

# Regional Stormwater Program

## 2022 Stormwater Management Program (SWMP) Plan

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# Introduction

## What is Stormwater?

Stormwater is rain and snow melt that runs off surfaces such as rooftops, paved streets, highways, and parking lots. As water runs off these surfaces, it can pick up pollutants such as oil, fertilizers, pesticides, soil, trash, and animal waste. From here, the water might flow directly into a local stream, river, or lake. Or, it may go into a storm drain and continue through storm pipes until it is released untreated into a local waterway.

## Why is Stormwater a Problem in Washington?

Stormwater is a problem because it is often polluted and can harm human health, drinking water, and interfere with the habitat for fish and wildlife. Untreated stormwater contains toxic metals, organic compounds, and bacterial and viral pathogens. It is not safe for people to drink and is not recommended for swimming. In some areas, gravelly soils allow rapid infiltration of storm water. Untreated stormwater discharging into the ground can contaminate aquifers used for drinking water. Virtually all of our urban creeks, streams, and rivers are harmed by urban stormwater runoff.

Stormwater is the leading contributor to water quality pollution of urban waterways. In fact, about one-third of the state's waters are too polluted to meet state water quality standards – frequently stormwater is the major cause of this pollution. Urban development causes significant changes in patterns of stormwater runoff leading to increased flooding during the wet season and decreased stream flows during the dry season.

## How is Stormwater Regulated?

In 1987, Congress changed the federal Clean Water Act by declaring the discharge of stormwater from certain industries and municipalities to be a point source of pollution. Due to this change, certain stormwater discharges now require a National Pollutant Discharge Elimination System (NPDES) permit to discharge to surface waters. The U.S. Environmental Protection Agency (EPA) gave the Department of Ecology (Ecology) the authority to implement these permits in Washington State.

The EPA stormwater regulations establish two phases (Phase I and Phase II) for the stormwater permit program. Phase I was established in 1990 and requires municipalities with populations of 100,000 or greater to implement a stormwater management program as a means to control polluted discharges from stormwater systems. Phase II was established in 1999, and expands the requirement for stormwater permits to all municipalities located in urbanized areas and to construction sites between one and five acres. The cities of Asotin, Clarkston, and urbanized parts of Asotin County are considered to be part of the Clarkston Urbanized Area.

*The National Pollutant Discharge Elimination System and State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington (Phase II Permit) was issued by the Washington State Department of Ecology (Ecology) on January 17, 2007, and became effective on February 16, 2007. The permit covers a five-year period that expired on February 15, 2012. The Eastern Washington Phase II Permit can be found at the following website:*

<http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseiiEwa/ewph2permit.html>

The previous Phase II Permit was extended until July 2014. A new permit was issued for August 2014 – July 2019. The Regional Stormwater Program participated in meetings with Ecology and testified at a public hearing to provide comments on the proposed permit. Letters were submitted from the Regional Stormwater Program office, the Board of County Commissioners, City of Asotin Council and City of Clarkston Council during the formal comment period. The 2014-2019 Phase II Permit can be found at:

<http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseiiEwa/5YR/EWAPhasIIPermit2014.pdf>

On July 1, 2019 a new Eastern Washington NPDES Phase II was issued and became effective on August 1, 2019. This permit will cover a five year period and will expire on July 31, 2024. The 2019-2024 NPDES Phase II permit can be found at:

[https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Municipal-stormwater-general-permits/Eastern-Washington-Phase-II-Municipal-Stormwat-\(1\)](https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Municipal-stormwater-general-permits/Eastern-Washington-Phase-II-Municipal-Stormwat-(1))

### **What is a Stormwater System?**

A stormwater system includes roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains designed for stormwater collection and conveyance that discharges into waters of the United States and that are owned or operated by a state, city, town, county, or other public body.

