



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 24, 2009

To those interested in LID standards process participation:

The Department of Ecology (Ecology) is requesting nominations for membership in two advisory committees for a process to develop low-impact development (LID) performance standards and to plan for implementation. Ecology is initiating this process to implement a ruling by the Pollution Controls Hearing Board (PCHB) mandating the Phase I Municipal Stormwater General Permit to require LID in all new and re-development projects where feasible. A second PCHB ruling requires Ecology to move Western Washington Phase II Municipal Stormwater permittees toward implementing this standard in future permit cycles. Ecology will establish two advisory committees. A technical advisory committee will develop technical recommendations for what constitutes LID and a definition for “where feasible.” An implementation advisory committee will help plan for implementation, provide input on barriers and incentives, and outline a recommended approach to revising broader development standards to incorporate LID.

Please read the details in the enclosed announcement. If you are interested in advisory committee membership, please complete the enclosed nomination form and return it no later than **July 27, 2009** to:

Harriet Beale
Water Quality Program
Dept of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

OR by email to hbea461@ecy.wa.gov

Thank you for your interest in stormwater and low impact development.

Sincerely,

Bill Moore, P.E., Manager
Program Development Services

Enclosures: Announcement
Nomination Form

Announcement: Nomination of members to Low Impact Development Technical and Implementation Advisory Committees

Introduction

The Water Quality Program of the Department of Ecology (Ecology) is responsible for developing and administering three municipal stormwater general permits (available online at <http://www.ecy.wa.gov/programs/wq/stormwater/municipal/index.html>):

- Phase I Municipal Stormwater General Permit
- Phase II Western Washington Stormwater General Permit
- Phase II Eastern Washington Stormwater General Permit

The Pollution Controls Hearing Board ruled in August 2008 that Ecology must add requirements that local governments covered under the Phase I permits (King, Snohomish, Pierce, and Clark counties and the cities of Seattle and Tacoma) will “.....*require non-structural preventive actions and source reduction approaches including Low Impact Development techniques (LID), to minimize the creation of impervious surfaces, and measures to minimize the disturbance of soils and vegetation where feasible.*” The standards and definitions developed for the Phase I permit may eventually apply more broadly to Phase II Western Washington permittees and other communities that adopt Ecology’s stormwater manual.

Using funding from EPA Region 10 that address a priority action in the Puget Sound Partnership’s 2008 Puget Sound Action Agenda, Ecology will be conducting a facilitated eight-month process to develop recommendations from two external advisory committees: a technical advisory committee and an implementation advisory committee. At the end of the process, Ecology will make a decision on permit requirements and will amend the Phase I permit to include them. It will also update the *Stormwater Management Manual for Western Washington* to incorporate technical requirements as appropriate.

To ensure that we benefit from expert and stakeholder input in implementing these PCHB rulings, we are establishing advisory committees.

Structure and Purpose of Advisory Committees

Ecology has outlined the expectations for the two advisory committees in the lists below. Ecology and facilitation staff will work with each committee to clarify, schedule, and sequence tasks to allow for review and input on proposals, issues, or documents developed by the other committee. Committee recommendations will be by consensus whenever possible, with minority reports where there are differences of opinion. While Ecology expects to rely on the recommendations provided by the committees, Ecology fully reserves its authority to make final decisions on the permit requirements.

Technical Advisory Committee

1. Agree upon a definition of LID that will help direct the scope and timing of the necessary actions.
2. Recommend practices to include within the scope of LID that will be implemented this NPDES permit term

- a. References
 - i. *LID Technical Guidance Manual for Puget Sound*
 - ii. Phase I NPDES Municipal Stormwater Permittees Proposal: LID Feasibility Matrix and Guidance
 - iii. USEPA Guidance
3. Identify criteria for determining feasibility for each practice
 - a. Site Conditions
 - b. Technical Constraints
4. Recommend (a) minimum performance standard(s) that will be required of each project
 - a. Some of the hydrologic options (all based on continuous runoff modeling) to be considered include:
 - i. Match historic flow durations down to more frequent flows, e.g. 6-month flow through the 50-year flow.
 - ii. A minimum detention pond volume reduction as compared to a standard development
 - iii. A certain percentage reduction in the total volume of runoff from the project site as compared to a standard development; or a maximum increase in the total runoff volume as compared to the historic condition
 - b. Site Options include:
 - i. Maximum % effective impervious area for each land use category
 - ii. Require a minimum number of LID practices unless infeasible per criteria above
 - iii. Require a specific approach to LID implementation (e.g., Seattle)
5. Recommend practices to include within the scope of LID that will be implemented next permit term.
 - a. Site and Subdivision scale: Reconsideration of site development standards (e.g., road widths, preferred subdivision layouts, preferred drainage features)
 - b. Basin scale: Land use planning that is intended to achieve Clean Water Act goals of maintaining and restoring beneficial uses

Implementation Committee

1. Provide review of the Technical Committee outputs and recommendations
 - a. Delineation of and distinction among LID practices to implement this permit term and next permit term
 - b. Feasibility criteria
 - c. Performance Standard recommendations
2. Recommendations for implementation deadlines this permit term
 - a. Adoption of code or rule changes
3. Recommend an administrative process and time frame for local governments to change Site/Subdivision scale development standards
 - a. Scope of standards to be amended
 - b. Recommendations re entities to be included in the local process
4. Recommend an administrative process and time frame for local governments to modify land use plans/decisions to be consistent with attainment of federal mandates, i.e., restore and maintain beneficial uses.
 - a. Scope of documents potentially needing reconsideration include:
 - i. Reconsider urban boundary in light of cumulative impacts of land cover change on water quality and beneficial uses.

