



# Frequently Asked Questions about Municipal Stormwater

from Ecology's Water Quality Program

## *What is stormwater and why is it a problem?*

Stormwater is the water that runs off surfaces such as rooftops, paved streets, highways and parking lots. As stormwater runs off these surfaces, it picks up pollution such as oil, fertilizers, pesticides, pet waste and trash.

Stormwater usually runs untreated into lakes, streams, rivers and bays.

Stormwater can harm human health, drinking water and fish habitat.

Stormwater is the biggest contributor of pollution to urban waterways.

This document is for “Secondary Permittees,” public entities or special purpose districts such as a sewer district, flood control district, port, public university or college, prison complex, drainage district or parks and recreation district.

**Q: How is the Washington Department of Ecology (Ecology) regulating municipal stormwater?**

**A:** In 1987, Congress changed the Clean Water Act to include stormwater discharges in the National Pollutant Discharge Elimination System (NPDES) permit program. The Environmental Protection Agency (EPA) developed rules to implement the new stormwater requirements in two phases called Phase I and Phase II. The state, through Ecology, implements these federal stormwater rules through municipal stormwater permits. Ecology is in the process of reissuing the Phase I permit for jurisdictions serving more than 100,000 people. In 1999, EPA issued the Phase II stormwater permit regulations to cover stormwater discharges in urbanized areas that serve smaller populations. For the first time, Ecology is issuing Phase II permits. Eastern and western Washington have separate Phase II permits. Also, Ecology will be issuing a separate municipal stormwater permit for the Washington State Department of Transportation.

**Q: What is a municipal separate storm sewer system (MS4)?**

**A:** It is a conveyance or a system of conveyances (includes roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is:

- Owned or operated by a public entity such as a city, town, county or special purpose district established by the state.
- Designed or used for collecting and conveying stormwater.
- NOT a combined sewer.
- NOT part of a Publicly Owned Treatment Works.

For both Phase I and Phase II jurisdictions, the EPA rules require operators of MS4s to develop and implement a stormwater management program that:

- Reduces the discharge of pollutants to the “maximum extent practicable.”
- Protects water quality.
- Satisfies appropriate requirements of the Clean Water Act.



**Q: What is a secondary permittee?**

**A:** A secondary permittee is a public entity or special purpose district such as a sewer district, flood control district, port, public university or college, prison complex, drainage district or parks and recreation district. Under EPA’s rules, special purpose districts that own or operate an MS4 must get a permit to discharge stormwater. In Ecology’s municipal stormwater permits, special purpose districts are also called secondary permittees. Storm sewer systems in very discrete areas such as individual buildings do not require permit coverage.

**Q: How do I determine whether my storm sewer system is in an area covered by these permits?**

**A:** The permit requirements apply to limited geographic areas in Washington. For cities, the permit is applicable throughout the entire incorporated area of the city. For the Clark, King, Pierce and Snohomish counties (the Phase I counties), the geographic area covered by the permit is the entire unincorporated county. For Asotin, Benton, Chelan, Cowlitz, Douglas, Franklin, Kitsap, Skagit, Spokane, Thurston, Walla Walla, Whatcom and Yakima counties (the Phase II counties), the permit is applicable throughout the “urbanized areas” defined by the 2000 Census and the associated urban growth areas that are under the jurisdictional control of the county. To see maps of the “urbanized areas” defined by the 2000 Census, see Ecology’s web site at: [http://www.ecy.wa.gov/programs/wq/stormwater/phase\\_2/maps.html](http://www.ecy.wa.gov/programs/wq/stormwater/phase_2/maps.html).