## **Stormwater Management Program (SWMP) Plan**

The Phase II Permit outlines stormwater program activities and implementation milestones that permittees must follow to comply with the federal Clean Water Act (CWA). The Phase II Permit is a general permit, meaning that the requirements are the same for all entities that are regulated by the Permit. All Phase II jurisdictions are expected to develop and implement a Stormwater Management Program (SWMP) Plan that includes the required activities (minimum control measures), implement those activities within the required timeframes outlined in the Phase II Permit, and submit annual reports to Ecology each year to document progress towards program implementation.

### **Development of the Regional Stormwater Program**

From the beginning of the stormwater program, the three entities, City of Asotin, City of Clarkston and Asotin County knew that implementing the Permit in our area would be expensive and time consuming and that there would be an overlap of requirements. The three entities agreed to work together and developed an interlocal agreement to manage the work required to meet permit requirements and manage the funds provided by Ecology through the Legislature to assist in the development of the Stormwater Management Program (SWMP) Plan.

The development of the SWMP included a gap analysis that identified the requirements of the Permit, the work the three entities were already conducting to meet those requirements, and the additional work that would be needed when the Permit was fully implemented. This gap analysis also included a separate cost estimate for each entity.

During the gap analysis, several items were identified that overlapped and could be completed by the Stormwater Program Coordinator for all three entities. These items included development of an outreach program, a public participation program, illicit discharge detection & elimination program, construction / post-construction site stormwater control inspections and program record keeping. By combining these activities into one office rather than three separate offices, the estimated cost of the program was greatly reduced.

### **Stormwater Utility Fee Development**

The requirements of the Phase II Permit became more difficult and expensive to meet as the Permit matured. The first steps included planning and ordinance development during the first four years. However, in the fifth year of the Permit, all of the plans needed to be fully developed and implemented. The cost of these requirements could not be covered with existing budgets or with the grants provided by Ecology; therefore the Regional Stormwater Program began discussing a stormwater utility fee.

The fee originally was calculated separately for each entity. However, the goal of the Regional Stormwater Program was standard delivery of the program in the Permit Area, regardless of jurisdiction. The ordinances that were required by the Permit were nearly identical and the only differences were those required by state law for cities and counties. The Management Team, a committee consisting of staff and elected officials was formed by the three entities to discuss how to share the costs and responsibilities of the program. In an atmosphere of cooperation and community, the group proposed using a standard fee throughout the Permit Area. The fee acknowledges the cost of the program in each entity as well as the fiscal contributions each entity makes based on grant awards and population.

The Management Team recommended that the permit fee be reduced in 2013 to \$4/ERU per month. In evaluating the stormwater program budget, it was determined that a large enough operating reserve was available to cover the costs of implementing the Permit with the reduced fee. The elected officials of the three entities approved the fee reduction to be effective January 1, 2013.

This operating reserve was closely monitored and evaluated every year by The Management Team. In 2018 The Management Team recommended that the permit fee be reset to the original \$5/ERU per month fee. This increase was the result of a reduction in the capacity grant and overall increase of costs related to implementing the Stormwater Permit. In 2018, after public hearings were held, the elected officials of the three entities approved a resolution for the fee increase to be effective January 1, 2019. This resolution also set a scheduled increase of an additional \$0.50 that took effect on January 1, 2022. This will brought the total ERU value to \$5.50/month.

### **Interlocal Cooperation Agreement – Management Team**

An interlocal cooperation agreement (ILA) was signed by the City of Clarkston, City of Asotin and Asotin County. The ILA can be found at: [http://asotincountystormwater.com/Content/Stormwater-Utility-Program/Interlocal\\_Cooperation\\_Agreement-Final.pdf](http://asotincountystormwater.com/Content/Stormwater-Utility-Program/Interlocal_Cooperation_Agreement-Final.pdf). This agreement replaces all previous agreements between the parties and outlines how stormwater utility fees that are collected will be handled. The ILA defines the work required of the Regional Stormwater Program, the restrictions on what can be done by the Regional Stormwater Program, and provides accountability to the public on how the funds are spent. The utility fees are restricted for stormwater program work only

and can't be used to fund any other departments.

