

Memorandum

RE: NPDES Stormwater Phase 2 LID Implementation update August 10, 2010

TO: Bill Moore, Ecology

FM: Doug Peters, Commerce

This memo is to present the top (up to three) issues or comments we wish to emphasize for Ecology's consideration as part of their water quality permit development process.

BASIN-SCALE Approach

The permit will require a basin-scale or landscape-scale land use review of expected impacts to water quality from planned urbanization. Where lowered water quality will likely result from urbanization, either by an expanded UGA (county) or proposed increases in density within a UGA (city), jurisdictions must conduct an "water quality impacts and mitigation" analysis.

This comment is primarily to outline the range of approaches used in developing UGAs. Regarding the proposed different approaches to development "inside versus outside an UGA issue", some jurisdictions manage their UGAs differently than others. In some UGAs, no urban development at all is allowed outside of city limits without first completing annexation and providing sewers and stormwater facilities; this means only rural type development is allowed, with shadow platting to avoid conflicts with future urbanization. A potential scenario: If a 100 acre parcel with one house (in this "rural" but UGA area) was proposed for 10 lots of 10-acres each (which is still rural but an increase in density over the existing) would this trigger the "significant increase" threshold?

In some other UGAs, limited urban development is allowed prior to annexation, based on the presence of urban services like sewers. Another possible scenario: A 65 acre sub-basin is provided water and sewers to allow for urbanization prior to annexation. This area is less than 5% of the UGA. Are they exempt from the analysis requirement?

Note that neither scenario is "common", but they are presented to help understand the proposal.

Overall, Commerce appreciates the flexible approach proposed that addresses the wide-ranging approaches to land use planning and regulation among counties in Washington state.

CFP tool

We recommend including as a resource tool, the availability of the Department of Commerce Growth Management Services (GMS) template for Capital Facilities Planning, as a possible tool to assist jurisdictions analyze the costs of urbanization and possibly help generate new cost data on implemented LID practices.

Ecology had earlier asked if the Capital Facility Planning Template that GMS is promoting might also include cost data on LID practices as they are implemented and

generate this cost data. This could assist jurisdictions compare costs of alternative approaches to public infrastructure.

Projects in Highly Urbanized Basins

Commerce GMS supports retaining this approach to assign value to intensifying development within already highly urbanized areas. There is limited research that supports high-density development as an effective stormwater mitigation measure in and of itself, by reducing new per capita stormwater generation levels.