FEDERAL CLEAN WATER ACT

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

WESTERN WASHINGTON PHASE II MUNICIPAL STORMWATER PERMIT

2012 NPDES STORMWATER MANAGEMENT PROGRAM

March 2012

CITY OF BELLEVUE, WASHINGTON

FEDERAL CLEAN WATER ACT
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1. INTRODUCTION

1.1 Overview and Background

The National Pollutant Discharge Elimination System (NPDES) permit program is a requirement of the federal Clean Water Act, which is intended to protect water quality and restore waters for "fishable, swimmable" uses. The federal Environmental Protection Agency (EPA) has delegated permit authority to state environmental agencies. In Washington, the NPDES-delegated permit authority is the Washington State Department of Ecology (Ecology).

Municipalities with a population of over 100,000 (as of the 1990 census) have been designated as Phase I communities and must comply with Ecology's Phase I NPDES Municipal Stormwater Permit. With Bellevue's 1990 census falling below the 100,000 threshold, the City must comply with Ecology's Phase II NPDES Municipal Stormwater Permit. Over 100 other municipalities in Washington must comply with the Phase II Permit, along with Bellevue, as operators of small municipal separate storm sewer systems (MS4s).

The Permit authorizes the discharge of stormwater runoff from municipal drainage systems into the State's surface waters (i.e., streams, rivers, lakes, wetlands, etc.) and ground waters as long as municipalities implement Permit-specified "best management practices" (BMPs). These BMPs are intended to protect water quality, reduce the discharge of "non-point source" pollutants to the "maximum extent practicable" (MEP), and meet state AKART (all known, available, and reasonable methods of prevention, control and treatment) requirements.

The BMPs specified in the Permit are collectively referred to as the Stormwater Management Program (SWMP) and grouped under the following Program components:

- Public Education and Outreach
- Public Involvement
- Illicit Discharge Detection and Elimination (IDDE)
- Controlling Runoff from New Development, Redevelopment and Construction Sites
- Pollution Prevention and Municipal Operations and Maintenance
- Monitoring

Implementation of various Permit conditions is phased throughout the five-year Permit term (February 16, 2007 through February 15, 2012). The Permit requires the City to report annually (March 31st of each year) on progress in Program implementation for the prior year (e.g., Annual Compliance Report). The Permit also requires submittal of documentation that describes proposed Program activities for the coming year (e.g., the Stormwater Management Program document).

Generally, at the end of five years, the Permit is revised and reissued. However, the end of the Permit term was extended from February 2012 to August 2013 during the 2011 state legislative session in order to provide fiscal relief to municipalities from new unfunded mandates during the current economic downturn (Engrossed Substitute House Bill 1478).

As of March 31st, 2012 the City meets the Permit requirements. This report is the City's 2012 Stormwater Management Program compliance document. The remainder of this 2012 SWMP document describes actions Bellevue will take to maintain compliance over the sixth year of the Permit term.

1.2 Phased Implementation of Permit Requirements

Ecology began work on the Phase II Municipal Stormwater Permit for Western Washington in the fall of 2004 and posted a preliminary draft for public comment on May 16, 2005. Ecology released a formal draft of the Permit in February 2006 and issued the final Permit on January 17, 2007. The Permit issued by Ecology became effective on February 16, 2007. Ecology modified the permit on June 17, 2009 in response to rulings by the Washington State Pollution Control Hearings Board on several permit appeals. The Permit would have expired on February 15, 2012 except, as noted above, the end of the Permit term was extended to August 2013.

As noted above, the Permit requires submittal to Ecology of:

1. **Annual Compliance Report** to be completed by March 31 of each year during the Permit term, beginning in 2008. The Compliance Report: is a specific "fill in the blanks" spreadsheet provided by the Washington State Department of Ecology and documents Permit compliance activities for the preceeding year. This year's Compliance Report is for calendar year 2011. The draft Report is located in Appendix D of this document, as noted below. The Report is very prescriptive and is completed administratively.
2. **Stormwater Management Program** document which is is developed by the City and summarizes the specific current and planned city-wide Permit implementation activities to assure continued NPDES Permit compliance for the coming year (2012). As permit requirements are phased in over the Permit term, there are big lists of planned activities in the beginning to small lists in the late years of the Permit as requirements have ramped up and become part of the ongoing program as opposed to new work efforts.

This document also includes appendices with general information, as well as the Annual Compliance Report.

- Appendix A- Western Washington Phase II Municipal Stormwater Permit Special and General Conditions
- Appendix B- Acronyms and Definitions from the Permit.
- Appendix C- Ecology's Guidance for City and County Annual Reports for Western Washington Phase II Municipal Stormwater General Permits.
- Appendix D- Draft City of Bellevue 2011 Annual Compliance Report.

Additional Permit information is located on Ecology's website:
http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseIIww/wwphiipermit.html.

1.3 Department Responsibilities

The Permit requirements affect departments across the City organization. To encourage collaboration and efficient use of resources the City has chartered implementation teams for each Permit component. These teams consist of members from affected departments. Those departments include Utilities, Development Services (DSD), Information Technology (IT), Civic Services, Fire, Planning and Community Development (PCD), City Attorney's Office (CAO) including Risk Management (Risk), Finance, Parks and Community Services (Parks), Transportation (Trans.), Human Resources (HR), Police, City Clerk's Office, and the City Manager's Office (CMO).

1.4 Document Organization

The content in this document is based upon Permit requirements and Ecology's Guidance for City and County Annual Reports for Western Washington Phase II Municipal Stormwater Permits. The remainder of the Stormwater Management Program document is organized similarly to the Permit:

- **Section 2.0** addresses Permit requirements for administration of the City's Stormwater Management Program for 2012.
- **Section 3.0** addresses Permit requirements for Public Education and Outreach for 2012.
- **Section 4.0** addresses Permit requirements for Public Involvement and Participation for 2012.
- **Section 5.0** addresses Permit requirements for Illicit Discharge Detection and Elimination for 2012.
- **Section 6.0** addresses Permit requirements for Controlling Runoff from New Development, Redevelopment and Construction Sites for 2012.
- **Section 7.0** addresses Permit requirements for Pollution Prevention and Operation and Maintenance for Municipal Operations for 2012.
- **Section 8.0** addresses Permit requirements for the Water Quality Monitoring section of the Permit for 2012.

Each section includes a summary of the relevant Permit requirements and a description of current and planned compliance activities.

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2. STORMWATER MANAGEMENT PROGRAM ADMINISTRATION

This Section describes Permit requirements related to overall Stormwater Management Program administration, including current and planned compliance activities.

2.1 Permit Requirements

The Permit (Section S5.A) requires the City to:

- Develop and implement a Stormwater Management Program and prepare written documentation (SWMP document) for submittal to Ecology on March 31, 2008; and update the Program annually thereafter. The purpose of the Program is to reduce the discharge of pollutants from the municipal stormwater system to the maximum extent practicable (MEP), meet state AKART (all known, available, reasonable methods of prevention, control and treatment) requirements, and protect water quality. The Program is to include the actions and activities described in Sections 3 through 8 of this SWMP document.
- Submit annual compliance reports beginning in 2008 to Ecology by March 31st (for the previous calendar year). These reports are to summarize SWMP implementation status and present information from assessment and evaluation activities conducted during the reporting period.

2.2 Current Activities

The City currently implements activities and programs that meet the Permit requirements. The Permit requires municipalities to phase implementation of various Permit requirements throughout the five-year Permit term (February 2007 through February 2012). Bellevue modified citywide activities, programs, codes, standards, and processes as needed to meet Permit requirements. Below is a summary of compliance activities associated with the above Permit requirements.

- The City has created a NPDES implementation group and organizational management structure. The City has defined roles and responsibilities and developed processes and procedures for completing updates to future SWMP documents and the Annual Compliance Report annually.
- The City implemented an overall strategy for code updates required by individual Permit components and adjusted it as needed in response to Pollution Control Hearings Board decisions.
- The City developed training materials and completed several of the Program requirements for staff training.
- The City developed an Annual Compliance Report database to streamline documentation by staff of city-wide compliance activities.
- The City tracks estimated NPDES costs.
- The City continues to refine its NPDES training program, including development of a city-wide database for tracking implementation of citywide training requirements.
- The City is on track to comply with Ecology's requirements for submittal of the fifth Annual Compliance Report by March 31, 2012.

2.3 Planned Activities

The end of the current Permit term was extended from February 2012 to August 2013 during the 2011 state legislative session in order to provide fiscal relief to municipalities during the current economic downturn. Ecology's theory is that delaying new permit requirements provides local governments some relief from new unfunded mandates. Municipalities are required to continue full implementation of current Permit requirements in 2012. Actions recommended for continued compliance include:

- Continuing to refine and implement Stormwater Management Program Administration activities and programs; and
- Summarizing Stormwater Management Program Administration activities and programs for the Annual Compliance Report submittal.

Table 2-1 is the work plan for the 2012 Stormwater Management Program (SWMP) Administration activities. City department references used in the "lead" and "support" columns are defined in Appendix B.

Table 2-1. 2012 Stormwater Management Program Administration Work Plan

Task ID	Task Description	Lead	Support	Schedule Notes
SWMP-1	Continuing to refine and implement Stormwater Management Program Administration activities; and	Utilities	All	On-going
SWMP-2	Summarizing Stormwater Management Program Administration activities and programs for Annual Compliance Report submittal	Utilities + Legal	All	The Annual Compliance Report submittal is due on or before March 31st of each year.

3. PUBLIC EDUCATION AND OUTREACH

The Section describes the Permit requirements related to Public Education and Outreach, including current and planned compliance activities.

3.1 Permit Requirements

The Permit (Section S5.C.1) requires the City to:

- Prioritize and target education and outreach activities to specified audiences, including general public, businesses, residents/homeowners, landscapers, property managers, engineers, contractors, developers, review staff and land use planners and other City employees to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts.
- Measure the understanding and adoption of the targeted behaviors for at least one targeted audience in at least one subject area to use in directing education and outreach sources more effectively, as well as to evaluate changes in adoption of the targeted behaviors.
- Track and maintain records of public education and outreach activities.

3.2 Current Activities

The City currently implements activities and programs that meet the Permit requirements. The Permit requires municipalities to phase implementation of various Permit requirements throughout the five-year Permit term (February 2007 through February 2012). Bellevue modified citywide activities, programs, codes, standards, and processes as needed to meet Permit requirements. Below is a summary of compliance activities associated with the above Permit requirements:

- The City conducts numerous education and outreach activities that address stormwater management. These programs directly address general public, residents/homeowners, businesses, developers, contractors, engineers and some industries and include but are not limited to:
  - Car wash kits and related outreach and education
  - Storm drain stenciling/marking of public storm drains, with expansion to private storm drains
  - Natural yard care neighborhood program
  - Puget Sound Starts Here campaign, including a variety of programs and educational activities, such as rain garden workshops
  - Commercial surface water pollution prevention technical assistance and financial incentives
  - General outreach and communication, including theater advertisements
  - Used motor oil and hazardous waste recycling program
  - Elementary school assemblies and workshops program
  - Powerful Choices for the Environment targeting middle school students
  - Advanced placement environmental science presentation and support for high school students

  - Natural Resources Week, promoting protection of surface water to elementary school students
  - Stream team workshops
  - Stormwater maintenance and best management practices technical outreach through the municipal stormwater operations and maintenance and private drainage inspection programs.
  - Public outreach and education on hazards associated with illicit discharges and improper disposal of waste including a Stormwater Pollution Communications Plan.
  - Development services one-stop resource center provides information and consultations with staff from across the city on development regulations and permit requirements.
- The City conducted surveys and focus groups measuring attitudes about stormwater pollution and car wash behavior to create an awareness baseline from which to measure future improvements. The City is tracking behavior improvements through the Carwash Research project.
- The City continues to participate in the Puget Sound Starts Here campaign, which is a regional effort to educate the public while finding effective ways to track measurable improvements.
- The City tracks its education and outreach efforts, including preparation of a report for the 2011 Annual Compliance Report on Illicit Discharge Detection and Elimination (IDDE) public education efforts.
- The City continues to work extensively with the STORM (Stormwater Outreach for Regional Municipalities) Group to help identify appropriate program evaluation techniques.

3.3 Planned Activities

The end of the current Permit term was extended from February 2012 to August 2013 during the 2011 state legislative session in order to provide fiscal relief to municipalities during the current economic downturn. Ecology's theory is that delaying new permit requirements provides local governments some relief from new unfunded mandates. Municipalities are required to continue full implementation of current Permit requirements in 2012. Actions recommended for continued compliance include:

- Continuing to refine and implement Public Education and Outreach activities and programs; and
- Summarizing Public Education and Outreach activities and programs for the Annual Compliance Report submittal.

Table 3-1 is the work plan for the 2012 SWMP Public Education and Outreach activities. City department references used in the "lead" and "support" columns are defined in Appendix B.

Table 3-1. 2012 Public Education and Outreach Work Plan

Task ID	Task Description	Lead	Support	Schedule Notes
EDUC-1	Continuing to refine and implement Public Education and Outreach activities and programs; and	Utilities + DSD	All	On-going
EDUC-2	Summarizing Public Education and Outreach activities and programs for the Annual Compliance Report submittal.	Utilities + DSD	All	The Annual Compliance Report submittal is due on or before March 31st of each year.

4. PUBLIC INVOLVEMENT

This Section describes the Permit requirements related to Public Involvement, including current and planned compliance activities.

4.1 Permit Requirements

The Permit (Section S5.C.2) requires the City to:

- Provide ongoing opportunities for public involvement through advisory boards and commissions, watershed committees, public participation in developing rate structures and budgets, stewardship programs, environmental activities or other similar activities. The public must be able to participate in the decision-making processes involving the development, implementation and update of the Stormwater Management Program (SWMP).
- Make the SWMP document and Annual Compliance Report available to the public, including posting on the City's website. Make other documents required to be submitted to Ecology in response to Permit conditions available to the public.

