



Focus on the Municipal Stormwater Programs

from Ecology's Water Quality Program

What is stormwater?

Stormwater is the water that runs off surfaces such as rooftops, paved streets, highways, and parking lots. It can also come from hard, grassy surfaces including lawns and play fields as well as graveled roads and parking lots. As water runs off these surfaces, stormwater picks up pollution such as oil, fertilizers, pesticides, pet waste, and trash.

Why is stormwater a problem in Washington?

Stormwater is a problem because it is often polluted and can harm human health, drinking water, and fish habitat. Untreated urban stormwater runoff can contain toxic metals, organic compounds, and bacterial and viral pathogens. Stormwater is the leading contributor to water quality pollution of urban waterways. Urban development causes significant changes in patterns of stormwater runoff – leading to increased flows during the wet season and decreased stream flows during the dry season. It is not safe for people to drink and is not recommended for swimming. In some areas of Washington, gravelly soils allow rapid infiltration of stormwater. Untreated stormwater can contaminate aquifers used for drinking water. Virtually all of our urban creeks, streams, and rivers are harmed by urban stormwater runoff.

What programs control municipal stormwater?

In 1987, Congress changed the Clean Water Act to include stormwater discharges in the National Pollutant Discharge Elimination System (NPDES) permit program. This program requires permits for municipal stormwater discharges to surface waters. The Environmental Protection Agency (EPA) developed rules to implement the new stormwater requirements in two phases:

- Phase I** In 1990, EPA issued NPDES Phase I rules that applied to cities and counties with populations greater than 100,000. Ecology issued permits to seven Phase I jurisdictions: Snohomish, King, Pierce, and Clark counties; the cities of Seattle and Tacoma; and Washington Department of Transportation (WSDOT) facilities within those jurisdictions. These permits expired in 2000 and need to be reissued.
- Phase II** In 1997, the EPA issued NPDES Phase II rules regulating municipally-owned separate storm sewer systems within census-defined urban areas. These are areas that generally have more than 1,000 people per square mile. Ecology will develop separate general permits for eastern and western Washington.

What do the federal rules say?

Phase I and Phase II rules require publicly-owned stormwater systems to obtain NPDES permits for their stormwater discharges. The area covered by the Phase I and Phase II rules is different. The Phase I rule includes publicly-owned stormwater systems located in the unincorporated portions of King, Pierce, Snohomish and Clark counties, as well as the cities of Tacoma and Seattle. The Phase II rule includes publicly owned storm sewer systems located within census defined urban areas. There are 13 census-defined urbanized areas in Washington. Ecology identified over 100 cities and counties that potentially need permit coverage under a Phase II municipal stormwater permit.

See Ecology's webpage for Urban Area Maps:

http://www.ecy.wa.gov/programs/wq/stormwater/phase_2/maps.html

For Phase I, EPA required the identified cities and counties to obtain an NPDES permit for their stormwater discharges and specified permit application requirements. EPA's rules did not establish permit requirements except for annual reporting.

For both Phase I and Phase II jurisdictions, the EPA rules require operators of municipal separate storm sewer systems (**MS4s**) to develop and implement a *stormwater management program* that:

- Reduces the discharge of pollutants to the "maximum extent practicable"
- Satisfies appropriate requirements of the Clean Water Act
- Meets state requirements to use all known, available, and reasonable methods to prevent and control pollution to waters of the state.
- Protects water quality

Phase II minimum control measures

The EPA Phase II rules identify six minimum control measures that must be included in a Phase II stormwater permit to protect water quality.

1. Public Education and Outreach
2. Public Participation/Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Control
5. Post-Construction Runoff Control
6. Pollution Prevention/Good Housekeeping

The federal rules also require:

- Fulfillment of requirements of an approved TMDL (water quality restoration), and
- Record keeping, evaluation, and reporting on the progress of the program

Ecology will use four different permits to cover the areas required by these rules. The Phase I permit will cover the unincorporated portions of King, Pierce, Snohomish and Clark counties, as well as the cities of Tacoma and Seattle. Due to climatic differences in Washington, Phase II will have separate permits for Eastern and Western Washington. The Washington State Department of Transportation will also receive a separate permit.

Permit Schedule

A public comment period will run from February 15 to May 19, 2006 for the two separate Phase II municipal stormwater draft permits (Western and Eastern Washington) and the Phase I general draft permit. Ecology expects to issue these general permits by early fall 2006.

For additional information, check our web page at:

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

or contact:

Jennifer Hennessey
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600
Phone 360-407-7529; Fax 360-407-6426
Email: jenh461@ecy.wa.gov

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