum Requirement #7: Flow Control

Applicability

Except as provided below, the Permittee must require all projects provide flow control to reduce the impacts of stormwater runoff from ~~impervioushard~~ surfaces and land cover conversions. The requirement below applies to projects that discharge stormwater directly, or indirectly through a conveyance system, into a fresh water body.

Flow control is not required -for projects that discharge directly to, or indirectly through an MS4 to a water listed in Appendix I-E of the *Stormwater Management Manual for Western Washington* (20052012) subject to the following restrictions:

- Direct discharge to the exempt receiving water does not result in the diversion of drainage from any perennial stream classified as Types 1, 2, 3, or 4 in the State of

- Washington Interim Water Typing System, or Types “S”, “F”, or “Np” in the Permanent Water Typing System, or from any category I, II, or III wetland; and
- Flow splitting devices or drainage BMP’s are applied to route natural runoff volumes from the project site to any downstream Type 5 stream or category IV wetland:
 - Design of flow splitting devices or drainage BMP’s will be based on continuous hydrologic modeling analysis. The design will assure that flows delivered to Type 5 stream reaches will approximate, but in no case exceed, durations ranging from 50% of the 2-year to the 50-year peak flow.
 - Flow splitting devices or drainage BMP’s that deliver flow to category IV wetlands will also be designed using continuous hydrologic modeling to preserve pre-project wetland hydrologic conditions unless specifically waived or exempted by regulatory agencies with permitting jurisdiction; and
 - The project site must be drained by a conveyance system that is comprised entirely of manmade conveyance elements (e.g., pipes, ditches, outfall protection, etc.) and extends to the ordinary high water line of the exempt receiving water; and
 - The conveyance system between the project site and the exempt receiving water shall have sufficient hydraulic capacity to convey discharges from future build-out conditions (under current zoning) of the site, and the existing condition from non-project areas from which runoff is or will be collected; and
 - Any erodible elements of the manmade conveyance system must be adequately stabilized to prevent erosion under the conditions noted above.

If the discharge is to a stream that leads to a wetland, or to a wetland that has an outflow to a stream, both this minimum requirement (Minimum Requirement #7) and Minimum Requirement #8 apply.

Permittees may petition Ecology to exempt projects in additional areas. A petition must justify the proposed exemption based upon a hydrologic analysis that demonstrates that the potential stormwater runoff from the exempted area will not significantly increase the erosion forces on the stream channel nor have near-field impacts.

~~(see Section 7 of this Appendix).~~

Thresholds

When assessing a project against the following thresholds, consider only those impervious, hard, and pervious surfaces that are subject to this minimum requirement as determined in Section 3 of this Appendix.

The following circumstances require ~~construction of flow control facilities and/or land use management BMPs that will achievement of~~ the standard flow control requirement for western Washington ~~(see Table 4.2):~~

- Projects in which the total of effective impervious surfaces is 10,000 square feet or more in a threshold discharge area, or
- Projects that convert $\frac{3}{4}$ acres or more of ~~native~~ vegetation to lawn or landscape, or convert 2.5 acres or more of native vegetation to pasture in a threshold discharge area, and from which there is a surface discharge in a natural or man-made conveyance system from the site, or
- Projects that through a combination of ~~effective impervious hard~~ surfaces and ~~converted effective pervious surfaces~~ converted vegetation areas cause a 0.10 cubic feet per second (cfs) increase or greater in the 100-year flow frequency from a threshold discharge area as estimated using the Western Washington Hydrology Model or other approved model and one-hour time steps (or a 0.15 cfs increase or greater using 15-minute time steps).³

That portion of any development project in which the above thresholds are not exceeded in a threshold discharge area shall apply Onsite Stormwater Management BMPs in accordance with Minimum Requirement #5.