4.2 Current Activities

The City currently implements activities and programs that meet the Permit requirements. The Permit requires municipalities to phase implementation of various Permit requirements throughout the five-year Permit term (February 2007 through February 2012). Bellevue modified citywide activities, programs, codes, standards, and processes as needed to meet Permit requirements. Below is a summary of compliance activities associated with the above Permit requirements.

- The City has defined a series of activities intended to meet the Permit requirements for public involvement in development of the 2012 Stormwater Management Program, including a public meeting on the draft 2012 Stormwater Management Program, briefings and presentations to Commissions and City Council on the Program and/or Program elements.
- The City makes the current SWMP document and Annual Compliance Report available to the public on the City website.

4.3 Planned Activities

The end of the current Permit term was extended from February 2012 to August 2013 during the 2011 state legislative session in order to provide fiscal relief to municipalities during the current economic downturn. Ecology's theory is that delaying new permit requirements provides local governments some relief from new unfunded mandates. Municipalities are required to continue full implementation of current Permit requirements in 2012. Actions recommended for continued compliance include:

- Continuing to refine and implement Public Involvement activities and programs; and
- Summarizing Public Involvement activities and programs for the Annual Compliance Report submittal.

Table 4-1 is the work plan for the 2012 SWMP Public Involvement activities. City department references used in the "lead" and "support" columns are defined in Appendix B.

Table 4-1. 2012 Public Involvement Work Plan				
Task ID	Task Description	Lead	Support	Schedule Notes
PI-1	Continuing to refine and implement Public Involvement activities and programs; and	Utilities	All	On-going
PI-2	Summarizing Public Involvement activities and programs for the Annua l Compliance Report submittal	Utilities	IT	The Annual Compliance Report submittal is due on or before March 31st of each year

5. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

This Section describes the Permit requirements related to Illicit Discharge Detection and Elimination (IDDE), including current and planned compliance activities.

5.1 Permit Requirements

The Permit (Section S5.C.3) requires the City to:

- Implement an ongoing program to detect and remove illicit discharges, connections and improper disposal, including any spills into the municipal separate storm sewers owned or operated by the City. An illicit discharge means "any discharge to a municipal storm system that is not composed entirely of stormwater…" and illicit connection means "any man-made conveyance that is connected to a municipal storm system without a permit (excluding roof drains and other similar type connections) such as sanitary sewer connections, floor drains, etc."
- Develop a storm sewer system map, have ordinances that prohibit illicit discharges, and create a program to detect and address illicit discharges.
- Publicly list and publicize a hotline or other local telephone number for public reporting of spills and other illicit discharges. Track through close-out illicit discharge reports and actions taken in response, including enforcement actions.
- Train Program staff on proper IDDE response procedures and processes and train municipal field staff to recognize and report illicit discharges.
- Summarize all illicit discharges and connections reported to the City and response actions taken, including enforcement actions, in the Annual Compliance Report; including updates to the SWMP document.

5.2 Current Activities

The City currently implements activities and programs that meet the Permit requirements. The Permit requires municipalities to phase implementation of various Permit requirements throughout the five-year Permit term (February 2007 through February 2012). Bellevue modified citywide activities, programs, codes, standards, and processes as needed to meet Permit requirements. Below is a summary of compliance activities associated with the above Permit requirements.

- The City maintains an up-to date storm sewer map in multiple electronic formats and has standard operating procedures (SOPs) for keeping the municipal separate storm sewer system map and inventory up-to-date. The map is updated with new facilities or corrected for inconsistencies based on field verification.
- The City reviewed and modified its IDDE program to ensure consistent citywide implementation of the Permit requirements.
- The City amended city codes, standard operating procedures, and construction standards to implement the Permit's illicit discharge and escalating enforcement requirements. See Section 6 Current Activities for link to amended codes and standards.

- The City developed a Stormwater Pollution Communications Plan and additional outreach materials to increase awareness of stormwater pollution impacts and empower citizens to adopt new behaviors that prevent pollutants from entering the storm drainage system and downstream waters.
- The City developed submittal materials for the new Construction Stormwater Pollution Prevention Plan requirements that address illicit discharges from construction sites.
- The City implemented the stormwater outfall illicit discharge screening and source control program requirements. This included performing a storm drainage outfall reconnaissance inventory, prioritizing receiving waters for inspection and implementing field screeing and source control activities for prioritized receiving waters.
- The City modified existing databases to better track and document reported illicit discharges and their resolution.
- The City developed illicit discharge awareness and response training materials and implemented a training program for citywide staff.
- The City has a 24-hour emergency response line for public reporting of spills and other illicit discharges (425-452-7840).

5.3 Planned Activities

The end of the current Permit term was extended from February 2012 to August 2013 during the 2011 state legislative session in order to provide fiscal relief to municipalities during the current economic downturn. Ecology's theory is that delaying new permit requirements provides local governments some relief from new unfunded mandates. Municipalities are required to continue full implementation of current Permit requirements in 2012. Actions recommended for continued compliance include:

- Continuing to refine and implement Illicit Discharge Detection and Elimination activities and programs; and
- Summarizing Illicit Discharge Detection and Elimination activities and programs for the Annual Compliance Report submittal.

Table 5-1 is the work plan for the 2012 SWMP Illicit Discharge and Elimination activities. City department references used in the "lead" and "support" columns are defined in Appendix B.

Table 5-1 2012 Illicit Discharge Detection and Elimination Work Plan

Task ID	Task Description	Lead	Support	Schedule Notes
IDDE-1	Continuing to refine and implement Illicit Discharge Detection and Elimination activities and programs; and	Utilities	All	. On-going.
IDDE-2	Summarizing Illicit Discharge Detection and Elimination activities and programs for the Annual Compliance Report submittal.	Utilities	All	The Annual Compliance Report submittal is due on or before March 31st of each year.

6. CONTROLLING RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT AND CONSTRUCTION SITES

This Section describes the Permit requirements related to Controlling Runoff from New Development, Redevelopment and Construction Sites, including current and planned compliance activities. Ecology issued a modified Permit in June 2009 which changed the compliance deadline for these Permit requirements from August 16, 2009 to February 16, 2010. Bellevue completed the actions necessary to meet these Permit requirements by the end of 2009, as noted in Section 6.2.

6.1 Permit Requirements

The Permit (Section S5.C.4) requires the City to:

- Develop, implement, and enforce a program to reduce pollutants in stormwater runoff (i.e., illicit discharges) to the municipal separate storm sewer system from new development, redevelopment and construction site activities. The program must apply to both private and public projects, including roads, and address all construction/development-associated pollutant sources.
- Adopt regulations (codes and standards) and implement plan review, inspection, and escalating enforcement processes and procedures necessary to implement the program in accordance with Permit conditions, including the minimum technical requirements in Appendix 1 of the Permit (i.e., 2005 Ecology Stormwater Management Manual for Western Washington, equivalent Phase I Manual or one of the Manual options with a Bellevue-specific basin-planning overlay).
- Provide provisions and processes and procedures (plan review, inspection, and enforcement) to allow non-structural preventive actions and source reduction approaches such as Low Impact Development techniques (LID), measures to minimize the creation of impervious surfaces and measures to minimize the disturbance of native soils and vegetation.
- Adopt regulations (codes and standards) and provide provisions to verify adequate long-term operations and maintenance of new post-construction permanent stormwater facilities and best management practices (i.e., private drainage system inspections) in accordance with Permit conditions, including an annual inspection frequency and/or approved alternative inspection frequency and maintenance standards for private drainage systems as protective as those in Chapter IV of the 2005 Ecology Stormwater Management Manual for Western Washington.
- Provide training to staff on the new codes, standards, processes and procedures and create public outreach and education materials.
- Develop and define a process to record and maintain all inspections and enforcement actions by staff for inclusion in the Annual Compliance Report.
- Develop a report on low impact development (LID) barriers and practices. (Condition added in June 17, 2009 Permit modification).
- Summarize annual activities for the "Controlling Runoff" component of the Annual Compliance Report; identify any update to Program document.

6.2 Current Activities

The City currently implements activities and programs that meet the Permit requirements. The Permit requires municipalities to phase implementation of various Permit requirements throughout the five-year Permit term (February 2007 through February 2012). Bellevue modified citywide activities, programs, codes, standards, and processes as needed to meet Permit requirements. Below is a summary of compliance activities associated with the above Permit requirements.

- The City amended city codes and revised standards to meet Permit requirements for development, redevelopment, construction and post-construction stormwater management, including escalating enforcement provisions for illicit discharges originating from existing development and construction sites. The development related code amendments became effective January 1, 2010. The amended codes and revised standards are located online at www.bellevuewa.gov/doc_library.htm and include:
  1. Ordinance 5905, Bellevue City Code Chapter 24.06, Storm and Surface Water Utility Code
  2. 2010 Surface Water Engineering Standards (updated annually)
  3. Ordinance 5906, Bellevue City Code Chapter 23.76, Clearing and Grading Code
  4. 2010 Clearing and Grading Development Standards
  5. Ordinance 5907, Bellevue City Code Chapter 1.18.075, Civil Violations Code
- The City adopted the 2005 Ecology Stormwater Manual as the citywide stormwater standard for development, redevelopment, and construction projects as part of the code amendments.
- The City modified its plan review, inspection, enforcement and documentation procedures to address the new regulations.
- The City modified its development services information management system to document development plan review, inspection and enforcement actions per Permit requirements.
- The City provided training to staff on the new regulations and processes and procedures.
- The City modified its post-construction inspection program for private stormwater facilities (i.e., the Private Drainage Inspection Program) to meet Permit requirements for inspection and documentation.
- The City revised its maintenance standards for private and public storm and surface water systems to meet Permit requirements. The revised standards are located online at www.bellevuewa.gov/doc_library.htm.
- The City continues to make information about and copies of Ecology's application forms for Construction NPDES and Industrial NPDES permits available to the public at the Permit Center.
- The City developed a summary of Low Impact Development (LID) barriers and a report on LID practices and submitted these documents with the 2010 Annual Compliance Report.

6.3 Planned Activities

The end of the current Permit term was extended from February 2012 to August 2013 during the 2011 state legislative session in order to provide fiscal relief to municipalities during the current economic downturn. Ecology's theory is that delaying new permit requirements provides local governments some relief from new unfunded mandates. Municipalities are required to continue full implementation of current Permit requirements in 2012. Actions recommended for continued compliance include:

- Continuing to refine and implement Controlling Runoff from New Development, Redevelopment and Construction Sites activities and programs; and
- Summarizing Controlling Runoff from New Development, Redevelopment and Construction Sites activities and programs for the Annual Compliance Report submittal.

Table 6-1 is the work plan for the 2012 SWMP Controlling Runoff from New Development, Redevelopment and Construction Sites activities. City department references used in the "lead" and "support" columns are defined in Appendix B.

Table 6-1. 2012 Controlling Runoff From New Development, Redevelopment, and Construction Sites Work Plan				
Task ID	Task Description	Lead	Support	Schedule Notes
CTRL-1	Continuing to refine and implement Controlling Runoff from New Development, Redevelopment and Construction Sites activities and programs; and	Utilities + DSD	CAO	On-going.
CTRL-2	Summarizing Controlling Runoff from New Development, Redevelopment and Construction Sites activities and programs for the Annual Compliance Report submittal.	Utilities + DSD	CAO, PCD	The Annual Compliance Report submittal is due on or before March 31st of each year.

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7. POLLUTION PREVENTION AND OPERATION AND MAINTENANCE FOR MUNICIPAL OPERATIONS

This Section describes the Permit requirements related to Pollution Prevention and Operation and Maintenance for Municipal Operations, including current and planned compliance activities.

7.1 Permit Requirements

The Permit (Section S5.C.5) requires the City to:

- Develop and implement an operations and maintenance (O&M) program with the ultimate goal of preventing or reducing pollutant runoff from municipal separate stormwater system and municipal operations and maintenance activities.
- Establish maintenance standards for the municipal separate stormwater system that are at least as protective as those specified in the 2005 *Stormwater Management Manual for Western Washington*.
- Perform required inspection frequency of stormwater flow control and treatment facilities and catch basins, unless previous inspection data show that a reduced frequency is justified.
- Have processes and procedures in place to reduce stormwater impacts associated with runoff from municipal operation and maintenance activities including but not limited to streets, parking lots, roads or highways owned or maintained by the City, and to reduce pollutants in discharges from all lands owned or maintained by the City.
- Train staff to implement the modified processes and procedures and document that training.
- Prepare Stormwater Pollution Prevention Plans (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the City.
- Summarize annual activities for the "Pollution Prevention and Operations and Maintenance for Municipal Operations" component of the Annual Compliance Report; including any updates to the SWMP document.

7.2 Current Activities

The City currently implements activities and programs that meet the Permit requirements. The Permit requires municipalities to phase implementation of various Permit requirements throughout the five-year Permit term (February 2007 through February 2012). Bellevue modified citywide activities, programs, codes, standards, and processes as needed to meet Permit requirements. Below is a summary of compliance activities associated with the above Permit requirements.

- The City continues to comply with required municipal storm inspection frequencies.
- The City implemented inspection, operation and maintenance processes and procedures for Bellevue-owned or operated stormwater catch-basins and flow control and treatment facilities to meet Permit requirements.
- The City revised storm drainage maintenance standards for public and private drainage systems to comply with Permit requirements.

- The City updated its operations and maintenance (O&M) program and implemented procedures to reduce stormwater impacts from the operation and maintenance of storm and surface water systems, streets, parking lots, roads and lands owned or maintained by the City.
- The City created and implemented Stormwater Pollution Prevention Plans (SWPPP) for six City facilities. A SWPPP is currently being developed for a city-owned property whose site uses triggers the SWPPP requirement (e.g. required for heavy equipment and materials storage facilities).
- The City implemented a program for annual inspection of City-owned flow control and runoff treatment facilities, once-per-permit-term inspection of municipal catchbasins, and for performing identified maintenance within prescribed Permit timelines.
- The City is preparing a report and schedule for maintenance of stormwater flow control and treatment ponds (which will exceed permit-prescribed maintenance timelines) for submittal with the 2012 Annual Compliance Report.
- The City modified and implemented the operations and maintenance training program to provide on-going city-wide pollution prevention training for municipal field staff based on the updated and/or new standard operating procedures developed to reduce stormwater runoff from construction, operation and maintenance of municipal facilities and lands.

