

# DRAFT Modifications - PH I, WWA PH II, and SWMMWW 2014

Abbey Stockwell

Nat Kale

Ed O'Brien

Water Quality Program



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

# Today's purpose

- Overview of the [proposed mod's](#)
- Review public comment process
- Q&A



# Summary of Modifications

- Implement [Settlement & PCHB decisions](#)
- Incorporate clarifications, corrections, additional guidance



# PH II Settlement Agreement

- Revise definitions
  - “outfall”
  - “receiving waters/receiving water body”
- New term: “discharge point”
  - Intent: COMMON VOCABULARY
    - **Distinguish between locations that discharge to receiving waters and locations that discharge to something else.**



# New Definition: Outfall

A point source as defined by 40 CFR 122.2 at the point where a discharge leaves the permittee's MS4 and enters a receiving waterbody or receiving waters.

Outfall also includes the permittee's MS4 facilities/BMPs designed to infiltrate stormwater.



# New Term: Discharge Point

The location where a discharge leaves the permittee's MS4 **TO**:

- another permittee's MS4
- a private or public stormwater conveyance
- ground, **except** where such discharge occurs via an outfall



# Draft guidance

- Background on waters of US, waters of the state, and authorized discharges
- Definitions explained
- Illustrative examples of outfalls, discharge points, receiving waters
- Link to DRAFT [guidance](#) document – comments will be accepted until 10/6/2014



# Additional Notes

*Reminder:*

UIC facilities are STILL  
excluded

*conveyance system:*

- that portion of the MS4 designed or used for conveying stormwater.



