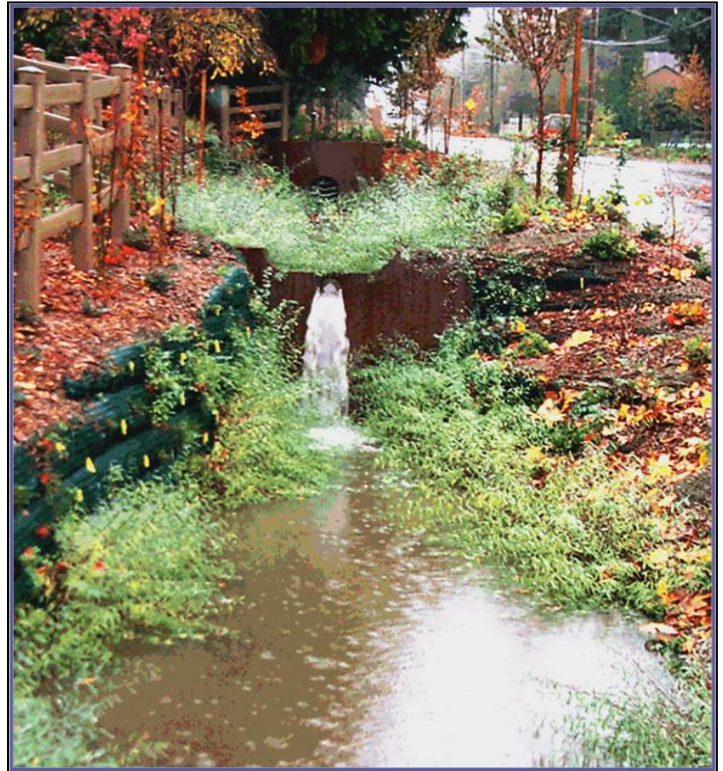


Ecology Modifies Municipal Stormwater Permits

On June 17, 2009, the Department of Ecology (Ecology) issued modifications of three municipal stormwater permits: the Phase I Permit, the Western Washington Phase II Permit, and the Eastern Washington Phase II Permit. Ecology issued the permits on January 17, 2007. The agency modified the three permits to address the outcomes of appeals.

Ecology issued the draft permit modifications on March 18, 2009, and accepted public comments on the proposed modifications until May 1, 2009. During the public comment period, Ecology also requested suggestions for ideas to reduce permit related costs for local government. The modified permits will become effective on July 17, 2009.



An example of low impact development.

Permit modifications to address outcomes of appeals

The permit appeals resulted in rulings and summary judgment decisions of the state Pollution Controls Hearing Board, as well as settlement agreements reached on specific issues.

Ecology modified all three permits for:

- Conditions related to compliance with state water quality standards.
- Water quality cleanup plans.
- Annual report forms, definitions, and miscellaneous corrections and clarifications.

In addition, Ecology modified the Phase I permit conditions to:

- List stormwater manuals and ordinances equivalent to Ecology's requirements for runoff controls for new development and redevelopment.
- Add requirements for low impact development, including reporting.

- Incorporate requirements to prioritize structural stormwater control plans for existing developed areas.
- Clarify Snohomish County water cleanup plan requirements.
- Clarify requirements for mitigation sites at the Port of Tacoma and Port of Seattle.
- Clarify stormwater-monitoring requirements.

Ecology also modified the Phase II Western Washington permit conditions to add reporting requirements on advancing the use of low impact development practices in new development and redevelopment.

In the Phase II Eastern Washington permit, Ecology added requirements for the Selah Ditch water cleanup plan that apply to the City of Selah.

Permit modifications to provide flexibility and reduce costs

Ecology received many comments with suggestions to reduce costs. After considering all of the comments, Ecology modified each of the permits as described in the sections below.

The modifications do not change the standards that apply to all new development and redevelopment. The extended deadlines, clarifications, and other changes provide more flexibility for local governments to build effective programs, address maintenance backlogs, and target staff and equipment in priority areas as they build programs during this permit term.

Phase I Permit modifications

Ecology made the following modifications in the Phase I permit to:



A stormwater-friendly hard surface.

- Lower the level of effort for inspecting new development, redevelopment, and construction sites during this permit term.
- Allow permittees, in the Source Control program for existing development, to count re-visit compliance inspections toward the compliance target.
- Extend the deadline to complete screening of outfalls for polluting discharges.

- Lower the level of effort for inspecting existing private facilities.
- Allow inspections of municipal facilities to reach compliance targets gradually by the last six months of the permit term.
- Extend the deadline for toxicity monitoring and provide a schedule for permittee monitoring requirements.

Western Washington Phase II Permit modifications

Ecology made the following modifications in the Western Washington Phase II permit to:

- Clarify requirements to measure the effects of stormwater education programs.
- Extend the deadlines for adoption and effective dates of ordinances to control runoff for new development, redevelopment, and construction sites by six months, to February 16, 2010.



Community involvement is a key to managing stormwater.

- Lower the level of effort for construction site inspections.
- Extend the deadline for completing facility maintenance after inspections.
- Reduce inspection requirements for municipal facilities to reach the compliance target gradually by the last six months of the permit term.
- Clarify that the level of effort for monitoring reports is a limited analysis.

Eastern Washington Phase II Permit modifications

Ecology made the following modifications in the Eastern Washington Phase II permit to:

- Lower the level of effort for inspecting construction sites.
- Extend the deadline for developing and beginning to implement an operations and maintenance plan.

- Lower the level of effort for assessing existing flood management projects for water quality impacts.
- Reduce the inspection requirement for municipal facilities during this permit term.
- Clarify that the stormwater discharge monitoring report is a limited analysis and extend the deadline for the report on sites to monitor best management practices.

More information

You will find the modified permits, Fact Sheet, comment letters, public hearing testimony, and Ecology's Response to Comments on our website at

www.ecy.wa.gov/programs/wq/stormwater/municipal/permitMOD.html

You can find a link to Ecology's webpage with copies of the appeals and settlement documents and Pollution Controls Hearing Board rulings at

www.ecy.wa.gov/programs/wq/stormwater/municipal/permitMOD.html

Information and links to additional stormwater permit resources are available at

www.ecy.wa.gov/programs/wq/stormwater/municipal/index.html



Street sweeping helps reduce stormwater pollution.

Contacts

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Ecology Regional contacts for the municipal stormwater permits are on our website at:

www.ecy.wa.gov/programs/wq/stormwater/municipal/municontacts.html

Special accommodations:

To ask about the availability of this document in a version for the visually impaired call the Water Quality at 360-407-6401. Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.