7.3 Planned Actions

The end of the current Permit term was extended from February 2012 to August 2013 during the 2011 state legislative session in order to provide fiscal relief to municipalities during the current economic downturn. Ecology's theory is that delaying new permit requirements provides local governments some relief from new unfunded mandates. Municipalities are required to continue full implementation of current Permit requirements in 2012. Actions recommended for continued compliance include:

- Continuing to refine and implement Pollution Prevention and O&M for Municipal Operations activities and programs; and
- Summarizing Pollution Prevention and O&M for Municipal Operations activities and programs for the Annual Compliance Report submittal.

Table 7-1 is the work plan for the 2012 SWMP Pollution Prevention and O&M for Municipal Operations activities. City department references used in the "lead" and "support" columns are defined in Appendix B.

Table 7-1. 2012 Pollution Prevention and Operations and Maintenance Work Plan

Task ID	Task Description	Lead	Support	Schedule Notes
PPOM-1	Continuing to refine and implement O&M for Municipal Operations activities and programs; and	Utilities	IT	On-going.
PPOM-2	Summarizing implement O&M for Municipal Operations activities and programs for the Annual Compliance Report submittal.	Utilities	All	The Annual Compliance Report submittal is due on or before March 31st of each year.

8. MONITORING

This Section describes the Permit requirements related to water quality monitoring, including current and planned compliance activities.

8.1 Permit Requirements

The Permit (Section S8) does not require municipalities to conduct water quality sampling or other testing during this Permit term, with the following exceptions:

- Water quality monitoring required in a water quality clean-up plan issued by Ecology. Ecology has not issued any water quality clean up plans for waterbodies in Bellevue.
- Sampling or testing required for characterizing illicit discharges pursuant to the Program's Illicit Discharge Detection and Elimination conditions.
- Preparation for future, comprehensive, long-term water quality monitoring program consistent with current Phase I monitoring requirements, including general stormwater quality monitoring and targeted Stormwater Management Program effectiveness monitoring as noted below for submittal with the 2010 Annual Compliance Report.
- For general stormwater monitoring preparation, identify three outfalls (representing commercial, high-density residential and industrial land uses) where permanent stormwater sampling stations can be installed and operated for future monitoring. Submit a report documenting why sites were selected, possible site constraints for installation and access to monitoring equipment, a brief description of the contributing drainage basin, and any water quality concerns in the receiving water of each selected outfall.
- For Stormwater Management Program effectiveness monitoring, identify two Program questions and sites where monitoring can be conducted. The questions shall be designed to answer (1) how effective is a targeted action or narrow suite of actions and (2) is the SWMP achieving a targeted environmental outcome. Submit a monitoring plan for each question.
- Notification to Ecology within 30 days of identifying potential surface water quality violations from water quality monitoring conducted by or for the municipality (per Compliance with Standards condition S4F).
- A description of stormwater monitoring or studies conducted by the City during the reporting period. If stormwater monitoring was conducted on behalf of the City, or if studies or investigations conducted by other entities were reported to the City, a brief description of the type of information gathered or received shall be included in the Annual Compliance Report.
- A qualitative assessment of the appropriateness of the best management practices identified by the City for components of the Stormwater Management Program; and changes made, or anticipated to be made, to the practices that were previously selected to implement the Program and why those changes are desirable.

8.2 Current Activities

The City currently implements activities and programs that meet the Permit requirements. The Permit requires municipalities to phase implementation of various Permit requirements throughout the five-year

Permit term (February 2007 through February 2012). Bellevue modified citywide activities, programs, codes, standards, and processes as needed to meet Permit requirements. Below is a summary of compliance activities associated with the above Permit requirements.

- Reports were submitted with the 2010 Annual Complaince Report in which:
  - The City identified three outfalls (representing commercial, high-density residential and industrial land uses) where permanent stormwater sampling stations can be installed and operated for future general stormwater monitoring.
  - The City identified two SWMP effectiveness questions and sites where monitoring can be conducted in the future.
- The City has been participating in a variety of regional and state monitoring forums to develop feasible and effective future monitoring requirements as an alternative to those proposed in the current Permit. A regional stormwater monitoring forum has developed alternative monitoring strategy recommendations for Ecology to consider for inclusion in the next NPDES municipal stormwater permit.
- The City conducts sampling or testing required for characterizing illicit discharges pursuant to the Permit's Illicit Discharge Detection and Elimination program conditions.
- The City reviews water quality monitoring data and/or reports conducted by or for the City to determine if potential water quality violations are identified.
- The City reports potential water quality violations to Ecology within 30 days of becoming aware of the potential violations per the Permit's Compliance with Standards condition S4F.

8.3 Planned Activities

The end of the current Permit term was extended from February 2012 to August 2013 during the 2011 state legislative session in order to provide fiscal relief to municipalities during the current economic downturn. Ecology's theory is that delaying new permit requirements provides local governments some relief from new unfunded mandates. Municipalities are required to continue full implementation of current Permit requirements in 2012. Actions recommended for continued compliance include:

- Continuing to refine and implement Monitoring activities and programs; and
- Summarizing Monitoring activities and programs for the Annual Compliance Report submittal.

Table 8-1 is the work plan for the 2012 SWMP Monitoring activities. City department references used in the "lead" and "support" columns are defined in Appendix B.

Table 8-1. 2012 Monitoring Work Plan

Task ID	Task Description	Lead	Support	Schedule Notes
MNTR -1	Continuing to refine and implement Monitoring activities and programs; and	Utilities	N/A	Ongoing.
MNTR-2	Summarizing insert Monitoring activities and programs for the Annual Compliance Report submittal.	Utilities	All	The Annual Compliance Report submittal is due on or before March 31st of each year.

APPENDIX A

- **Western Washington Phase II Municipal Stormwater Permit Special and General Conditions (Issued January 17, 2007, Modified June 17, 2009)**

The special and general Permit conditions as well as the Permit appendices (which are not included here) are available on Ecology's website at:

http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseIIww/wwphiipermit.html

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Issuance Date: January 17, 2007
Effective Date: February 16, 2007
Expiration Date: February 15, 2012
Modification Date: June 17, 2009

WESTERN WASHINGTON PHASE II MUNICIPAL STORMWATER PERMIT

National Pollutant Discharge Elimination System and
State Waste Discharge General Permit for Discharges
from Small Municipal Separate Storm Sewers
in Western Washington

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
OLYMPIA, WASHINGTON 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified, or revoked, permittees that have properly obtained coverage under this permit are authorized to discharge to waters of the state in accordance with the special and general conditions which follow.

Kelly Susewind, P.E., P.G.
Water Quality Program Manager
Department of Ecology

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SPECIAL AND GENERAL CONDITIONS

APPENDICES

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SPECIAL CONDITIONS

Notice: If legislation related to this Permit is passed into law, Ecology will, as necessary, modify, revoke and re-issue or terminate this Permit to carry out legislative requirements. Any such modification will be in accordance with G14 *General Permit Modification and Revocation* and the provisions of WAC 173-226-230.

S1. PERMIT COVERAGE AREA AND PERMITTEES

A. Geographic Area of Permit Coverage

This Permit is applicable to owners or operators of regulated small municipal separate storm sewer systems (MS4s) located west of the eastern boundaries of the following counties: Whatcom, Skagit, Snohomish, King, Pierce, Lewis and Skamania.

1. For all cities required to obtain coverage under this permit, the geographic area of coverage is the entire incorporated area of the city.
2. For all counties required to have coverage under this Permit, the geographic area of coverage is the urbanized areas and urban growth areas associated with cities under the jurisdictional control of the county. The geographic area of coverage also includes any urban growth area contiguous to urbanized areas under the jurisdictional control of the county.
3. For secondary permittees required to obtain coverage under this permit, the minimum geographic area of coverage is all areas identified under S1.A.1. and S1.A.2. At the time of permit coverage, Ecology may establish a geographic area of coverage specific to an individual secondary permittee.
4. All regulated small MS4s owned or operated by the permittees named in S1.D.2.a. and located in another city or county area requiring coverage under either the Phase I Municipal *Stormwater Permit* or the *Eastern Washington Phase II Municipal Stormwater Permit* are also covered under this permit.

B. Regulated Small Municipal Separate Storm Sewer Systems (MS4s)

All operators of regulated small municipal separate storm sewer systems (MS4s) are required to apply for and obtain coverage under this Permit or be permitted under a separate individual permit, unless waived or exempted in accordance with condition S1.C.

1. A **regulated small MS4**:
   a. Is a "Small MS4" as defined in the *Definitions and Acronyms* section at the end of this Permit; and
   b. Is located within, or partially located within, an urbanized area as defined by the latest decennial census conducted by the U.S. Bureau of Census, or designated by the Department pursuant to 40 CFR 123.35(b) or 40 CFR 122.26(f); and
   c. Discharges stormwater from the MS4 to a surface water of Washington State; and

d. Is not eligible for a waiver or exemption under S1.C. below.

2. All other operators of MS4s, including special purpose districts, which meet the criteria for a regulated small MS4 shall obtain coverage under this Permit. Other operators of municipal separate storm sewers may include, but are not limited to: flood control, or diking and drainage districts, schools including universities, and correctional facilities that own or operate a small MS4 serving non-agricultural land uses.

3. Any other operators of small MS4s may be required by the Department to obtain coverage under this permit or an alternative NPDES permit if the Department determines the small MS4 is a significant source of pollution to surface waters of the state. Notification of the Department's determination that permit coverage is required will be through the issuance of an Administrative Order issued in accordance with RCW 90.48.

4. The owner or operator of a regulated small MS4 may obtain coverage under this Permit as a permittee, co-permittee, or secondary permittee as defined in S1.D.1. below.

5. Pursuant to 40 CFR 122.26(f), any person or organization may petition Ecology to require that additional municipal separate storm sewers obtain coverage under this permit. The process for petitioning Ecology is:

   a. The person or organization shall submit a complete petition in writing to Ecology. A complete petition shall address each of the relevant factors for petitions outlined on Ecology's website.

   b. In making its determination on the petition, Ecology may request additional information from either the petitioner or the jurisdiction.

   c. Ecology will make a final determination on a complete petition within 180 days of receipt of the petition and inform both the petitioner and the municipal separate storm sewer of the decision, in writing.

   d. If Ecology's final determination is that the candidate municipal separate storm sewer will be regulated, Ecology will issue an order to the municipal separate storm sewer requiring them to obtain coverage under this Permit. The order will specify:

      i. The geographic area of permit coverage for the municipal separate storm sewer system;

      ii. Any modified dates or deadlines for developing and implementing the Stormwater Management Program in S5. or S6., as appropriate to the municipal separate storm sewer system, and for submitting their first annual report; and

      iii. A deadline for the operator of the municipal separate storm sewer system to submit a complete Notice of Intent (see Appendix 5) to Ecology.

C. Owners and operators of an otherwise regulated small MS4 are not required to obtain coverage under this Permit if:

1. The small MS4 is operated by:

   a. The federal government on military bases or other federal lands; or by the United States Military, the Bureau of Land Management, the United States Park Service or other federal agencies;

   b. Federally recognized Indian Tribes located within Indian Country Lands; or

   c. The Washington State Department of Transportation.

   or:

2. The portions of the small MS4 located within the census defined urban area(s) serve a total population of less than 1000 people and a, b, and c, below all apply:

   a. The small MS4 is not contributing substantially to the pollutant loadings of a physically interconnected MS4 that is regulated by the NPDES stormwater program.

   b. The discharge of pollutants from the small MS4 have not been identified as a cause of impairment of any water body to which the MS4 discharges.

   c. In areas where an EPA approved TMDL has been completed, stormwater controls on the MS4 have not been identified as being necessary.

   In determining the total population served both resident and commuter populations shall be included. For example:

   - For publicly operated school complexes including universities and colleges the total population served would include the sum of the average annual student enrollment plus staff.
   - For flood control, diking, and drainage districts the total population served would include residential population and any non-residents regularly employed in the areas served by the small MS4.

D. Obtaining coverage under this Permit

All operators of **regulated small MS4s** are required to apply for and obtain coverage in accordance with this section, unless waived or exempted in accordance with section S1.C.

1. Permittees: unless otherwise noted, the term "Permittee" shall include Permittee, Co-Permittee, and Secondary Permittee, as defined below:

   a. "Permittee" is a city, town, or county owning or operating a regulated small MS4 applying and receiving a permit as a single entity.

   b. "Co-Permittee" is any operator of a regulated small MS4 that is applying jointly with another applicant for coverage under this Permit. Co-Permittees own or operate a regulated small MS4 located within or adjacent to another regulated small MS4.

c. A "Secondary Permittee" is an operator of regulated small MS4 that is not a city, town or county. Secondary Permittees include special purpose districts and other MS4s that meet the criteria for a regulated small MS4 in S1.B. above.