The Management Team was developed as part of the ILA to oversee the day-to-day operations of the Regional Stormwater Program. The Management Team is made up of one elected official and one staff or designee from each of the entities. The Management Team meets at least quarterly to review the budget status, approve spending and project development and to make policy recommendations to the elected officials of the three entities. The meetings are open to the public and the public has the chance to comment about the program at the meetings. For more information about the Management Team, visit <https://asotincountystormwater.com/management-team/>.

### **Permit Area**

The Phase II Permit requirements will be implemented in the Permit Area, which is defined as the geographic areas of the entire incorporated area of the City of Clarkston and the City of Asotin and the urbanized areas and urban growth areas of the cities and the urbanized area under the jurisdictional control of Asotin County. The boundary was changed by the County Commissioners at a public hearing held on October 24, 2011 in response to a petition submitted by residents. The petition included a request to reduce the boundary area to exclude urban-rural interface areas that were previously included in the 20-year planning boundary. The Commissioners determined that the 2000 Census boundary was more appropriate because the urban defined census area is the reason Asotin County, City of Clarkston and City of Asotin are included in the Phase II Permit. The current Permit Area boundary map is located on our website at: <https://asotincountystormwater.com/about-stormwater/permit-area/>.

### **SWMP Components**

The Phase II Permit is broken down into six minimum control measures. The implementation and enforcement of these six components is collectively referred to as the stormwater management plan (SWMP). The six minimum control measures are:

1. Public Education and Outreach
2. Public Participation and Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management for New Development and Redevelopment
6. Pollution Prevention and Good Housekeeping for Municipal Operations

In addition to these six minimum control measures, the Phase II Permit also requires the following special conditions:

- Compliance with stormwater provisions of approved Total Maximum Daily Loads (TMDLs);
- Monitoring and program evaluation; and
- Record keeping and annual reporting.

Activities identified in the SWMP are designed to reduce the discharge of pollutants from municipalities to the maximum extent practicable, to satisfy the state requirement to apply "All Known, Available, and Reasonable methods of prevention, control and Treatment" (AKART) prior to discharge, and to protect water quality. The Phase II Permit requires that specified activities from each category be completed each year in order to achieve full compliance by the end of the first permit term.

The following paragraphs describe the requirements of the Phase II Permit. Each section provides a brief overview of the regulatory requirements along with a review of last year's activities and current planned activities for all three entities in the ILA.

In addition to the Phase II Permit, the entities must also address the requirements of the state's Underground Injection Control (UIC) program. This program, as required by the federal Safe Drinking Water Act (SDWA), is intended to protect underground sources of drinking water from contamination by waste fluids, including the infiltration of polluted stormwater. The regulatory requirements and planned activities to meet these requirements are outlined in the last section of the SWMP.

## I. Public Education and Outreach—Special Condition S5.B.1

### Regulatory Requirements

A formal Public Education and Outreach (PE&O) Program aimed at distributing educational materials to the community about the impacts of stormwater discharges to water bodies and the steps that can be taken to reduce pollutants in stormwater must be developed. All target audiences must be identified by February 16, 2010 and a PE&O plan must be fully developed and implemented by August 15, 2011. The following are the minimum requirements, based on land uses and target audiences found within the community:

- (1) Provide information for the general public about:
  - Improving water quality and protecting beneficial uses of waters of the state
  - Potential impacts from stormwater discharges
  - Methods of avoiding, minimizing, reducing and/or eliminating adverse impacts of stormwater discharges
  - Actions individuals can take to improve water quality, including participation in local environmental stewardship activities
- (2) Provide information for businesses about:
  - Preventing illicit discharges, including what constitutes illicit discharges
  - The impacts of illicit discharges
  - Promoting the proper management and disposal of toxic materials
  - Management of dumpsters and wash water.
  - The use and storage of automobile chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials
- (3) Provide information for engineers, construction contractors, developers, development review staff, and land use planners about:
  - Technical standard, the development of stormwater site plans and erosion control plans
  - Infiltration and underground injection control criteria
  - Low Impact Development (LID)
  - Stormwater BMPs for reducing adverse impacts from stormwater runoff from development sites
  - Municipal stormwater code requirements