# Comparison of Permit Requirements

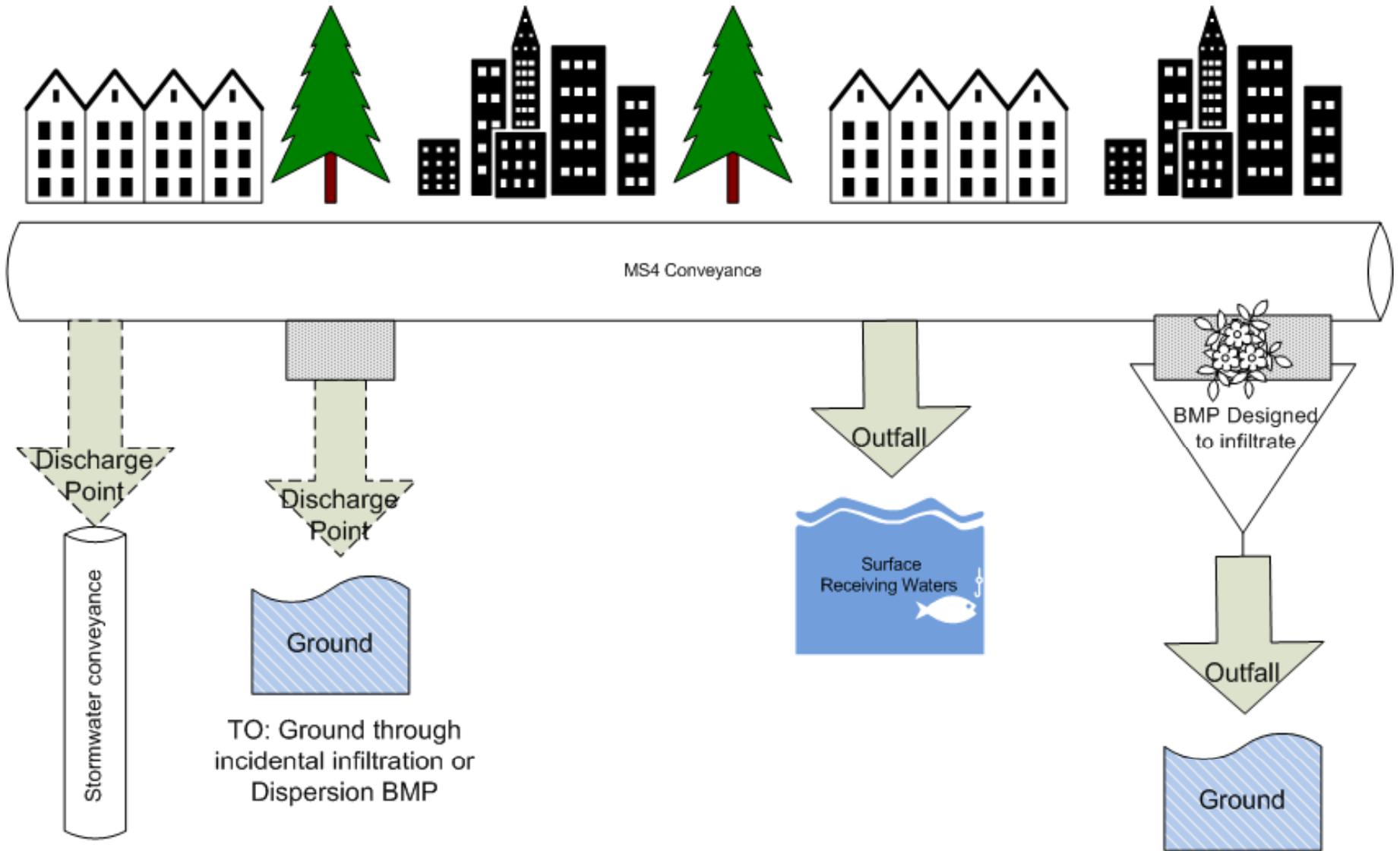
## 2012-2013 Permit

- Map outfalls & areas that discharge to ground
- Field assessment of outfalls or facilities serving priority areas
- Outfall: broader, more encompassing definition

## 2014 proposed language

- Same, however, discharge points must be mapped and field assessed
- Distinction made between outfalls & discharge points





TO: Another jurisdiction's MS4; or public or private stormwater conveyance



**Questions?**

# PCHB Order

- Specific modifications to the Permit & Manual
- Full participation in watershed-scale planning
- Republish documents
  - Rain Garden Handbook for WWA
  - Integrating LID into Local Codes guidebook
  - LID Technical Guidance
  - WWHM



# PCHB Order

- Local codes & project approval
  - Vested rights issue

**APPEALED**

PH I: S5.C.5.a.iii | PH II: S5.C.4.a



# Watershed-scale Stormwater Planning

- Phase I “convene and lead”
- All parties must “fully participate”
- Deadline extension



# Errata!

- PH I/PH II - July 31, 2013
  - Typos, formatting issues etc.
- Internal Corrections
  - Minor discrepancies (web links, etc)



**Questions?**

# SWMMWW Modifications



# Implement PCHB Decisions

- Limit permeable pavement to roads with “very low-traffic volumes and areas of very low truck traffic” (Vol. V, pp. 5- 21)
- Delete 2<sup>nd</sup> sentence of infeasibility criterion re sanding of roads(Vol V, 5-22)
- Add guidance re info needed to designate areas as infeasible (Vol V, 5-22 & 7-9)



# Implement PCHB Decisions

- Specify Rain Garden Handbook edition (e.g., Vol. V, 5-13)
- LID Manual not incorporated into permit; all SWMMWW references are for additional information only (e.g., Vol V, 5-1)
- Incorporate maintenance requirements for bioretention and permeable pavement (Vol. V, 4-54 through 4-61)



# Errata

- Incorporate errata posted on website since Oct. 14, 2013
- New Errata



# Clarifications, Corrections, Additional Guidance

Vol I: Definitions (See glossary)

Vol II: Update BMPs C121, 125, 151, 154

Vol III:

- OK for user adjustments to 3 parameters within WWHM (Appendix III-B, pp. B-11)
- Statements re WWHM2012 features (pp. 2-4 through 2-10, Appendix III-B)
- Added a credit for roof dispersion (pp. 3-11)
- Various LID modeling updates (Appendix III-C)

Vol IV:

- Update BMP S403 – composting facilities
- Copper added to Table G.4 (Appendix G)



# Clarifications, Corrections, Additional Guidance

Vol V:

- Bioretention & rain garden soil specification update (pp. 7-17)
- Statements re underdrains for bioretention & permeable pavement (pp. 7-19 and 5-25)
- No biosolids or manures in compost for treatment BMPs and rain gardens (multiple)
- Bioretention & rain garden sizing (pp. 7-15, 5-15, 5-14)
- Minimum size treatment facilities (pp. 4-4)
- Added a credit for dispersion (pp. 5-4 & 5-7)



# Bioretention Status

- No changes in the application & limitations
- No changes to soil mix specifications
- Ongoing testing of new mixes to improve performance & reduce chances for pollutant export
- Initial toxicity monitoring shows significant reduced toxicity; RSMP scope includes additional testing



**Questions?**

# Public Comment Process

Public Comment period on Draft Mod's	August 6 - midnight Oct 6, 2014
Workshop/Public Hearings Workshop/Webinar	9/24 (Vancouver); 10/1 (Edmonds) 9/26 (Lacey)
Permit Issued	Target: End of 2014 (Dec)*
Permit Effective	Target: Early 2015 (Jan)*

\* Tentative – subject to change



FEEDBACK

WA State Department of Enterprise Services Customer Service  
Washington State Department of Printing  
7580 New Market ST SW  
Tumwater, WA 98501  
United States  
360-570-5555

See the schedule on the right for workshop and public hearing dates and locations.