2. Operators of **regulated small MS4s** shall submit either an individual application to the Department or a Notice of Intent (NOI). Applications submitted after January 17, 2007 must be made using the NOI provided in Appendix 5. The NOI is also available on Ecology's website.

   a. All cities, towns and counties listed in i and ii below and operating regulated small MS4s shall apply as either a Permittee or Co-Permittee.

      i. Cities of: Aberdeen, Algona, Anacortes, Arlington, Auburn, Bainbridge Island, Battle Ground, Bellevue, Bellingham, Black Diamond, Bonney Lake, Bothell, Bremerton, Brier, Buckley, Burien, Burlington, Camas, Centralia, Clyde Hill, Covington, Des Moines, DuPont, Duvall, Edgewood, Edmonds, Enumclaw, Everett, Federal Way, Ferndale, Fife, Fircrest, Gig Harbor, Granite Falls, Issaquah, Kelso, Kenmore, Kent, Kirkland, Lacey, Lake Forest Park, Lake Stevens, Lakewood, Longview, Lynnwood, Maple Valley, Marysville, Medina, Mercer Island, Mill Creek, Milton, Monroe, Mountlake Terrace, Mount Vernon, Mukilteo, Newcastle, Normandy Park, Oak Harbor, Olympia, Orting, Pacific, Port Orchard, Port Angeles, Poulsbo, Puyallup, Redmond, Renton, Sammamish, SeaTac, Sedro-Woolley, Shoreline, Snohomish, Steilacoom, Sumner, Tukwila, Tumwater, University Place, Vancouver, Washougal, Woodinville, and Yarrow Point.

      ii. Counties: Cowlitz, Kitsap, Thurston, Skagit, and Whatcom.

   b. All other **regulated small MS4s** shall apply as a Secondary Permittee or as a Co-Permittee.

   c. The following cities, towns and counties submitted either an application or a NOI for coverage to Ecology prior to January 17, 2007:

      i. Cities and towns: Aberdeen, Algona, Arlington, Auburn, Bainbridge Island, Battle Ground, Bellevue, Bellingham, Black Diamond, Bonney Lake, Bothell, Bremerton, Brier, Buckley, Burien, Burlington, Camas, Centralia, Clyde Hill, Covington, Des Moines, DuPont, Duvall, Edgewood, Edmonds, Enumclaw, Everett, Federal Way, Ferndale Fife, Fircrest, Gig Harbor, Granite Falls, Issaquah, Kelso, Kenmore, Kent, Kirkland, Lacey, Lake Forest Park, Lake Stevens, Lakewood, Longview, Lynnwood, Maple Valley, Marysville, Medina, Mercer Island, Mill Creek, Milton, Monroe, Mountlake Terrace, Mount Vernon, Mukilteo, Newcastle, Normandy Park, Oak Harbor, Olympia, Orting, Pacific, Port Orchard, Poulsbo, Puyallup, Redmond, Renton, Sammamish, SeaTac, Sedro-Woolley, Shoreline, Snohomish, Steilacoom, Sumner, Tukwila, Tumwater, University Place, Vancouver, Washougal, Woodinville, and Yarrow Point

      ii. Counties: Cowlitz, Kitsap, Thurston, Skagit, and Whatcom.

d. All operators of regulated small MS4s located in jurisdictions listed in S1.D.2.a. shall submit to Ecology a NOI or individual permit application before the effective date of this permit, with the following exceptions:

i. Operators of regulated small MS4s located in the Cities of Aberdeen, Anacortes, Centralia, Oak Harbor, and Port Angeles shall submit a NOI or application to Ecology no later than 30 days after the effective date of this permit.

ii. Operators of regulated small MS4s listed in S1.D.2.c. do not need to submit a new application to be covered under this permit.

e. For operators of regulated small MS4s listed in S1.D.2.c., coverage under this permit is automatic and begins on the effective date of this permit, unless:

i. The operator chooses to reapply before the effective date of this permit; or

ii. The operator will be relying on another entity to satisfy one or more of their permit obligations in accordance with S1.D.2.g. and S1.D.3.d. below; or

iii. The operator chooses be a Co-Permittee in accordance with S1.D.2.f. and S1.D.3.c. below; or

iv. The operator chooses to opt out of this General Permit. Any operator of a regulated small MS4 that is opting out of this permit shall submit an application for an individual MS4 permit in accordance with 40 CFR 122.33(b)(2)(ii) no later than the effective date of this permit.

f. Operators of regulated small MS4s which want to be covered under this permit as Co-Permittees shall submit to Ecology a joint NOI.

g. Operators of regulated small MS4s which are relying on another entity to satisfy one or more of their permit obligations shall submit a NOI to Ecology.

h. Operators of small MS4s designated by Ecology pursuant to S1.B.3. of this permit shall submit a NOI to Ecology within 120 days of receiving notification from Ecology that permit coverage is required.

3. Application Requirements

a. NOIs shall be submitted to:

Department of Ecology
Water Quality Program
Municipal Stormwater Permits
P.O. Box 47696
Olympia, WA 98504-7696

b. For NOIs submitted after January 17, 2007, the permit applicant shall provide public notice of the application in accordance with WAC 173-226-130(5). The applicant or co-applicant shall include a certification that the public notification requirements of WAC 173-226-130(5) have been satisfied. Unless Ecology responds in writing, coverage under this Permit will be effective 60 days after

receipt of a complete NOI. A complete NOI shall include the certification of public notice.

c. Permittees applying as co-applicants shall submit a joint NOI. The joint NOI shall clearly identify the areas of the MS4 for which each of the co-applicants are responsible.

d. Permittees relying on another entity or entities to satisfy one or more of their permit obligations shall notify Ecology in writing. The notification shall include a summary of the permit obligations that will be carried out by another entity. The summary shall identify the other entity or entities and shall be signed by the other entity or entities. During the term of the permit, permittees may terminate or amend shared responsibility arrangements by notifying Ecology, provided this does not alter implementation deadlines.

e. Secondary permittees required to have coverage under this Permit, and the NPDES and State Waste Discharge Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington or the NPDES and State Waste Discharge Permit for Discharges from Large and Medium Municipal *Separate Storm Sewers*, may obtain coverage by submitting a single NOI.

S2. AUTHORIZED DISCHARGES

A. This Permit authorizes the discharge of stormwater to surface waters and to ground waters of the state from municipal separate storm sewer systems owned or operated by each Permittee covered under this permit, in the geographic area covered pursuant to S1.A. These discharges are subject to the following limitations:

1. Discharges to ground waters of the state through facilities regulated under the Underground Injection Control (UIC) program, Chapter 173-218 WAC, are not covered under this Permit.

2. Discharges to ground waters not subject to regulation under the federal Clean Water Act are covered in this permit only under state authorities, Chapter 90.48 RCW, the Water Pollution Control Act.

B. This Permit authorizes discharges of non-stormwater flows to surface waters and to ground waters of the state from municipal separate storm sewer systems owned or operated by each Permittee covered under this permit, in the geographic area covered pursuant to S1.A, only under the following conditions:

1. The discharge is authorized by a separate National Pollutant Discharge Elimination System (NPDES) or State Waste Discharge permit.

2. The discharge is from emergency fire fighting activities.

3. The discharge is from another illicit or non-stormwater discharge that is managed by the Permittee as provided in Special Condition S5.C.3.b. or S6.C.3.b.

These discharges are also subject to the limitations in S2.A.1. and S.2.A.2. above.

C. This Permit does not relieve entities that cause illicit discharges, including spills, of oil or hazardous substances, from responsibilities and liabilities under state and federal laws and regulations pertaining to those discharges.

D. Discharges from municipal separate storm sewers constructed after the effective date of this permit shall receive all applicable state and local permits and use authorizations, including compliance with Chapter 43.21C RCW (the State Environmental Policy Act).

E. This Permit does not authorize discharges of stormwater to waters within Indian Reservations except where authority has been specifically delegated to Ecology by the U.S. Environmental Protection Agency. The exclusion of such discharges from this Permit does not waive any rights the State may have with respect to the regulation of the discharges.

S3. RESPONSIBILITIES OF PERMITTEES

A. Each Permittee covered under this Permit is responsible for compliance with the terms of this Permit for the regulated small MS4s that they own or operate. Compliance with (1) or (2) below is required as applicable to each permittee, whether the permittee has applied for coverage as a permittee, co-permittee, or secondary permittee.

1. All city, town and county permittees are required to comply with all conditions of this Permit, including any appendices referenced therein, except for Special Condition S6 *Stormwater Management Program for Secondary Permittees*.

2. All secondary permittees are required to comply with all conditions of this Permit, including any appendices referenced therein, except for Special Conditions S8.C. *Monitoring* and S5 *Stormwater Management Program for Cities, Towns and Counties.*

B. Permittees may rely on another entity to satisfy one or more of the requirements of this Permit. Permittees that are relying on another entity to satisfy one or more of their permit obligations remain responsible for permit compliance if the other entity fails to implement permit conditions. Permittees may rely on another entity provided all the requirements of 40 CFR 122.35(a) are satisfied, including but not limited to:

1. The other entity, in fact, implements the Permit requirements.

2. The other entity agrees to take on responsibility for implementation of the Permit requirement(s) as indicated on the NOI.

S4. COMPLIANCE WITH STANDARDS

A. In accordance with RCW 90.48.520, the discharge of toxicants to waters of the state of Washington which would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria is prohibited. The required response to such discharges is defined in section S4.F., below.

B. This Permit does not authorize a discharge which would be a violation of Washington State Surface Water Quality Standards (Chapter 173-201A WAC), Ground Water Quality Standards (Chapter 173-200 WAC), Sediment Management Standards (Chapter 173-204 WAC), or human health-based criteria in the national Toxics Rule (Federal Register, Vol.

57, NO. 246, Dec. 22, 1992, pages 60848-60923). The required response to such discharges is defined in section S4.F., below.

C. The Permittee shall reduce the discharge of pollutants to the maximum extent practicable (MEP).

D. The Permittee shall use all known, available, and reasonable methods of prevention, control and treatment (AKART) to prevent and control pollution of waters of the state of Washington.

E. In order to meet the goals of the Clean Water Act, and comply with S4.A., S4.B., S4.C., and S4.D. each Permittee shall comply with all of the applicable requirements of this Permit as identified in S3 Responsibilities of Permittees.

F. A Permittee remains in compliance with S4. despite any discharges prohibited by S4.A. or S4.B., when the Permittee undertakes the following response toward long-term water quality improvement:

1. A Permittee shall notify Ecology in writing within 30 days of becoming aware, based on credible site-specific information, that a discharge from the municipal separate storm sewer owned or operated by the Permittee is causing or contributing to a known or likely violation of Water Quality Standards in the receiving water. Written notification provided under this subsection shall, at a minimum, identify the source of the site-specific information, describe the nature and extent of the known or likely violation in the receiving water, and explain the reasons why the MS4 discharge is believed to be causing or contributing to the problem. For ongoing or continuing violations, a single written notification to Ecology will fulfill this requirement.

2. In the event that Ecology determines, based on a notification provided under S4.F.1. or through any other means, that a discharge from a municipal separate storm sewer owned or operated by the Permittee is causing or contributing to a violation of Water Quality Standards in a receiving water, Ecology will notify the Permittee in writing that an adaptive management response outlined in S4.F.3. below is required, unless Ecology also determines that (a) the violation of Water Quality Standards is already being addressed by a Total Maximum Daily Load or other enforceable water quality cleanup plan; or (b) Ecology concludes the violation will be eliminated through implementation of other permit requirements.

3. Adaptive Management Response

   a. Within 60 days of receiving a notification under S4.F.2., or by an alternative date established by Ecology, the Permittee shall review its Stormwater Management Program and submit a report to Ecology. The report shall include:

      i. A description of the operational and/or structural BMPs that are currently being implemented to prevent or reduce any pollutants that are causing or contributing to the violation of Water Quality Standards, including a qualitative assessment of the effectiveness of each BMP.

ii. A description of potential additional operational and/or structural BMPs that will or may be implemented in order to apply AKART on a site-specific basis to prevent or reduce any pollutants that are causing or contributing to the violation of Water Quality Standards.

iii. A description of the potential monitoring or other assessment and evaluation efforts that will or may be implemented to monitor, assess, or evaluate the effectiveness of the additional BMPs.

iv. A schedule for implementing the additional BMPs including, as appropriate: funding, training, purchasing, construction, monitoring, and other assessment and evaluation components of implementation.

b. Ecology will, in writing, acknowledge receipt of the report within a reasonable time and notify the Permittee when it expects to complete its review of the report. Ecology will either approve the additional BMPs and implementation schedule or require the Permittee to modify the report as needed to meet AKART on a site-specific basis. If modifications are required, Ecology will specify a reasonable time frame in which the Permittee shall submit and Ecology will review the revised report.

c. The Permittee shall implement the additional BMPs, pursuant to the schedule approved by Ecology, beginning immediately upon receipt of written notification of approval.

d. The Permittee shall include with each subsequent annual report a summary of the status of implementation and the results of any monitoring, assessment or evaluation efforts conductedduring the reporting period. If, based on the information provided under this subsection, Ecology determines that modification of the BMPs or implementation schedule is necessary to meet AKART on a site-specific basis, the Permittee shall make such modifications as Ecology directs. In the event there are ongoing violations of water quality standards despite the implementation of the BMP approach of this section, the Permittee may be subject to compliance schedules to eliminate the violation under WAC 173-201A-510(4) and WAC 173-226-180 or other enforcement orders as Ecology deems appropriate during the term of this permit.

e. Provided the Permittee is implementing the approved adaptive management response under this section, the Permittee remains in compliance with Condition S4., despite any on-going violations of Water Quality Standards identified under S4.F.A or B above.

f. The adaptive management process provided under Section S.4.F is not intended to create a shield for the Permittee from any liability it may face under 42 U.S.C. 9601 *et seq.* or RCW 70.105D.

G. Ecology may modify or revoke and reissue this General Permit in accordance with G14 General *Permit Modification and Revocation*, if Ecology becomes aware of additional control measures, management practices or other actions beyond what is required in this Permit that are necessary to:

1. Reduce the discharge of pollutants to the MEP,
2. Comply with the state AKART requirements, or
3. Control the discharge of toxicants to waters of the State of Washington.

S5. STORMWATER MANAGEMENT PROGRAM FOR CITIES, TOWNS AND COUNTIES

A. Each Permittee shall develop and implement a Stormwater Management Program (SWMP). A SWMP is a set of actions and activities comprising the components listed in S5.B. and S5.C.1. through S5.C.5., and any additional actions necessary to meet the requirements of applicable TMDLs (see S7). The SWMP shall be designed to reduce the discharge of pollutants from the regulated small MS4 to the maximum extent practicable and to protect water quality. This section applies to all cities, towns and counties covered under this Permit, including cities, towns and counties that are co-permittees. Where the term "Permittee" is used in this section the requirements apply to all cities, towns and counties covered under this Permit.