Table 4.2 Flow Control Requirements by Threshold Discharge Area

	Flow Control Facilities	On-site Stormwater Management BMPs
< $\frac{3}{4}$ acres conversion to lawn/landscape, or < 2.5 acres to pasture		✓
$\geq \frac{3}{4}$ acres conversion to lawn/landscape, or ≥ 2.5 acres to pasture	✓	✓
< 10,000 square feet of effective impervious area		✓
$\geq 10,000$ square feet of effective impervious area	✓	✓
≥ 0.1 cubic feet per second increase in the 100-year flood frequency	✓	✓

Standard Flow Control Requirement

Stormwater discharges shall match developed discharge durations to pre-developed durations for the range of pre-developed discharge rates from 50% of the 2-year peak flow up to the full 50-year peak flow. The pre-developed condition to be matched shall be a forested land cover unless:

- Reasonable, historic information is available that indicates the site was prairie prior to settlement (modeled as “pasture” in the Western Washington Hydrology Model); or
- The drainage area of the immediate stream and all subsequent downstream basins have had at least 40% total impervious area since 1985. In this case, the pre-developed condition to be matched shall be the existing land cover condition. The

³ The 0.10 cfs (one-hour time steps) or 0.15 cfs (15-minute time steps) increase should be a comparison of the post-project runoff to the existing condition runoff. For the purpose of applying this threshold, the existing condition is either the pre-project land cover, or the land cover that existed at the site as of a date when the local jurisdiction first adopted flow control requirements into code or rules.

map in Appendix I-G of the SMMWW (2012) depicts those areas which meet this criterion. -Where basin-specific studies determine a stream channel to be unstable, even though the above criterion is met, the pre-developed condition assumption shall be the “historic” land cover condition, or a land cover condition commensurate with achieving a target flow regime identified by an approved basin study.

This standard requirement is waived for sites that will reliably infiltrate all the runoff from ~~impervious~~ surfaces and converted ~~vegetation areas~~ pervious surfaces.

Western Washington Alternative Requirement

An alternative requirement may be established through application of watershed-scale hydrological modeling and supporting field observations. Possible reasons for an alternative flow control requirement include:

- Establishment of a stream-specific threshold of significant bedload movement other than the assumed 50% of the 2-year peak flow;
- Zoning and Land Clearing Ordinance restrictions that, in combination with an alternative flow control standard, maintain or reduce the naturally occurring erosive forces on the stream channel; or
- A duration control standard is not necessary for protection, maintenance, or restoration of designated and existing beneficial uses or Clean Water Act compliance.

See Section 7 Basin/Watershed Planning of this Appendix for details on how alternative flow control requirements may be established.

Additional Requirement

Flow Control BMPs shall be selected, designed, and maintained in accordance with Volume III of the ~~S~~Wormwater Management Manual for W~~Western Washington (2005)~~2012 or an approved equivalent.

4.8 Minimum Requirement #8: Wetlands Protection

Applicability

The requirements below apply only to projects whose stormwater discharges into a wetland, either directly or indirectly through a conveyance system. ~~These requirements must be met in addition to meeting Minimum Requirement #6, Runoff Treatment.~~

Thresholds

The thresholds identified in Minimum Requirement #6 – Runoff Treatment, and Minimum Requirement #7 – Flow Control shall also be applied to determine the applicability of this requirement to ~~for~~ discharges to wetlands.

Standard Requirement

~~Projects Discharges to wetlands shall comply with Guide Sheets #1 through #3 in Appendix I-D of the SWMMWW (2012). maintain the hydrologic conditions, hydrophytic vegetation, and substrate characteristics necessary to support existing and designated uses.~~ The hydrologic analysis shall use the existing land cover condition to determine the existing hydrologic conditions unless directed otherwise by a regulatory agency with jurisdiction. ~~A wetland can be considered for hydrologic modification and/or stormwater treatment in accordance with Guide Sheet 1B in Appendix I-D on the Stormwater Management Manual for Western Washington (20052012).~~

Additional Requirements

Stormwater treatment and flow control facilities shall not be built within a natural vegetated buffer, except for:

- ~~N~~ecessary conveyance systems as approved by the Permittee; or
- ~~A~~s allowed in wetlands approved for hydrologic modification and/or treatment in accordance with Guide ~~S~~heet ~~1B~~2 in Appendix I-D of the ~~Stormwat~~Wer ~~Management Manual for Western Washington (20052012).~~

An adopted and implemented basin plan prepared in accordance with the provisions of Section 7 of this Appendix may be used to develop requirements for wetlands that are tailored to a specific basin.