- ii. Reconsider zoning within Urban Growth Areas in light of cumulative impacts to a basin and updated site development standards.
- b. Administrative process must include intergovernmental cooperation where more than one municipal entity occupies a basin. (Basins are watersheds ranging in size from 3 to 50 square miles.)

Ecology will appoint approximately 12 members to each advisory committee. Each committee will have an Ecology staff lead, a professional facilitator and a note-taker. Ecology will maintain a webpage with all meeting agendas, notes, and technical reports.

A large number of stakeholders and other parties have expressed interest in this process, and meetings will be open to the public. The appointed committee members will sit at the table and participate in discussion, with time set aside during meetings for input from observers.

At the beginning of the process, Ecology and facilitation staff will work with each committee to clarify, schedule, and sequence tasks. Ecology expects the process to result in one combined report, and will work with each committee to schedule reviews of proposals and documents developed by the other committee.

Selection Process

Ecology will select members for each advisory committee according to the expertise and experience needed to fulfill the expectations listed in the previous section. Selected members must commit to attending all meetings, as there will be no alternate members. This commitment also includes meeting preparation, including reading materials and interim reports prior to each half-day meeting. The timelines for the process and the value of all participants' time requires that meetings be as productive as possible.

In addition to qualifications related to expertise and experience in LID and topics related to implementation, Ecology would like to select members with the broadest representation from specific categories. For example, if the member is a Phase I or Phase II Western Washington permittee, Ecology prefers to select an individual who represents a broad group of permittees. Permittees may choose to organize for representation by a geographic area and/or according to Phase I or Phase II coverage. A representative should demonstrate the ability to speak for a group of interested parties, to solicit input from the group, and to communicate updates to the group. Members may represent one or more of the following categories:

- Counties

- Cities

- Phase I permittees

- Phase II Western Washington permittees

- Academic scientists

- Engineers or hydrologists who are LID practitioners (including consultants)

- Development industry representatives

- Environmental organizations

- Federal and State Agencies

- Other

Schedule

We plan to hold the first committee meetings in September 2009. Meetings will be monthly, and will extend through approximately May 2010, with a final report of recommendations due in June 2010. We will post on our webpage a meeting schedule with locations as soon as possible.

In May or June 2010, Ecology intends to begin modifying the Phase I permit to incorporate the LID standards and definitions, and to update of the 2005 *Stormwater Management Manual for Western Washington* to incorporate the LID standards and definitions in coordination with the Puget Sound Partnership and WSU Extension update of the 2004 *Low Impact Development Technical Guidance Manual for Puget Sound*.

Nomination Process

To simplify the nominating process, Ecology is including a nomination form. You may either nominate yourself or another person, if they are willing. An individual may be nominated to both committees. You may include a cover letter and resume with the form, or other information as appropriate. Please limit your submittal to no more than 6 pages (double-sided).

Ecology will evaluate nominations according to the following considerations:

- Experience in a subject area relevant to the committee expectations
- Technical background in LID
- Ability to represent stakeholders, including regularly soliciting input from and informing the represented parties.
- Unique qualifications, such as providing a necessary voice or balance to a committee
- Commitment to prepare for and attend meetings
- Previous experience in stakeholder and advisory groups

We will review the nominations and notify all those who are nominated and our stormwater list-serve of the final selection approximately 3 weeks after we receive all nominations. To sign up, go to <http://www.ecy.wa.gov/programs/wq/stormwater/municipal/municontacts.html>.

Thank you for your interest in stormwater and low impact development.

**NOMINATION FORM
LOW IMPACT DEVELOPMENT ADVISORY COMMITTEES**

NAME:

COMMITTEE MEMBERSHIP DESIRED:

TECHNICAL ADVISORY COMMITTEE _____

IMPLEMENTATION ADVISORY COMMITTEE _____

WHAT GROUP(S) OF STAKEHOLDERS DO YOU REPRESENT?

IS SELECTED, HOW DO YOU PLAN TO INTERACT WITH THE STAKEHOLDER GROUP YOU REPRESENT?

ADDRESS: (Agency/Organization) _____

(Street/PO Box, City Zip) _____

Telephone: _____ E-mail: _____

NOMINATED BY: SELF _____

OTHER (NAME) _____

WHAT EXPERTISE DO YOU OFFER THE COMMITTEE(S)?

PROFESSIONAL BACKGROUND: (You may submit resumes or additional sheets up to 6 pages)

PLEASE RETURN by **July 27, 2009** TO:

Harriet Beale
Washington Dept of Ecology
Water Quality Program
P.O. Box 47600
Olympia , WA 98504-7600
Hbea461@ecy.wa.gov

To facilitate electronic submittals, a WORD version of this form is available on Ecology's website at <http://www.ecy.wa.gov/programs/wq/stormwater/municipal/LIDstandards.html>