1. The SWMP shall be developed and implemented in accordance with the schedules contained in this section and shall be fully developed and implemented no later than 180 days prior to the expiration date of this Permit. At a minimum the Permittee's SWMP shall be implemented throughout the geographic area subject to this Permit as described in S1.A.
2. Each Permittee shall prepare written documentation of the SWMP. The SWMP documentation shall be organized according to the program components in S5.C. and shall be updated at least annually for submittal with the Permittee's annual reports to Ecology (see S9 *Reporting and Record Keeping*). The SWMP documentation shall include:
    a. A description of each of the program components included in S5.C., and
    b. Any additional actions implemented by the Permittee pursuant to S5.C., and
    c. Any additional actions necessary to meet the requirements of applicable TMDLs pursuant to S7 *Compliance with Total Maximum Daily Load Requirements*.
3. The SWMP shall include an ongoing program for gathering, tracking, maintaining, and using information to evaluate SWMP development, implementation and permit compliance and to set priorities.
    a. Beginning no later than January 1, 2009, each Permittee shall track the cost or estimated cost of development and implementation of each component of the SWMP. This information shall be provided to Ecology upon request.
    b. Each Permittee shall track the number of inspections, official enforcement actions and types of public education activities as stipulated by the respective program component. This information shall be included in the annual report.

4. The SWMP described herein supersedes SWMP descriptions provided by permit applicants in individual applications submitted to the Department prior to the effective date of this permit.

   Notwithstanding the schedules for implementation of SWMP components contained in this permit, Permittees that are already implementing some or all of the SWMP components in this section shall continue implementation of those components of their SWMP. Permittees shall not repeal existing local requirements to control stormwater that go beyond the requirements of this permit for new development and redevelopment sites.

5. Coordination among permittees

   a. Coordination among entities covered under municipal stormwater NPDES permits may be necessary to comply with certain conditions of the SWMP. The SWMP should include, when needed, coordination mechanisms among entities covered under a municipal stormwater NPDES permit to encourage coordinated stormwater-related policies, programs and projects within adjoining or shared areas.

      i. Coordination mechanisms shall clarify roles and responsibilities for the control of pollutants between physically interconnected MS4s permittees covered by a municipal stormwater permit.

      ii. Coordination mechanisms shall coordinate stormwater management activities for shared water bodies among permittees to avoid conflicting plans, policies and regulations.

   b. The SWMP should include coordination mechanisms among departments within each jurisdiction to eliminate barriers to compliance with the terms of this permit.

B. The SWMP shall be designed to reduce the discharge of pollutants from regulated small MS4s to the maximum extent practicable (MEP), meet state AKART requirements, and protect water quality. Notwithstanding the schedules for implementation of SWMP components contained in this Permit, permittees who are implementing some or all of the SWMP components in this section shall continue implementation of those components of their SWMP.

C. The SWMP shall include the components listed below. To the extent allowable under state or federal law, all components are mandatory for city, town or county permittees covered under this Permit. In accordance with 40 CFR 122.35(a) and Special Condition S3, a city, town or county may rely on another entity to implement one or more of the components in this section.

   1. <u>Public Education and Outreach</u>

      The SWMP shall include an education program aimed at residents, businesses, industries, elected officials, policy makers, planning staff and other employees of the Permittee. The goal of the education program is to reduce or eliminate behaviors and

practices that cause or contribute to adverse stormwater impacts. An education program may be developed locally or regionally.

The minimum measures are:

a. No later than two years after the effective date of this Permit, the Permittee shall provide an education and outreach program for the area served by the MS4. The outreach program shall be designed to achieve measurable improvements in the target audience's understanding of the problem and what they can do to solve it.

   Education and outreach efforts shall be prioritized to target the following audiences and subject areas:

   i. General public

      - General impacts of stormwater flows into surface waters.
      - Impacts from impervious surfaces.
      - Source control BMPs and environmental stewardship actions and opportunities in the areas of pet waste, vehicle maintenance, landscaping and buffers.

   ii. General public, businesses, including home-based and mobile businesses

      - BMPs for use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials.
      - Impacts of illicit discharges and how to report them.

   iii. Homeowners, landscapers and property managers

      - Yard care techniques protective of water quality.
      - BMPs for use and storage of pesticides and fertilizers.
      - BMPs for carpet cleaning and auto repair and maintenance.
      - Low Impact Development techniques, including site design, pervious paving, retention of forests and mature trees.
      - Stormwater pond maintenance.

   iv. Engineers, contractors, developers, review staff and land use planners

      - Technical standards for stormwater site and erosion control plans.
      - Low Impact Development techniques, including site design, pervious paving, retention of forests and mature trees.
      - Stormwater treatment and flow control BMPs.

b. Each Permittee shall measure the understanding and adoption of the targeted behaviors for at least one targeted audience in at least one subject area. The resulting measurements shall be used to direct education and outreach resources most effectively, as well as to evaluate changes in adoption of the targeted behaviors.

c. Each Permittee shall track and maintain records of public education and outreach activities.

2. Public Involvement and Participation

   The SWMP shall include ongoing opportunities for public involvement through advisory councils, watershed committees, participation in developing rate-structures, stewardship programs, environmental activities or other similar activities. Each Permittee shall comply with applicable State and local public notice requirements when developing their SWMP.

   The minimum performance measures are:

   a. No later than one year from the effective date of this Permit, all permittees shall create opportunities for the public to participate in the decision-making processes involving the development, implementation and update of the Permittee's entire SWMP. Each Permittee shall develop and implement a process for consideration of public comments on their SWMP.

   b. Each Permittee shall make their SWMP, the annual report required under S9.A and all other submittals required by this Permit, available to the public. The annual report, and SWMP that was submitted with the latest annual report, shall be posted on the permittee's website. To comply with the posting requirement, a permittee that does not maintain a website may submit the updated SWMP in electronic format to the Department for posting on the Department's website.

3. Illicit Discharge Detection and Elimination

   The SWMP shall include an ongoing program to detect and remove illicit connections and discharges as defined in 40 CFR 122.26(b)(2), including any spills not under the purview of another responding authority, into the municipal separate storm sewers owned or operated by the Permittee. Permittees shall fully implement an ongoing illicit discharge detection and elimination program no later than 180 days prior to the expiration date of this Permit.

   The minimum performance measures are:

   a. A municipal storm sewer system map shall be developed no later than four years from the effective date of this permit. Municipal storm sewer system maps shall be periodically updated and shall include the following information:

      i. The location of all known municipal separate storm sewer outfalls and receiving waters and structural stormwater BMPs owned, operated, or maintained by the Permittee. Each Permittee shall map the attributes listed below for all storm sewer outfalls with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems:

         - Tributary conveyances (indicate type, material, and size where known).
         - Associated drainage areas.
         - Land use.

      ii. Each Permittee shall initiate a program to develop and maintain a map of all connections to the municipal separate storm sewer authorized or allowed by the Permittee after the effective date of this Permit.

iii. Geographic areas served by the Permittee's MS4 that do not discharge stormwater to surface waters.

iv. Each Permittee shall make available to Ecology, upon request, municipal storm sewer system map(s) depicting the information required in S5.C.3.a.i. through iii above. The preferred format of submission will be an electronic format with fully described mapping standards. An example description is provided on Ecology WebPages under Core Services, GIS Data.

v. Upon request, and to the extent appropriate, permittees shall provide mapping information to co-permittees and secondary permittees.

b. Each Permittee shall develop and implement an ordinance or other regulatory mechanism to effectively prohibit non-stormwater, illicit discharges into the Permittee's municipal separate storm sewer system to the maximum extent allowable under State and Federal law. The ordinance or other regulatory mechanism shall be adopted no later than 30 months from the effective date of this Permit.

i. The regulatory mechanism does <u>not</u> need to prohibit the following categories of non-stormwater discharges:

- Diverted stream flows.
- Rising ground waters.
- Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)).
- Uncontaminated pumped ground water.
- Foundation drains.
- Air conditioning condensation.
- Irrigation water from agricultural sources that is commingled with urban stormwater.
- Springs.
- Water from crawl space pumps.
- Footing drains.
- Flows from riparian habitats and wetlands.
- Non-stormwater discharges covered by another NPDES permit.
- Discharges from emergency fire fighting activities in accordance with S2 *Authorized Discharges*.

ii. The regulatory mechanism shall prohibit the following categories of non-stormwater discharges unless the stated conditions are met:

- Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be de-chlorinated to a concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4.

- Discharges from lawn watering and other irrigation runoff. These shall be minimized through, at a minimum, public education activities (see section S5.C.1) and water conservation efforts.
- Dechlorinated swimming pool discharges. The discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
- Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. The Permittee shall reduce these discharges through, at a minimum, public education activities (see section S5.C.1.) and/or water conservation efforts. To avoid washing pollutants into the MS4, Permittees must minimize the amount of street wash and dust control water used. At active construction sites, street sweeping must be performed prior to washing the street.
- Other non-stormwater discharges. The discharges shall be in compliance with the requirements of a stormwater pollution prevention plan reviewed by the Permittee, which addresses control of such discharges.

iii. The Permittee's SWMP shall, at a minimum, address each category in ii above in accordance with the conditions stated therein.

iv. The SWMP shall further address any category of discharges in i or ii above if the discharges are identified as significant sources of pollutants to waters of the State.

v. The ordinance or other regulatory mechanism shall include escalating enforcement procedures and actions.

vi. The Permittee shall develop an enforcement strategy and implement the enforcement provisions of the ordinance or other regulatory mechanism.

c. Each Permittee shall develop and implement an ongoing program to detect and address non-stormwater discharges, including spills, and illicit connections into the Permittee's municipal separate storm sewer system. The program shall be fully implemented no later than 180 days prior to the expiration date of this Permit and shall include:

i. Procedures for locating priority areas likely to have illicit discharges, including at a minimum: evaluating land uses and associated business/industrial activities present; areas where complaints have been registered in the past; and areas with storage of large quantities of materials that could result in spills.

ii. Field assessment activities, including visual inspection of priority outfalls identified in i, above, during dry weather and for the purposes of verifying outfall locations, identifying previously unknown outfalls, and detecting illicit discharges.

- Receiving waters shall be prioritized for visual inspection no later than three years from the effective date of this Permit, with field assessments of three high priority water bodies made no later than four years from the effective date of this Permit. Field assessments on at least one high priority water body shall be made each year thereafter.
- Screening for illicit connections shall be conducted using: Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments, Center for Watershed Protection, October 2004, or another methodology of comparable effectiveness.

iii. Procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found by or reported to the Permittee. Procedures shall include detailed instructions for evaluating whether the discharge must be immediately contained and steps to be taken for containment of the discharge.

Compliance with this provision shall be achieved by investigating (or referring to the appropriate agency) within 7 days, on average, any complaints, reports or monitoring information that indicates a potential illicit discharge, including spills; and immediately investigating (or referring) problems and violations determined to be emergencies or otherwise judged to be urgent or severe.

iv. Procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures.

v. Procedures for removing the source of the discharge; including notification of appropriate authorities; notification of the property owner; technical assistance for eliminating the discharge; follow-up inspections; and escalating enforcement and legal actions if the discharge is not eliminated.

Compliance with this provision shall be achieved by initiating an investigation within 21 days of a report or discovery of a suspected illicit connection to determine the source of the connection, the nature and volume of discharge through the connection, and the party responsible for the connection. Upon confirmation of the illicit nature of a storm drain connection, Permittees shall use their enforcement authority in a documented effort to eliminate the illicit connection within 6 months.

d. Permittees shall inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.

i. No later than 180 days prior to the expiration date of this Permit, distribute appropriate information to target audiences identified pursuant to S5.C.1.

ii. No later than two years from the effective date of this Permit, publicly list and publicize a hotline or other local telephone number for public reporting of spills and other illicit discharges. Keep a record of calls received and follow-up actions taken in accordance with S5.C.3.c.ii. through v. above; include a summary in the annual report (see section S9 Reporting and Record Keeping Requirements).

e. Permittees shall adopt and implement procedures for program evaluation and assessment, including tracking the number and type of illicit discharges, including spills, identified; inspections made; and any feedback received from public education efforts. A summary of this information shall be included in the Permittee's annual report (see section S9 Reporting and Recordkeeping Requirements).

f. Each Permittee will provide appropriate training for municipal field staff on the identification and reporting of illicit discharges into MS4s.

i. No later than thirty months after the effective date of this Permit, each Permittee shall ensure that all municipal field staff who are responsible for identification, investigation, termination, cleanup, and reporting illicit discharges, including spills, and illicit connections are trained to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques or requirements. Permittees shall document and maintain records of the training provided and the staff trained.

ii. No later than three years after the effective date of this Permit, an ongoing training program shall be developed and implemented for all municipal field staff, which, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system shall be trained on the identification of an illicit discharge/connection, and on the proper procedures for reporting and responding to the illicit discharge/connection. Follow-up training shall be provided as needed to address changes in procedures, techniques or requirements. Permittees shall document and maintain records of the training provided and the staff trained.

4. <u>Controlling Runoff from New Development, Redevelopment and Construction Sites</u>

Each Permittee shall develop, implement, and enforce a program to reduce pollutants in stormwater runoff to a regulated small MS4 from new development, redevelopment and construction site activities. This program shall be applied to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale. The program shall apply to private and public development, including roads. The "Technical Thresholds" in Appendix 1 shall be applied to all sites 1 acre or greater, including

projects less than one acre that are part of a larger common plan of the development or sale.

The minimum performance measures are:

a. The program shall include an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects. Pursuant to S5.A.4., in adopting this ordinance or other regulatory mechanism, existing local requirements to apply stormwater controls at smaller sites, or at lower thresholds than required pursuant to S5.C.4., shall be retained. The ordinance or other enforceable mechanism shall be adopted and effective no later than February 16, 2010. The ordinance or other enforceable mechanism shall include, at a minimum:

   i. The Minimum Requirements, technical thresholds, and definitions in Appendix 1 or an equivalent approved by Ecology under the NPDES Phase I Municipal Stormwater Permit, for new development, redevelopment, and construction sites. Adjustment and variance criteria equivalent to those in Appendix 1 shall be included. More stringent requirements may be used, and/or certain requirements may be tailored to local circumstances through the use of basin plans or other similar water quality and quantity planning efforts. Such local requirements shall provide equal protection of receiving waters and equal levels of pollutant control to those provided in Appendix 1.

   ii. A site planning process and BMP selection and design criteria that, when used to implement the minimum requirements in Appendix 1 (or equivalent approved by Ecology under the Phase I Permit) will protect water quality, reduce the discharge of pollutants to the maximum extent practicable and satisfy the State requirement under Chapter 90.48 RCW to apply all known, available and reasonable methods of prevention, control and treatment (AKART) prior to discharge. Permittees shall document how the criteria and requirements will protect water quality, reduce the discharge of pollutants to the maximum extent practicable, and satisfy State AKART requirements.