The geographic area(s) covered by each permit are listed below:

- **Phase I Permit** includes the entire unincorporated areas of the following counties:

Clark	Pierce
King	Snohomish

The Phase I permit also applies to the cities of Seattle and Tacoma

- **Western Washington Phase II Permit** applies to portions of the following counties:

Cowlitz	Thurston
Kitsap	Whatcom
Skagit	

**Western Washington Phase II Permit** also applies to the following cities and towns:

Aberdeen	Burlington	Granite Falls	Mill Creek
Algona	Camas	Issaquah	Milton
Anacortes	Centralia	Kelso	Monroe
Arlington	Clyde Hill	Kenmore	Mount Vernon
Auburn	Covington	Kent	Mountlake
Bainbridge	Des Moines	Kirkland	Terrace
Island	DuPont	Lacey	Mukilteo
Battle Ground	Duvall	Lake Forest	Newcastle
Bellevue	Edgewood	Park	Normandy
Bellingham	Edmonds	Lake Stevens	Park
Black Diamond	Enumclaw	Lakewood	Oak Harbor
Bonney Lake	Everett	Longview	Olympia
Bothell	Federal Way	Lynnwood	Orting
Bremerton	Ferndale	Maple Valley	Pacific
Brier	Fife	Marysville	Port Angeles
Buckley	Fircrest	Medina	Port Orchard
Burien	Gig Harbor	Mercer Island	Poulsbo

Puyallup  
Redmond  
Renton  
Sammamish  
SeaTac

Sedro-Woolley  
Shoreline  
Snohomish  
Steilacoom  
Sumner

Tukwila  
Tumwater  
University  
Place  
Vancouver

Washougal  
Woodinville  
Yarrow Point

- **Eastern Washington Phase II Permit** applies to portions of the following counties:

Asotin  
Benton  
Chelan

Douglas  
Franklin  
Spokane

Walla Walla  
Yakima

**Eastern Washington Phase II Permit** also applies to the following cities and towns:

Asotin  
Clarkston  
East Wenatchee  
Ellensburg  
Kennewick  
Liberty Lake  
Millwood

Moses Lake  
Pasco  
Pullman  
Richland  
Selah  
Spokane  
Spokane Valley

Sunnyside  
Union Gap  
Walla Walla  
Wenatchee  
West Richland  
Yakima.

### **Q: What do the permits require?**

**A:** The permits require the development and implementation of a stormwater management program to control discharge into and from your MS4. A stormwater management program includes six minimum elements designed to reduce the discharge of pollutants from the municipal separate storm sewer system to the maximum extent practicable. The elements include: public education and outreach, public involvement and participation, illicit discharge detection and elimination, construction site stormwater runoff control, post construction stormwater management for new development and redevelopment, and pollution prevention/good house-keeping for municipal operations.

The permits allow and encourage you to form partnerships with the local city or county in order to meet permit requirements.

### **Q: How and when do I apply for coverage?**

**A:** To get a permit, you must complete an application, also called a notice of intent (NOI), and submit it to Ecology. Ecology has not set a date when NOIs are due from secondary permittees. According to EPA deadlines, the NOIs or applications are past due for both Phase I and Phase II permits. Ecology recommends those special purpose districts or public entities that are regulated by the permits apply for coverage as soon as possible.

### **Q: Can I share permit responsibilities with another permittee?**

**A:** Yes. The permits allow you to share permit responsibilities with another permittee. Using partnerships to meet permit requirements is frequently more cost-effective and/or more successful. You can rely on entities already performing some of the required measures to do them on your behalf. Your partner may be an adjacent city, county, or even another secondary permittee. If you choose to form a partnership, you will need a legally written agreement between you and your partner. Partners may apply jointly or separately for permit coverage. Either way, you will need to identify which entity is responsible for what. Finally, even with a partnership, you are still responsible for making sure permit requirements are completed.

**Q: Who do I contact if I have questions?**

**A:** If you have any questions about the potential permitting requirement for your district, or about the permits themselves, please contact the Ecology staff person who covers your county:

- Skagit or Whatcom counties,  
contact Steve Hood at 360-738-6254
- King, Kitsap, or Snohomish,  
contact Anne Dettelbach at 425-649-7093
- Clark, Cowlitz, Clallam, Grays Harbor, Pierce, or Thurston counties,  
contact Alison Chamberlin at 360-407-0245
- Benton, Chelan, Kittitas or Yakima counties,  
contact Terry Wittmeier at 509-574-3991
- Asotin, Douglas, Franklin, Grant, Spokane, Walla Walla, or Whitman counties,  
contact Dave Duncan at 509-329-3554

You can access more information on this topic through Ecology's Web site. The address is:  
<http://www.ecy.wa.gov/programs/wq/stormwater/municipal/secondary.html>