## 2022 Activities

- Continue to update the regional stormwater website to provide information to residents about the progress of SWMP development and implementation. New information will be added throughout the year.
- Attend public events to provide information to residents.
- Attend Public Works Day in Lewiston with our stormwater model on display.
- Rebuild stormwater model before Public Works Day.
- Work with Franklin Conservation District, Palouse Conservation District, and other Permittees to develop and deliver stormwater education to area schools.
- Continue to engage the local media to provide updates to residents about the program.
- Provide outreach materials for schools, businesses, households and other target audiences.
- Attend training opportunities whenever possible.
- Work with other Eastern WA permittees to promote [www.OnlyRainDownTheDrain.com](http://www.OnlyRainDownTheDrain.com) materials.
- Continue with our current advertising schedule to promote seasonal messages to educate the public on water quality benefits of changed behavior. Utilize local newspaper, TV outlets and social media/internet to promote [www.OnlyRainDownTheDrain.com](http://www.OnlyRainDownTheDrain.com) materials.
- Continue the enforcement of the stormwater municipal codes and the stormwater construction permit process.
- Upload completed Carwash Wastewater Management Education & Outreach Effectiveness Study to EAGL
- Complete the Kennewick Elementary School Stormwater Education Study and upload to EAGL when completed. This is a study that was carried over from the previous NPDES permit cycle. The data study was delayed due to COVID-19 restrictions.

## 2. Public Involvement and Participation—Special Condition S5.B.2

### Regulatory Requirements

Develop Public Involvement and Participation Program that complies with applicable state, tribal and local public notice requirements and include provisions for consideration of public comments. Opportunities for public and stakeholder participation in the development and implementation of the SWMP may include attending public hearings, participation in the

development and adoption of regulatory ordinances and other required program elements, participation in volunteer opportunities, or other similar activities.

## 2022 Activities

- Conduct Management Team meetings.
- Conduct public hearings for ordinances, resolutions, etc.
- Conduct public hearings and notifications about Ecology grant funded projects.
- Provide a public comment period for the SWMP, by posting a notice to our website: <http://asotincountystormwater.com/> and also through public postings.
- Post current SWMP to website by May 31, 2020.

### 3. Illicit Discharge Detection and Elimination—Special Condition S5.B.3

#### Regulatory Requirements

Develop, implement, and enforce a program designed to prevent, detect, characterize, trace and eliminate illicit connections and discharges into the municipal separate storm sewer system (MS4). This element of the SWMP requires that the Regional Stormwater Program:

- (1) Maintain and update a map of the MS4.
- (2) Through ordinance or other regulatory mechanism, prohibit non-stormwater discharges into the MS4
- (3) Implement an ongoing program designed to “Detect” and identify illicit discharges and illicit connections into the MS4
- (4) Implement an ongoing program designed to “Address” illicit discharges, including spills and illicit connections into the MS4
- (5) Provide adequate training to municipal staff.
- (6) Track and Maintain records of all activities pertaining to Section S5.B.3 IDD&E

## 2022 Activities

- The Regional Stormwater Program will continue to implement the Illicit Discharge Detection and Elimination (IDDE) Program plan to address the inspection of outfalls, tracing sources of illicit discharges, staff training, field assessments, spill response and containment, tracing methods, sampling/analyzing techniques, and removal methods.
- A hotline number for residents to call with information on illicit discharges to the stormwater system was installed. The phone number, 509-243-2071, will continue to be advertised and included in the public education program.
- The Regional Stormwater Program will document all phone call complaints and the follow-up activities that occurred to remediate the situation.
- The Regional Stormwater Program will continue to collect information on the stormwater system and update the digital map of the MS4.