   Permittees who choose to use the site planning process and BMP selection and design criteria in the 2005 *Stormwater Management Manual for Western Washington,* or an equivalent manual approved by the Department under the Phase I Permit, may cite this choice as their sole documentation to meet this requirement.

   iii. The legal authority, through the approval process for new development, to inspect private stormwater facilities that discharge to the Permittee's MS4.

   iv. Provisions to allow non-structural preventive actions and source reduction approaches such as Low Impact Development Techniques (LID), measures to minimize the creation of impervious surfaces and measures to minimize the disturbance of native soils and vegetation. Provisions for LID should take into account site conditions, access and long term maintenance.

v. If the Permittee chooses to allow construction sites to apply the "Erosivity Waiver" in Appendix 1, Minimum Requirement #2, the ordinance or regulatory mechanism shall include appropriate, escalating enforcement sanctions for construction sites that provide notice to the Permittee of their intention to apply the waiver but do not meet the requirements (including timeframe restrictions, limits on activities that result in non-stormwater discharges, and implementation of appropriate BMPs to prevent violations of water quality standards) to qualify for the waiver.

b. The program shall include a permitting process with plan review, inspection and enforcement capability to meet the standards listed in (i) through (iv) below, for both private and public projects, using qualified personnel (as defined in *Definitions and Acronyms*). At a minimum, this program shall be applied to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale. The process shall be in place no later than February 16, 2010.

i. Except as provided in S5.C.4.b.vii. below, review of all stormwater site plans for proposed development activities.

ii. Except as provided in S5.C.4.b.vii. below, inspect, prior to clearing and construction, all known development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 Determining Construction Site Sediment Damage Potential.

iii. Except as provided in S5.C.4.b.vii. below, inspect all known permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. Enforce as necessary based on the inspection.

iv. Inspect all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater controls such as stormwater facilities and structural BMPs. Also, verify a maintenance plan is completed and responsibility for maintenance is assigned. Enforce as necessary based on the inspection.

v. Compliance with the inspection requirements in (ii), (iii) and (iv) above shall be determined by the presence and records of an established inspection program designed to inspect all sites. Compliance during this permit term shall be determined by achieving at least 80% of scheduled inspections.

vi. An enforcement strategy shall be developed and implemented to respond to issues of non-compliance.

vii. If the Permittee chooses to allow construction sites to apply the "Erosivity Waiver" in Appendix 1, Minimum Requirement #2, the Permittee is not required to review the construction stormwater pollution prevention plans as part of the site plan review in (i) above, and is not required to perform

the construction phase inspections identified in (ii) and (iii) above related to construction sites which are eligible for the erosivity waiver.

c. The program shall include provisions to verify adequate long-term operation and maintenance (O&M) of post-construction stormwater facilities and BMPs that are permitted and constructed pursuant to (b) above. These provisions shall be in place no later than February 16, 2010 and shall include:

i. Adoption of an ordinance or other enforceable mechanism that clearly identifies the party responsible for maintenance, requires inspection of facilities in accordance with the requirements in (ii) through (iv) below, and establishes enforcement procedures.

ii. Each Permittee shall establish maintenance standards that are as protective or more protective of facility function than those specified in Chapter 4 of Volume V of the 2005 *Stormwater Management Manual for Western Washington*. For facilities which do not have maintenance standards, the Permittee shall develop a maintenance standard.

(1) The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facilities required condition at all times between inspections. Exceeding the maintenance standard between the period of inspections is not a permit violation.

(2) Unless there are circumstances beyond the Permittee's control, when an inspection identifies an exceedence of the maintenance standard, maintenance shall be performed:

- Within 1 year for typical maintenance of facilities, except catch basins.
- Within 6 months for catch basins.
- Within 2 years for maintenance that requires capital construction of less than $25,000.

Circumstances beyond the Permittee's control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work. For each exceedence of the required timeframe, the Permittee must document the circumstances and how they were beyond their control.

iii. Annual inspections of all stormwater treatment and flow control facilities (other than catch basins) permitted by the Permittee according to S5.C.4.b. unless there are maintenance records to justify a different frequency. The Permittee shall take appropriate maintenance actions in accordance with the adopted maintenance standards.

Reducing the inspection frequency shall be based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written

statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 *Certification and Signature*.

iv. Inspections of all new flow control and water quality treatment facilities, including catch basins, for new residential developments that are a part of a larger common plan of development or sale, every 6 months during the period of heaviest house construction (i.e., 1 to 2 years following subdivision approval) to identify maintenance needs and enforce compliance with maintenance standards as needed.

d. The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained. Permittees shall keep records of all projects disturbing more than one acre, and all projects of any size that are part of a common plan of development or sale that is greater than one acre that are approved after the effective date of this Permit.

e. The program shall make available copies of the "Notice of Intent for Construction Activity" and copies of the "Notice of Intent for Industrial Activity" to representatives of proposed new development and redevelopment. Permittees will continue to enforce local ordinances controlling runoff from sites that are also covered by stormwater permits issued by Ecology.

f. No later than February 16, 2010, each Permittee shall verify that all staff responsible for implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques or staffing. Permittees shall document and maintain records of the training provided and the staff trained.

5. Pollution Prevention and Operation and Maintenance for Municipal Operations

Within three years of the effective date of this Permit, each Permittee shall develop and implement an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

The minimum performance measures are:

a. Each Permittee shall establish maintenance standards that are as protective, or more protective, of facility function than those specified in Chapter 4 of Volume V of the 2005 *Stormwater Management Manual for Western Washington*. For facilities which do not have maintenance standards, the Permittee shall develop a maintenance standard.

i. The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facilities

required condition at all times between inspections. Exceeding the maintenance standard between inspections and/or maintenance is not a permit violation.

ii. Unless there are circumstances beyond the Permittees control, when an inspection identifies an exceedence of the maintenance standard, maintenance shall be performed:

- Within 1 year for typical maintenance of facilities, except catch basins.
- Within 6 months for catch basins.
- Within 2 years for maintenance that requires capital construction of less than $25,000.

Circumstances beyond the Permittee's control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work. For each exceedence of the required timeframe, the Permittee shall document the circumstances and how they were beyond their control.

b. Annual inspection of all municipally owned or operated permanent stormwater treatment and flow control facilities, other than catch basins, and taking appropriate maintenance actions in accordance with the adopted maintenance standards. The annual inspection requirement may be reduced based on inspection records.

Reducing the inspection frequency shall be based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 *Certification and Signature*.

c. Spot checks of potentially damaged permanent treatment and flow control facilities (other than catch basins) after major (greater than 24-hour-10-year recurrence interval rainfall) storm events. If spot checks indicate widespread damage/maintenance needs, inspect all stormwater treatment and flow control facilities that may be affected. Conduct repairs or take appropriate maintenance action in accordance with maintenance standards established above, based on the results of the inspections.

d. Inspection of all catch basins and inlets owned or operated by the Permittee at least once before the end of the permit term. Clean catch basins if the inspection indicates cleaning is needed to comply with maintenance standards established in the 2005 *Stormwater Management Manual for Western Washington*. Decant water shall be disposed of in accordance with Appendix 6 *Street Waste Disposal*.

Inspections may be conducted on a "circuit basis" whereby a sampling of catch basins and inlets within each circuit is inspected to identify maintenance needs. Include in the sampling an inspection of the catch basin immediately upstream of any system outfall. Clean all catch basins within a given circuit for which the

inspection indicates cleaning is needed to comply with maintenance standards established under S5.C.4.c., above.

As an alternative to inspecting catch basins on a "circuit basis," the Permittee may inspect all catch basins, and clean only catch basins where cleaning is needed to comply with maintenance standards.

e. Compliance with the inspection requirements in b, c and d above shall be determined by the presence of an established inspection program designed to inspect all sites. Compliance during this permit term shall be determined by achieving an annual rate of at least 95% of inspections no later than 180 days prior to the expiration date of this permit.

f. Establishment and implementation of practices to reduce stormwater impacts associated with runoff from streets, parking lots, roads or highways owned or maintained by the Permittee, and road maintenance activities conducted by the Permittee. The following activities shall be addressed:

- Pipe cleaning
- Cleaning of culverts that convey stormwater in ditch systems
- Ditch maintenance
- Street cleaning
- Road repair and resurfacing, including pavement grinding
- Snow and ice control
- Utility installation
- Pavement striping maintenance
- Maintaining roadside areas, including vegetation management
- Dust control

g. Establishment and implementation of policies and procedures to reduce pollutants in discharges from all lands owned or maintained by the Permittee and subject to this Permit, including but not limited to: parks, open space, road right-of-way, maintenance yards, and stormwater treatment and flow control facilities. These policies and procedures shall address, but are not limited to:

- Application of fertilizer, pesticides, and herbicides including the development of nutrient management and integrated pest management plans.
- Sediment and erosion control.
- Landscape maintenance and vegetation disposal.
- Trash management.
- Building exterior cleaning and maintenance.

h. Develop and implement an on-going training program for employees of the Permittee whose construction, operations or maintenance job functions may impact stormwater quality. The training program shall address the importance of protecting water quality, the requirements of this Permit, operation and maintenance standards, inspection procedures, selecting appropriate BMPs, ways to perform their job activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns, including potential illicit

discharges. Follow-up training shall be provided as needed to address changes in procedures, techniques or requirements. Permittees shall document and maintain records of training provided.

i. Development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the *General NPDES Permit for Stormwater Discharges Associated with Industrial Activities* or another NPDES permit that covers stormwater discharges associated with the activity. Implementation of non-structural BMPs shall begin immediately after the pollution prevention plan is developed. A schedule for implementation of structural BMPs shall be included in the SWPPP. Generic SWPPPs that can be applied at multiple sites may be used to comply with this requirement. The SWPPP shall include periodic visual observation of discharges from the facility to evaluate the effectiveness of the BMP.

j. Records of inspections and maintenance or repair activities conducted by the Permittee shall be maintained in accordance with S9 *Reporting Requirements*.

S6. STORMWATER MANAGEMENT PROGRAM FOR SECONDARY PERMITTEES

A. This section applies to all secondary permittees, whether coverage under this Permit is obtained individually or as a co-permittee with a city, town or county or another secondary permittee.

1. To the extent allowable under state, federal or local law, all components are mandatory for each Secondary Permittee covered under this Permit, whether covered as an individual permittee or as a co-permittee.

2. Each Secondary Permittee shall develop and implement a stormwater management program (SWMP). The SWMP shall be designed to reduce the discharge of pollutants from regulated small MS4s to the maximum extent practicable and protect water quality.

3. Unless an alternate implementation schedule is established by Ecology as a condition of permit coverage, the SWMP shall be developed and implemented in accordance with the schedules contained in this section and shall be fully developed and implemented no later than180 days before the expiration date of this Permit. Notwithstanding the schedules in this Permit, secondary permittees that are already implementing some or all of the required SWMP components shall continue implementation of those components.

4. Secondary permittees may implement parts of their SWMP in accordance with the schedule for cities, towns and counties in S5, provided they have signed a memorandum of understanding or other agreement to jointly implement the activity or activities with one or more jurisdictions listed in S1.D.2.a., and submitted a copy of the agreement to Ecology.

5. Each Secondary Permittee shall prepare written documentation of the SWMP. The SWMP documentation shall be organized according to the program components in S6.D below and shall be updated at least annually for submittal with the Permittee's annual reports to Ecology (see S9 *Reporting Requirements*). The SWMP documentation shall include:

   a. A description of each of the program components included in S6.D.1. through S6.D.6., and

   b. Any additional actions necessary to meet the requirements of applicable TMDLs pursuant to S7 *Compliance with Total Maximum Daily Load Requirements*.

B. Coordination

The SWMP shall include mechanisms to encourage coordinated stormwater-related policies, programs and projects within a watershed and interconnected MS4s. Where relevant and appropriate, the SWMP shall also include coordination among departments of the Secondary Permittee to ensure compliance with the terms of this Permit.

C. Legal Authority

To the extent allowable under state law and federal law, each Secondary Permittee shall be able to demonstrate that they can operate pursuant to legal authority which authorizes or enables the Secondary Permittee to control discharges to and from municipal separate storm sewers owned or operated by the Secondary Permittee.

This legal authority may be a combination of statutes, ordinances, permits, contracts, orders, interagency agreements, or similar instruments.

D. Stormwater Management Program for Secondary Permittees

The term "Secondary Permittees" means drainage, diking, flood control, or diking and drainage districts, ports (other than the ports of Seattle and Tacoma), public colleges and universities, and any other owners or operators of municipal separate storm sewers located within the municipalities that are listed as permittees in S1.B.

SWMP components

1. <u>Public Education and Outreach</u>

   Each Secondary Permittee shall implement the following stormwater education strategies:

   a. Storm drain inlets owned and operated by the Secondary Permittee that are located in maintenance yards, in parking lots, along sidewalks, and at pedestrian access points shall be clearly and permanently labeled with the message "Dump no waste" and indicating the point of discharge as a river, lake, bay, or groundwater.

      i. No later than three years from the date of permit coverage, at least 50 percent of these inlets shall be labeled.

ii. No later than 180 days prior expiration date of this Permit, or as established as a condition of coverage by Ecology, all of these inlets shall be labeled.

iii. As identified during visual inspection and regular maintenance of storm drain inlets per the requirements of S6.D.3.d. and S6.D.6.a.i. below, or as otherwise reported to the Secondary Permittee, any inlet having a label that is no longer clearly visible and/or easily readable shall be re-labeled within 90 days.

b. Each year beginning no later than three years from the date of permit coverage, public ports, colleges and universities shall distribute educational information to tenants and residents on the impact of stormwater discharges on receiving waters, and steps that can be taken to reduce pollutants in stormwater runoff. Different combinations of topics shall be addressed each year, and, before the expiration date of this Permit, where relevant, tenants and residents shall receive educational information about the following topics:

i. How stormwater runoff affects local waterbodies

ii. Proper use and application of pesticides and fertilizers

iii. Benefits of using well-adapted vegetation

iv. Alternative equipment washing practices including cars and trucks that minimize pollutants in stormwater

v. Benefits of proper vehicle maintenance and alternative transportation choices; proper handling and disposal of vehicle wastes, including the location of hazardous waste collection facilities in the area

vi. Hazards associated with illicit connections

vii. Benefits of litter control and proper disposal of pet waste

Compliance with this requirement can be achieved through participation in the local jurisdiction's public education and outreach programs.