4.9 Minimum Requirement #9: Operation and Maintenance

Permittees must require an operation and maintenance manual that is consistent with the provisions in Volume V of the ~~Stormwater W~~Management Manual for Western Washington (20052012) for ~~all~~ proposed stormwater facilities and BMPs. ~~The party (or parties) responsible for maintenance and operation shall be identified in the operation and maintenance manual. For private facilities approved by the Permittee, a copy of the operation and maintenance manual shall be retained onsite/on-site or within reasonable access to the site, and shall be transferred with the property to the new owner. For public facilities, a copy of the operation and maintenance manual shall be retained in the appropriate department. A log of maintenance activity that indicates what actions were taken shall be kept and be available for inspection by the local government.~~

Section 5. Adjustments

Adjustments to the Minimum Requirements may be granted by the Permittee provided that a written finding of fact is prepared, that addresses the following:

- The adjustment provides substantially equivalent environmental protection.

- Based on sound Engineering practices, the objectives of safety, function, environmental protection and facility maintenance, are met.

Section 6. Exceptions/Variances

Exceptions/variances (exceptions) to the Minimum Requirements may be granted by the Permittee following legal public notice of an application for an exception or variance, legal public notice of the Permittee's decision on the application, and written findings of fact that documents the Permittees determination to grant an exception. -Permittees shall keep records, including the written findings of fact, of all local exceptions to the Minimum Requirements.

Project-specific design exceptions based on site-specific conditions do not require prior approval of ~~the DepartmentEcology~~. -The Permittee must seek prior approval by ~~the DepartmentEcology~~ for any jurisdiction-wide exception.

The Permittee may grant an exception to the minimum requirements if such application imposes a severe and unexpected economic hardship. -To determine whether the application imposes a severe and unexpected economic hardship on the project applicant, the Permittee must consider and document with written findings of fact the following:

- The current (pre-project) use of the site, and
- How the application of the minimum requirement(s) restricts the proposed use of the site compared to the restrictions that existed prior to the adoption of the minimum requirements; and
- The possible remaining uses of the site if the exception were not granted; and
- The uses of the site that would have been allowed prior to the adoption of the minimum requirements; and
- A comparison of the estimated amount and percentage of value loss as a result of the minimum requirements versus the estimated amount and percentage of value loss as a result of requirements that existed prior to adoption of the minimum requirements; and
- The feasibility for the owner to alter the project to apply the minimum requirements.

In addition any exception must meet the following criteria:

- The exception will not increase risk to the public health and welfare, nor be injurious to other properties in the vicinity and/or downstream, and to the quality of waters of the state; and

- The exception is the least possible exception that could be granted to comply with the intent of the Minimum Requirements.

Section 7. Basin/Watershed Planning

Basin/Watershed planning may be used by the Permittee to tailor [Minimum Requirement #5 On-site Stormwater Management](#), [Minimum Requirement #6 Runoff Treatment](#), [Minimum Requirement #7 Flow Control](#), and/or [Minimum Requirement #8 Wetlands Protection](#). ~~Basin planning may be used to support alternative stormwater treatment, flow control, and/or wetland protection requirements to those contained in Section 4 of this Appendix.~~ Basin planning may also be used to demonstrate an equivalent level of treatment, flow control, and/or wetland protection through the construction and use of regional stormwater facilities.

Basin planning provides a mechanism by which the minimum requirements and implementing BMP's can be evaluated and refined based on an analysis of a basin or watershed. Basin plans ~~are~~ may be used to develop control strategies to address impacts from future development and to correct specific problems whose sources are known or suspected. Basin plans can be effective at addressing both long-term cumulative impacts of pollutant loads and short-term acute impacts of pollutant concentrations, as well as hydrologic impacts to streams, wetlands, and ground water resources.

Basin planning will require the use of [continuous runoff](#) computer models and field work to verify and support the models. ~~System~~The USGS has developed software called "GenSen" ([Generation and Analysis of Model Simulation Scenarios](#)) that can facilitate basin planning. ~~The program is a Windows-based application of HSPF that predicts water quality and quantity changes for multiple scenarios of land use and water management within a basin.~~ Permittees who are considering the use of basin/watershed plans to modify or tailor one or more of the minimum requirements are encouraged to contact Ecology early in the planning stage.

Some examples of how Basin Planning can alter the minimum requirements are given in Appendix I-A from the [Stormwater WManagement Manual for Western Washington \(20052012\)](#).

In order for a basin plan to serve as a means of modifying the minimum requirements the following conditions must be met:

- The plan must be formally adopted by all jurisdictions with responsibilities under the plan; and
- All ordinances or regulations called for by the plan must be in effect; and
- The basin plan must be reviewed and approved by Ecology.