

Guidance for Phase II Permittees who Adopt the King County Runoff Controls Program approved under the Phase I Permit

REVISED as of May 18, 2009

Note: This guidance is a working document intended for use by Permittees under the Phase II Municipal Stormwater Permit for Western Washington. Its purpose is to provide information for municipalities who have chosen to adopt the 2009 King County Surface Water Design Manual (SWDM) as a means to comply with Phase II permit requirements. This information is not comprehensive.

1. The full suite of codes and manuals that comprise King County's approved program are listed below. You must develop and revise your codes as necessary to meet your permit requirements. Note that the SWDM and the Stormwater Pollution Prevention Manual (SPPM) are separate documents. Both must be adopted if you have chosen this pathway.
 - King County Code (KCC) Chapter 9.04 Surface Water Runoff Policy, as amended by Ordinance 16264 approved October 20, 2008
 - KCC Chapter 9.12 Water Quality, as amended by Ordinance 16264 approved October 20, 2008
(Ordinance 16264 is available at <http://www.ecy.wa.gov/programs/wq/stormwater/municipal/MUNIdocs/KCOrdinance100908.pdf>)
 - KCC Chapter 16.82 Clearing and Grading
 - 2009 King County Surface Water Design Manual (SWDM), located at <http://www.kingcounty.gov/environment/waterandland/stormwater/documents/surface-water-design-manual.aspx>
 - 2009 King County Stormwater Pollution Prevention Manual (SPPM), located at <http://www.kingcounty.gov/environment/waterandland/stormwater/documents/pollution-prevention-manual.aspx>
2. Address your jurisdiction's appropriate lowest threshold for drainage review in your codes for drainage and land disturbing activities. If you regulate projects at a smaller threshold than the Permit's regulatory threshold of 1 acre of land disturbance, you must continue to regulate at that smaller threshold (per the anti-backsliding clauses in Special Condition S5.A.4 and Appendix 1, Section 3.1).
3. Ensure that your code requires some form of construction erosion and sediment controls for all new and redevelopment projects at the lowest threshold at which you regulate (refer to the first sentence under General Requirements on page 13 of Appendix 1 of the permit). King County does this under their KCC Chapter 16.82.095 Clearing and Grading. Note that the SWPPP requirement in Minimum Requirement #2 kicks in for Phase II communities at 1 acre of land disturbance, regardless of impervious area (see the flow charts in Appendix 1 of the permit).
4. If your local critical areas code does not fully address the requirement to protect wetlands, include the Permit's Appendix 1 Minimum Requirement #8 language in your applicable code(s) and include Ecology's Guidesheets 1B and 2B as adopted addenda to the SWDM/SPPM. **King County included these guidesheets in Reference section #5 of the SWDM.**

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5. Ensure that your code voids the SWDM's "Impervious Surface Percentage Exemption" from Core Requirement #3 and the allowance for Small Project Drainage Review for projects in the rural residential, agriculture and forestry zones that result in no more than 4% total impervious surface and no more than 15% pervious surface. See page 3 of <http://www.ecy.wa.gov/programs/wq/stormwater/municipal/KCSWDMcommentletter.pdf> for more information.
6. A February 2008 letter from Ecology to King County indicated that the soil quality and depth requirement (under Minimum Requirement #5) was located in the King County Clearing and Grading Code. Subsequent to that letter, King County added this soil criteria in Reference Section 4-A of the SWDM. Phase IIs who choose to adopt the SWDM/SPPM package must clearly adopt Reference Section 4-A under Minimum Requirement #5.
7. King County decided to not specify sufficient bioretention/rain garden design criteria and associated KCRTS modeling guidance that are necessary to get full credit for Treatment (required under Appendix 1 Minimum Requirement #6) for the amount of water passing through a rain garden. Instead King County proposed, and Ecology approved, a simple method for using KCRTS to provide a form of credit for rain gardens designed in accordance with the SWDM by allowing the project's impervious area to be modeled as something other than 100% impervious. This results in the need to still have a downgradient treatment facility, when required.