2. Public Involvement and Participation

No later than 180 days before the expiration date of this Permit, or as established as a condition of coverage by the Ecology, each Secondary Permittee shall:

a. Publish a public notice in the local newspaper or on the Permittee's website and solicit public review of their SWMP.

b. Make the latest updated version of the SWMP available to the public. If the Secondary Permittee maintains a website, the SWMP shall be posted on the Secondary Permittee's website.

3. Illicit Discharge Detection and Elimination

Each Secondary Permittee shall:

a. From the date of permit coverage, comply with all relevant ordinances, rules, and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern non-stormwater discharges.

b. No later than one year from the date of permit coverage, develop and adopt appropriate policies prohibiting illicit discharges, and identify possible enforcement mechanisms for those policies. No later than eighteen months from the date of permit coverage, develop and implement an enforcement plan using these mechanisms to ensure compliance with illicit discharge policies. These policies shall address, at a minimum: illicit connections and non-stormwater discharges, including spills of hazardous materials and improper disposal of pet waste and litter.

   i. Non-stormwater discharges covered by another NPDES permit and discharges from emergency fire fighting activities are allowed in the MS4 in accordance with S2 *Authorized Discharges*.

   ii. The policies do not need to prohibit the following categories of non-stormwater discharges:

   - Diverted stream flows
   - Rising ground waters
   - Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20))
   - Uncontaminated pumped ground water
   - Foundation drains
   - Air conditioning condensation
   - Irrigation water from agricultural sources that is commingled with urban stormwater
   - Springs
   - Water from crawl space pumps
   - Footing drains
   - Flows from riparian habitats and wetlands

   iii. The policies shall prohibit the following categories of non-stormwater discharges unless the stated conditions are met:

   - Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be de-chlorinated to a concentration of 0.1 ppm or less, pH-adjusted if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4.

   - Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through, at a minimum, public education activities and water conservation efforts conducted by the Secondary Permittee and/or the local jurisdiction.

- Dechlorinated swimming pool discharges. The discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenated if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
- Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. The Secondary Permittee shall reduce these discharges through, at a minimum, public education activities and/or water conservation efforts conducted by the Secondary Permittee and/or the local jurisdiction. To avoid washing pollutants into the MS4, the Secondary Permittee shall minimize the amount of street wash and dust control water used. At active construction sites, street sweeping shall be performed prior to washing the street.
- Other non-stormwater discharges shall be in compliance with the requirements of a stormwater pollution prevention plan reviewed by the Permittee which addresses control of such discharges.

iv. The Secondary Permittee's SWMP shall, at a minimum, address each category in iii above in accordance with the conditions stated therein.

v. The SWMP shall further address any category of discharges in ii or iii above if the discharge is identified as a significant source of pollutants to waters of the State.

c. No later than 180 days before the expiration date of this Permit, or as established as a condition of coverage by Ecology, develop a storm sewer system map showing the locations of all known storm drain outfalls, labeled receiving waters and delineated areas contributing runoff to each outfall. Make the map (or completed portions of the map) available on request to the Department and/or to other Permittees or Secondary Permittees. The preferred, but not required, format of submission will be an electronic format with fully described mapping standards. An example description is provided on Ecology WebPages.

d. Conduct field inspections and visually inspect for illicit discharges at all known outfalls that discharge to surface waters. Visually inspect at least one third (on average) of all known outfalls each year beginning no later than two years from the date of permit coverage. Develop and implement procedures to identify and remove any illicit discharges. Keep records of inspections and follow-up activities.

e. No later than 180 days before the expiration date of this Permit, or as established as a condition of coverage by the Ecology, develop and implement a spill response plan that includes coordination with a qualified spill responder.

f. No later than two years from permit coverage date, provide staff training or coordinate with existing training efforts to educate relevant staff on proper best

management practices for preventing illicit discharges, including spills. All relevant staff shall be trained.

4. Construction Site Stormwater Runoff Control

   From the date of permit coverage, each Secondary Permittee shall:

   a. Comply with all relevant ordinances, rules, and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern construction phase stormwater pollution prevention measures.

   b. For all construction projects under the control of the Secondary Permittee which, require a construction stormwater permit, Secondary Permittees shall obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction Activities or an alternative individual NPDES permit prior to discharging construction related stormwater.

   c. Coordinate with the local jurisdiction regarding projects owned and operated by other entities which discharge into the Secondary Permittee's MS4, to assist the local jurisdiction with achieving compliance with all relevant ordinances, rules, and regulations of the local jurisdiction(s).

   d. Provide training or coordinate with existing training efforts to educate relevant staff in erosion and sediment control BMPs and requirements, or hire trained contractors to perform the work.

   e. Coordinate as requested with the Department or the local jurisdiction to provide access for inspection of construction sites or other land disturbances, which are under the control of the Secondary Permittee during the active grading and/or construction period.

5. Post-Construction Stormwater Management for New Development and Redevelopment

   From the date of permit coverage, each Secondary Permittee shall:

   a. Comply with all relevant ordinances, rules and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern post-construction stormwater pollution prevention measures.

   b. Coordinate with the local jurisdiction regarding projects owned and operated by other entities which discharge into the Secondary Permittee's MS4, to assist the local jurisdiction with achieving compliance with all relevant ordinances, rules, and regulations of the local jurisdiction(s).

6. Pollution Prevention and Good Housekeeping for Municipal Operations

   Each Secondary Permittee shall:

   a. No later than three years from the date of permit coverage, develop and implement a municipal operation and maintenance (O&M) plan to minimize stormwater pollution from activities conducted by the Secondary Permittee. The O&M Plan shall include appropriate pollution prevention and good

housekeeping procedures for all of the following operations, activities, and/or types of facilities that are present within the Secondary Permittee's boundaries.

i. Stormwater collection and conveyance system, including catch basins, stormwater sewer pipes, open channels, culverts, structural stormwater controls, and structural runoff treatment and/or flow control facilities. The O&M Plan shall address, but is not limited to: scheduled inspections and maintenance activities, including cleaning and proper disposal of waste removed from the system. Secondary Permittees shall properly maintain stormwater collection and conveyance systems owned or operated by the Secondary Permittee and regularly inspect and maintain all structural post-construction stormwater BMPs to ensure facility function.

   For facilities located in Western Washington, Secondary Permittees shall establish maintenance standards that are as protective or more protective of facility function than those specified in Chapter 4 Volume V of the 2005 Stormwater Management Manual for Western Washington,

   For facilities located in Eastern Washington, Secondary Permittees shall establish maintenance standards that are as protective or more protective of facility function than those specified in Chapters 5, 6 and 8 of the Stormwater Management Manual for Eastern Washington (2004),

   Secondary Permittees shall conduct spot checks of stormwater treatment and flow control facilities following a 24 hour storm event with a 10-year or greater recurrence interval.

ii. Roads, highways, and parking lots. The O&M Plan shall address, but is not limited to: deicing, anti-icing, and snow removal practices; snow disposal areas; material (e.g. salt, sand, or other chemical) storage areas; all-season BMPs to reduce road and parking lot debris and other pollutants from entering the MS4.

iii. Vehicle fleets. The O&M Plan shall address, but is not limited to: storage, washing, and maintenance of Secondary Permittee vehicle fleets; and fueling facilities. Secondary Permittees shall conduct all vehicle and equipment washing and maintenance in a self-contained covered building or in designated wash and/or maintenance areas.

iv. External building maintenance. The O&M Plan shall address, building exterior cleaning and maintenance including cleaning, washing, painting and other maintenance activities.

v. Parks and open space. The O&M Plan shall address, but is not limited to: proper application of fertilizer, pesticides, and herbicides; sediment and erosion control; BMPs for landscape maintenance and vegetation disposal; and trash management.

vi. Material storage areas, heavy equipment storage areas, and maintenance areas. Secondary Permittees shall develop and implement a Stormwater Pollution Prevention Plan to protect water quality at each of these facilities

owned or operated by the Secondary Permittee and not covered under the General NPDES Permit for Stormwater Discharges Associated with Industrial Activities or under another NPDES permit that covers stormwater discharges associated with the activity.

vii. Other facilities that would reasonably be expected to discharge contaminated runoff. The O&M Plan shall address proper stormwater pollution prevention practices for each facility.

b. From the date of coverage under this Permit, Secondary Permittees shall also have permit coverage for all facilities operated by the Secondary Permittee that are required to be covered under the General NPDES Permit for Stormwater Discharges Associated with Industrial Activities.

c. The O&M Plan shall include sufficient documentation and records as necessary to demonstrate compliance with the O&M Plan requirements in S6.D.6.a.i through vii above.

d. Train all employees whose construction, operations, or maintenance job functions may impact stormwater quality. The training shall address:

i. The importance of protecting water quality,

ii. The requirements of this Permit,

iii. Operation and maintenance requirements,

iv. Inspection procedures,

v. Ways to perform their job activities to prevent or minimize impacts to water quality, and

vi. Procedures for reporting water quality concerns, including potential illicit discharges.

S7. COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD REQUIREMENTS

The following requirements apply if an applicable Total Maximum Daily Load (TMDL) is approved for stormwater discharges from MS4s owned or operated by the Permittee. Applicable TMDLs are TMDLs which have been approved by EPA on or before the date permit coverage is granted.

A. For applicable TMDLs listed in Appendix 2, affected permittees shall comply with the specific requirements identified in Appendix 2. Each Permittee shall keep records of all actions required by this Permit that are relevant to applicable TMDLs within their jurisdiction. The status of the TMDL implementation shall be included as part of the annual report submitted to Ecology.

Where monitoring is required in Appendix 2, the Permittee shall conduct the monitoring according to a Quality Assurance Project Plan (QAPP) approved by Ecology.

B. For applicable TMDLs not listed in Appendix 2, compliance with this Permit shall constitute compliance with those TMDLs.

C. For TMDLs that are approved by EPA after this Permit is issued, Ecology may establish TMDL related permit requirements through future permit modification if Ecology determines implementation of actions, monitoring or reporting necessary to demonstrate reasonable further progress toward achieving TMDL waste load allocations, and other targets, are not occurring and shall be implemented during the term of this Permit or when this Permit is reissued. Permittees are encouraged to participate in development of TMDLs within their jurisdiction and to begin implementation.

S8. MONITORING

A. Permittees are not required to conduct water sampling or other testing during the effective term of this Permit, with the following exceptions:

1. Any water quality monitoring required for compliance with TMDLs, pursuant to section S7 *Compliance with Total Maximum Daily Load Requirements* and Appendix 2 of this Permit, and
2. Any sampling or testing required for characterizing illicit discharges pursuant to section S5.C.3. or S6.D.3. of this Permit.

B. The Permittee shall provide the following information in each annual report:

1. A description of any stormwater monitoring or studies conducted by the Permittee during the reporting period. If stormwater monitoring was conducted on behalf of the Permittee, or if studies or investigations conducted by other entities were reported to the Permittee, a brief description of the type of information gathered or received shall be included in the annual report(s) covering the time period(s) the information was received.
2. An assessment of the appropriateness of the BMPs identified by the Permittee for each component of the SWMP; and any changes made, or anticipated to be made, to the BMPs that were previously selected to implement the SWMP, and why.
3. Information required pursuant to S8.C.2. below.

C. Preparation for future, long-term monitoring

This section does not apply to secondary permittees. However, secondary permittees are required to provide information, maps and access for sampling efforts, as necessary. Secondary permittees are encouraged to participate in the monitoring program.

1. All cities, towns and counties shall prepare to participate in the implementation of a comprehensive long-term monitoring program. The monitoring program will include two components: stormwater monitoring and targeted Stormwater Management Program (SWMP) effectiveness monitoring. Stormwater monitoring is intended to characterize stormwater runoff quantity and quality at a limited number of locations in a manner that allows analysis of loadings and changes in conditions over time and generalization across the permittees' jurisdictions. Stormwater program effectiveness monitoring is intended to improve stormwater management efforts by evaluating issues that significantly affect the success of, or confidence in, stormwater controls. The monitoring program can include long-term monitoring

and short-term studies. The results of the monitoring program will be used to support the adaptive management process and lead to refinements of the SWMP.

a. Stormwater monitoring

Cities having a population greater than 10,000 and counties having a population greater than 25,000 shall identify sites for long-term stormwater monitoring. Adequate sites will be those completely mapped as required in S5.C.3.a. and be suitable for permanent installation and operation of flow-weighted composite sampling equipment. No later than December 31, 2010:

i. Each county having a population greater than 100,000 shall identify three outfalls or conveyances where stormwater sampling could be conducted. One outfall or conveyance shall represent commercial land use, the second shall represent low-density residential land use and the third will represent medium-to-high density residential land use.

ii. Each city having a population greater than 75,000 shall identify three outfalls or conveyances where stormwater sampling could be conducted. One outfall or conveyance shall represent commercial land use, the second shall represent high-density residential land use and the third will represent industrial land use.

iii. Each county having a population between 25,000 and 100,000 shall identify two outfalls or conveyances where stormwater sampling could be conducted. One outfall shall represent commercial land use and the second one will represent low-density residential land use.

iv. Each city having a population between 10,000 and 75,000 shall identify two outfalls or conveyances where stormwater sampling could be conducted. One outfall shall represent commercial land use and the second will represent high-density residential land use.

v. Permittees shall select outfalls or conveyances based on known water quality problems and/or targeted areas of interest for future monitoring. The Permittee shall document:

- Why sites were selected;
- Possible site constraints for installation of and access to monitoring equipment;
- A brief description of the contributing drainage basin including size in acreage, dominant land use, and other contributing land uses;
- Any water quality concerns in the receiving water of each selected outfall or conveyance.

b. SWMP effectiveness monitoring

i. Each city, town and county shall prepare to conduct monitoring to determine the effectiveness of the Permittee's SWMP at controlling stormwater-related problems that are directly addressed by actions in the SWMP. This

component of the monitoring program shall be designed to answer the following types of questions:

- How effective is a targeted action or narrow suite of actions?
- Is the SWMP achieving a targeted environmental outcome?

ii. No later than December 31, 2010, each city, town and county shall identify at least two suitable questions and select sites where monitoring will be conducted. This monitoring shall include, at a minimum, plans for stormwater, sediment or receiving water monitoring of physical, chemical and/or biological characteristics. This monitoring may also include data collection and analysis of other measures of program effectiveness, problem identification and characterizing discharges for planning purposes.

iii. For each question, the Permittee shall develop a monitoring plan containing the following elements:

- A statement of the question, an explanation of how and why the issue is significant to the Permittee, and a discussion of whether and how the results of the monitoring may be significant to other MS4s.
- A specific hypothesis about the issue or management actions that will be tested.
- Specific parameters or attributes to be measured.
- Expected modifications to management actions depending on the outcome of hypothesis testing.