Ecology welcomes all comments that address the modifications in these formal draft documents. In order to allow Ecology to adequately address comments, include the following information with each comment:

- The permit(s) or manual subject to your comment.
- The specific language used in the modification subject to your comment. Include the page number(s) and, where indicated, MS4 Permit section reference (e.g., S8.D.2.b) or manual page reference (e.g., Volume II, Chapter 3, page 3-12).
- A brief, concise comment including the basis for the comment, and in particular the legal, technical, administrative, or other basis for the concern.
- Suggested language or a conceptual alternative to address your concern.

### Submitting written and oral comments

The following [MS Excel template](#) is provided for organizing your comments. This template is **not** required in order to submit comments, and is provided for your convenience only.

Ecology prefers comments to be submitted by e-mail to: [SWPermitComments@ecy.wa.gov](mailto:SWPermitComments@ecy.wa.gov)  
Submit written, hard copy comments to:

Municipal Permit Comments  
Washington State Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600

Written comments must be postmarked no later than 12 midnight, October 6, 2014. You must send email comments before 12 midnight, October 6, 2014. You may provide oral comments by testifying at a public hearing.

### Public hearings and workshops

The public hearings and workshops on the permit modifications are scheduled to be held in Edmonds and Vancouver, Washington (see the schedule to the right). A workshop and webinar (no public hearing - please [register](#) in advance) will be held in Lacey, Washington. At each workshop Ecology will explain the permit and manual modifications and answer questions. A hearing will immediately follow the Edmonds and Vancouver workshops. The hearings will provide the opportunity for people to give formal oral testimony and comments on the proposed modified permits.

### Issuing the final modified permits

Ecology will issue the final modifications after it considers all public comments and makes final changes to the draft Permits and Manual modifications. Ecology will publish a Response to Comments as Appendix C to the Fact Sheet (Nov. 4, 2011) document with the final modifications addressing comments submitted during the public comment period.

You may direct questions about the workshops and hearings, and requests for printed copies of the draft permit modifications and statement of basis, to Abbey Stockwell, 360-407-7221 or [abbey.stockwell@ecy.wa.gov](mailto:abbey.stockwell@ecy.wa.gov). You should

Hearing:  
[Edmonds Conference Center](#)  
[201 Fourth Avenue North, Edmonds, WA](#)

- **October 6** - Comment Period Ends
- **December 17** - Final Permit and Manual Modifications Issued

### 2015

- **January 16** - Modifications effective

### Documents

The modifications and additional documents will be made available here at the beginning of the public comment period on **Wednesday, August 6**.

### Draft Modifications

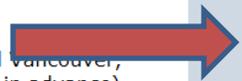
- [Phase I Permit Modification](#)
- [Phase I Permit Modification \(redline\)](#)
- [Western Washington Phase II Permit Modification](#)
- [Western Washington Phase II Permit Modification \(redline\)](#)
- SWMMWW Modification (redline)
  - [Volume 1](#)
  - [Volume II](#)
  - [Volume III](#)
  - [Volume IV](#)
  - [Volume V](#)

### Additional documents

- [Statement of Basis](#) - Summary of the proposed modifications
- [Definition Guidance](#) - Ecology is accepting comments on this draft guidance until 10/6/14
- [Comment Template](#) - Optional template for organizing your comments

### Supporting publications

These publications are referenced in the permits or manual. Although Ecology is not the author of the Integrating LID into Local Codes, LID Technical Guidance, or Rain Garden Handbook publications, comments on these documents as they pertain to the permits and manual will be addressed.



# Submit your comments

- Ecology prefers comments to be submitted by e-mail to:  
[SWPermitComments@ecy.wa.gov](mailto:SWPermitComments@ecy.wa.gov)
- Submit written, hard copy comments to:  
Municipal Permit Comments  
Washington State Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600
  - <http://www.ecy.wa.gov/programs/wq/stormwater/municipal/permitMod2014.html>





Questions