- The Regional Stormwater Program will continue to update any ordinances to help with the enforcement of the IDD&E requirements.

#### 4. Construction Site Stormwater Runoff Control—Special Condition S5.B.4

##### Regulatory Requirements

Develop, implement, and enforce a program to reduce pollutants in stormwater runoff to its MS4 from construction activities, including private and public projects. This element of the SWMP requires that Regional Stormwater Program:

- (1) Develop and adopt an ordinance by February 16, 2010 that requires erosion and sediment controls during construction-phase work, including sanctions to ensure compliance.
- (2) Implement procedures by February 16, 2011 for site plan review, including review of Stormwater Pollution Prevention Plans (SWPPPs) prior to construction.
- (3) Implement procedures by February 16, 2011 for site inspection and enforcement of construction stormwater pollution control measures.
- (4) Provide adequate training for all permitting, planning, review, inspection, and enforcement staff.
- (5) Maintain records of activities related to site plan review, inspection, and enforcement.

#### 5. Post-Construction Stormwater Management for New Development and Redevelopment—Special Condition S5.B.5

##### Regulatory Requirements

Develop, implement, and enforce a program to address post-construction stormwater runoff to its MS4 from both private and public new development and redevelopment projects. This element of the SWMP requires that the Regional Stormwater Program:

- (1) Develop and adopt an ordinance by February 16, 2010 that requires post-construction stormwater controls, including requirements for runoff treatment, flow control, source control, and on-going long-term operation and maintenance of approved BMPs.
- (2) Implement procedures by February 16, 2011 for site plan review, including review of stormwater site plans prior to construction to ensure that plans include stormwater pollution prevention measures.
- (3) Implement procedures by February 16, 2011 for site inspection and enforcement of post-construction stormwater control measures.
- (4) Provide adequate training for staff.
- (5) Maintain records.

The Post-Construction S5.B.5 activities will be combined with the Construction Site Stormwater Runoff Control S5.B.4.

### 2022 Activities

- Implement and enforce the construction site stormwater control ordinance to reduce pollutants in stormwater runoff from new development and redevelopment projects by requiring erosion and sediment controls and other construction-phase stormwater pollution controls for runoff treatment, flow control, source control, and on-going long-term operation and maintenance of approved BMPs on both private and public projects.
- The Regional Stormwater Program will continue to provide information to engineers, contractors and developers, city and county plan review and permitting staff about training available on erosion and sediment control BMPs and development of SWPPPs for construction activities through handouts and/or fliers placed on the front desk of the Building and Planning Department. Information is also available on the Stormwater

website.

- Attend and promote local training opportunities for contractors, developers, city and county plan review and permitting staff, such as CESCL training and CESCL recertification.
- Regional Stormwater O&M staff and inspectors will be CESCL certified.
- The Regional Stormwater Program will continue documenting site plan review, site visits, site inspections, answering complaints and perform any enforcement action necessary.
- The Regional Stormwater Program will evaluate permit fees to cover the costs of implementing this component. Public comments will be taken into consideration when finalizing the permit fees, consistent with the public involvement policy. Stormwater Construction Permit Fees were reduced in 2015 for medium sized projects (less than one acre of disturbance). These reductions followed public hearing requirements and were adopted by all three members of the Regional Stormwater Program (City of Asotin, City of Clarkston, and Asotin County).

## 6. Pollution Prevention and Good Housekeeping for Municipal Operations—Special Condition S5.B.6

### Regulatory Requirements

Develop and implement an Operation and Maintenance Program (O&M Plan) aimed at preventing or reducing pollutant runoff from municipal facilities and/or activities. The O&M Plan shall include appropriate pollution prevention/good housekeeping practices for various municipal operations (e.g., storm system maintenance, municipal building maintenance, parks and open space maintenance, etc.), and shall include a schedule of inspections and record keeping requirements. In addition, we must develop and implement a formal training program for all staff whose job functions may impact stormwater quality.

### 2022 Activities

- Implement the components in the O&M plans.
- Update the O&M Plan as required.
- Provide training to municipal staff.
- Maintain records of all activities in the O&M plans.
- Regional Stormwater Program has two dedicated FTE O&M employees to conduct street sweeping, catch basin cleaning, stormwater system updates and improvements, stormwater system maintenance and inspections and reporting for all three entities. All of their tasks are listed in the yearly O&M work calendar. This calendar is updated and modified throughout the year.

- A vector truck was purchased by Regional Stormwater Program to conduct catch basin and drywell cleaning and pipe jetting and cleaning.
- A regional vector waste/decant facility was constructed in 2016 to process street sweepings, vector waste, and all waste removed from the stormwater systems of the three entities.
- The Regional Stormwater Program operates two regenerative sweepers, a 2007 Tymco 600 and a 2019 Schwarze A7 Tornado to perform all of the street sweeping in all three entities.
- Replace the 2007 Tymco 600 with a 2022 Schwarze A7 Tornado.

### Compliance with TMDL Allocations— Special Condition S7

At this time none of the entities have TMDL requirements to meet to comply with the Permit.

### Monitoring and Assessment—Special Condition S8

Coordinate and participate with other Permittees in our urban area to plan future studies for the next NPDES Permit cycle.

Continue to participate in the implementation of the Ecology approved effectiveness studies from the 2014-2019 NPDES Phase II requirements

### 2022 Activities

- Regional Stormwater Program will continue to work with Eastern WA permittees to implement effectiveness monitoring studies for the 2014-2019 Phase II Permit. Asotin County, City of Asotin, and City of Clarkston have been participating with other Eastern WA Permittees on the Effectiveness Studies Development including meetings, study development, and reporting.
- The Regional Stormwater Program is currently partnered with the City of Kennewick to help conduct the Elementary School Stormwater Education Effectiveness Study. Throughout this study the Regional Stormwater Program has attended all of the meetings and currently hold the roles of Advisory Board Lead Member, Auditor, and Data Verifier. This study is projected to complete in the spring of 2022.

### Reporting and Record Keeping Requirements—Special Condition S9

#### Regulatory Requirements

The three entities are required to prepare and submit annual reports to Ecology. These reports must include the most current version of the SWMP and status of compliance with the various conditions outlined in the permit. The annual reports must include:

- (1) the status of implementation of each SWMP component;
- (2) an assessment of the progress in meeting the minimum performance standards;

- (3) a description of activities implemented, including the number and type of inspections, enforcement actions, public education and outreach activities, and illicit discharges detected and eliminated; and other reporting requirements.

### **2022 Activities**

- The Regional Stormwater Program will prepare the Annual Reports and SWMP. The SWMP will be submitted to Ecology for review by March 31, 2021. The Annual Reports will be prepared and held on file with the Regional Stormwater Program.
- The SWMP and Annual Reports will be posted to the website for access by the public by May 31, 2022
- The Regional Stormwater Program will gather, record, and maintain information to track the development and implementation of their SWMP as well as costs involved with implementing the Permit.

### **Underground Injection Control (UIC) Program**

In addition to the Phase II Permit, the Regional Stormwater Program must also address the requirements of the state's UIC program. This program, as required by the federal Safe Drinking Water Act (SDWA), is intended to protect underground sources of drinking water from contamination by waste fluids, including the infiltration of polluted stormwater.

#### **Regulatory Requirements**

UIC wells must be either rule-authorized or covered by a state waste discharge permit to operate. If a UIC well is rule-authorized, a permit is not required. Ecology can require corrective action or closure of a UIC well that is not in compliance. A UIC well may be rule-authorized when both of the following requirements are met:

1. A registration form must be submitted and approved by the Department of Ecology before the construction of any UIC wells.
2. Discharge from the UIC must not contaminate ground water. This is the "non-endangerment performance standard".

### **2022 Activities**

- Register dry wells with Ecology before installation.
- Evaluate drywells during the inspections that are conducted by the O&M personnel.