2. Monitoring program reporting requirements

a. The fourth annual report shall:

i. Describe the status of identification of sites for stormwater monitoring, if required for the Permittee.

ii. Include a summary of proposed questions for the SWMP effectiveness monitoring and describe the status of developing the monitoring plan, including the proposed purpose, design, and methods.

b. To comply with the requirements of all or part(s) of this section, permittees in a single Urbanized Area or WRIA may choose to submit a collaborative report or reports in lieu of separate reports.

S9. REPORTING REQUIREMENTS

A. No later than March 31 of each year beginning in 2008, each Permittee shall submit an annual report. The reporting period for the first annual report will be from the effective date of this permit through December 31, 2007. The reporting period for all subsequent annual reports will be the previous calendar year.

B. Two printed copies and an electronic (PDF) copy of each document shall be submitted to Ecology. All submittals shall be delivered to:

Department of Ecology
Water Quality Program
Municipal Stormwater Permits
P.O. Box 47696
Olympia, WA 98504-7696

C. Each Permittee is required to keep all records related to this permit and the SWMP for at least five years. Except for the requirements of the annual reports described in this permit, records shall be submitted to Ecology only upon request,

D. Each Permittee shall make all records related to this permit and the Permittee's SWMP available to the public at reasonable times during business hours. The Permittee will provide a copy of the most recent annual report to any individual or entity, upon request.

1. A reasonable charge may be assessed by the Permittee for making photocopies of records.
2. The Permittee may require reasonable advance notice of intent to review records related to this Permit.

E. The annual report for cities, towns, and counties

Each annual report shall include the following:

1. A copy of the Permittee's current Stormwater Management Program as required by S5.A.2.
2. Submittal of Appendix 3 – *Annual Report Form for Cities, Towns, and Counties,* which is intended to summarize the Permittees compliance with the conditions of this permit, including:
   a. Status of implementation of each component of the SWMP in section S5 *Stormwater Management Program for Cities, Towns and Counties*.
   b. An assessment of the Permittee's progress in meeting the minimum performance standards established for each of the minimum control measures of the SWMP.
   c. A description of activities being implemented to comply with each component of the SWMP, including the number and type of inspections, enforcement actions, public education and involvement activities, and illicit discharges detected and eliminated.
   d. The Permittee's SWMP implementation schedule and plans for meeting permit deadlines, and the status of SWMP implementation to date. If permit deadlines are not met, or may not be met in the future, include: reasons why, corrective steps taken and proposed, and expected dates that the deadlines will be met.
   e. A summary of the Permittee's evaluation of their SWMP, according to sections S5.A.4. and S8.B.2.
   f. If applicable, notice that the MS4 is relying on another governmental entity to satisfy any of the obligations under this permit.

g. Updated information from the prior annual report plus any new information received during the reporting period, pursuant to S8.B.2. above.

h. Certification and signature pursuant to G19.D, and notification of any changes to authorization pursuant to G19.C.

3. Permittees shall include with the annual report, notification of any annexations, incorporations or jurisdictional boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period, and implications for the SWMP.

4. Permittees shall include with the annual report submitted no later than March 31, 2011 information that at a minimum includes:

a. A summary of identified barriers to the use of low impact development (LID) within the area covered by the permit and measures to address the barriers. Each individual Permittee must complete this summary.

b. A report completed by an individual Permittee or in cooperation with multiple Permittees describing, at a minimum:

i. LID practices that are currently available and that can reasonably be implemented within this permit term.

ii. Potential or planned non-structural actions and LID techniques to prevent stormwater impacts.

iii. Goals and metrics to identify, promote, and measure LID use.

iv. Potential or planned schedules for the Permittee(s) to require and implement the non-structural and LID techniques on a broader scale in the future.

F. Annual report for Secondary Permittees

All Secondary Permittees shall complete the *Annual Report Form for Secondary Permittees* (Appendix 4) and submit it along with any supporting documentation to Ecology.

1. The *Annual Report Form for Secondary Permittees* is intended to summarize the Permittees compliance with the conditions of this permit, including:

a. Status of implementation of each component of the SWMP in section S6 *Stormwater Management Program for Secondary Permittees* of this permit.

b. An assessment of the Permittee's progress in meeting the minimum performance standards established for each of the minimum control measures of the SWMP.

c. A summary of the Permittee's evaluation of their SWMP, according to section S8.B.2.

d. If applicable, notice that the MS4 is relying on another governmental entity to satisfy any of the obligations under this permit.

e. Updated information from the prior annual report plus any new information received during the reporting period pursuant to S8.B.1 and S8.B.2.

f. Certification and signature pursuant to G19.D, and notification of any changes to authorization pursuant to G19.C.

2. Secondary Permittees shall include with the annual report a notification of any jurisdictional boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period, and implications for the SWMP.

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this Permit shall be consistent with the terms and conditions of this Permit.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control to achieve compliance with the terms and conditions of this Permit.

G3. NOTIFICATION OF DISCHARGE, INCLUDING SPILLS

If a Permittee has knowledge of a discharge, including spills, into or from a municipal storm sewer which could constitute a threat to human health, welfare, or the environment, the Permittee shall

A. Take appropriate action to correct or minimize the threat to human health, welfare and/or the environment, and,

B. Notify the Ecology regional office and other appropriate spill response authorities immediately but in no case later than within 24 hours of obtaining that knowledge. The Ecology Northwest Regional Office 24-hour number is 425-649-7000 and for the Southwest Regional Office the number is 360-407-6300.

C. Immediately report discharges, including spills, which might cause bacterial contamination of shellfish, such as might result from broken sewer lines and failing onsite septic systems, to the Ecology regional office and to the Department of Health, Shellfish Program. The Department of Health's shellfish 24-hour number is 360-236-3330.

D. Immediately report spills or discharges of oils or hazardous materials to the Ecology regional office and to the Washington Emergency Management Division at 1-800-258-5990.

G4. BYPASS PROHIBITED

The intentional bypass of stormwater from all or any portion of a stormwater treatment BMP whenever the design capacity of the treatment BMP is not exceeded, is prohibited unless the following conditions are met:

A. Bypass is: (1) unavoidable to prevent loss of life, personal injury, or severe property damage; or (2) necessary to perform construction or maintenance-related activities essential to meet the requirements of the Clean Water Act (CWA); and

B. There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated stormwater, or maintenance during normal dry periods.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

G5. RIGHT OF ENTRY

The permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law at reasonable times:

A. To enter upon the Permittee's premises where a discharge is located or where any records must be kept under the terms and conditions of this Permit;

B. To have access to, and copy at reasonable cost and at reasonable times, any records that must be kept under the terms of the Permit;

C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the Permit;

D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and

E. To sample at reasonable times any discharge of pollutants.

G6. DUTY TO MITIGATE

The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this Permit which has a reasonable likelihood of adversely affecting human health or the environment.

G7. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G8. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the Permit shall be construed as excusing the Permittee from compliance with any other applicable federal, state, or local statutes, ordinances, or regulations.

G9. MONITORING

A. Representative Sampling:

Samples and measurements taken to meet the requirements of this Permit shall be representative of the volume and nature of the monitored discharge, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

B. Records Retention:

The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original recordings for continuous monitoring

instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for this permit, for a period of at least five years. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the Ecology. On request, monitoring data and analysis shall be provided to Ecology.

C. Recording of Results:

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Test Procedures:

All sampling and analytical methods used to meet the monitoring requirements in this permit shall conform to the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136, unless otherwise specified in this permit or approved in writing by Ecology.

E. Flow Measurement:

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations or at a minimum frequency of at least one calibration per year. Calibration records should be maintained for a minimum of three years.

F. Lab Accreditation:

All monitoring data, except for flow, temperature, conductivity, pH, total residual chlorine, and other exceptions approved by Ecology, shall be prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 WAC. Soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by Ecology.

G. Additional Monitoring:

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G10. REMOVED SUBSTANCES

With the exception of decant from street waste vehicles, the Permittee shall not allow collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of stormwater to be resuspended or reintroduced to the storm sewer system or to waters of the state. Decant from street waste vehicles resulting

from cleaning stormwater facilities may be reintroduced only when other practical means are not available and only in accordance with the Street Waste Disposal Guidelines in Appendix 4.

G11. SEVERABILITY

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit shall not be affected thereby.

G12. REVOCATION OF COVERAGE

The director may terminate coverage under this General Permit in accordance with Chapter 43.21B RCW and Chapter 173-226 WAC. Cases where coverage may be terminated include, but are not limited to the following:

A. Violation of any term or condition of this general permit;

B. Obtaining coverage under this general permit by misrepresentation or failure to disclose fully all relevant facts;

C. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

D. A determination that the permitted activity endangers human health or the environment, or contributes significantly to water quality standards violations;

E. Failure or refusal of the permittee to allow entry as required in Chapter 90.48.090 RCW;

F. Nonpayment of permit fees assessed pursuant to Chapter 90.48.465 RCW;

Revocation of coverage under this general permit may be initiated by Ecology or requested by any interested person.

G13. TRANSFER OF COVERAGE

The director may require any discharger authorized by this General Permit to apply for and obtain an individual permit in accordance with Chapter 43.21B RCW and Chapter 173-226 WAC.

G14. GENERAL PERMIT MODIFICATION AND REVOCATION

This General Permit may be modified, revoked and reissued, or terminated in accordance with the provisions of WAC 173-226-230. Grounds for modification, revocation and reissuance, or termination include, but are not limited to the following:

A. A change occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this General Permit;

B. Effluent limitation guidelines or standards are promulgated pursuant to the CWA or Chapter 90.48 RCW, for the category of dischargers covered under this General Permit;

C. A water quality management plan containing requirements applicable to the category of dischargers covered under this General Permit is approved; or

D. Information is obtained which indicates that cumulative effects on the environment from dischargers covered under this General Permit are unacceptable.

E. Changes in state law that reference this permit.

G15. REPORTING A CAUSE FOR MODIFICATION OR REVOCATION

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation and reissuance under Condition G12, G14, or 40 CFR 122.62 must report such plans, or such information, to Ecology so that a decision can be made on whether action to modify, or revoke and reissue this Permit will be required. Ecology may then require submission of a new or amended application. Submission of such application does not relieve the Permittee of the duty to comply with this Permit until it is modified or reissued.

G16. APPEALS

A. The terms and conditions of this General Permit, as they apply to the appropriate class of dischargers, are subject to appeal within thirty days of issuance of this General Permit, in accordance with Chapter 43.21B RCW, and Chapter 173-226 WAC.

B. The terms and conditions of this General Permit, as they apply to an individual discharger, are appealable in accordance with chapter 43.21B RCW within thirty days of the effective date of coverage of that discharger. Consideration of an appeal of General Permit coverage of an individual discharger is limited to the General Permit's applicability or nonapplicability to that individual discharger.

C. The appeal of General Permit coverage of an individual discharger does not affect any other dischargers covered under this General Permit. If the terms and conditions of this General Permit are found to be inapplicable to any individual discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

D. Modifications of this Permit are appealable in accordance with Chapter 43.21B RCW and Chapter 173-226 WAC.

G17. PENALTIES

40 CFR 122.41(a)(2) and (3), 40 CFR 122.41(j)(5), and 40 CFR 122.41(k)(2) are hereby incorporated into this Permit by reference.

G18. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G19. CERTIFICATION AND SIGNATURE

All applications, reports, or information submitted to the Department shall be signed and certified.

A. All permit applications shall be signed by either a principal executive officer or ranking elected official.

B. All reports required by this Permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Department, and

2. The authorization specifies either an individual or a position having responsibility for the overall development and implementation of the stormwater management program. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

C. Changes to authorization. If an authorization under condition G19.B.2 is no longer accurate because a different individual or position has responsibility for the overall development and implementation of the stormwater management program, a new authorization satisfying the requirements of condition G19.B.2 must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification. Any person signing a document under this Permit shall make the following certification:

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that Qualified Personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations."

G20. NON-COMPLIANCE NOTIFICATION

In the event it is unable to comply with any of the terms and conditions of this permit, the Permittee must:

A. Notify Ecology of the failure to comply with the permit terms and conditions in writing within 30 days of becoming aware that the non-compliance has occurred. The written notification must include all of the following:

   1. A description of the non-compliance, including dates.
   2. Beginning and end dates of the non-compliance, and if the compliance has not been corrected, the anticipated date of correction.
   3. Steps taken or planned to reduce, eliminate, or prevent reoccurrence of the non-compliance.

B. Take appropriate action to stop or correct the condition of non-compliance.

G21. UPSETS

Permittees must meet the conditions of 40 CFR 122.41(n) regarding "Upsets." The conditions are as follows:

A. Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

B. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (C) of this condition are met. Any determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, will not constitute final administrative action subject to judicial review.

C. Conditions necessary for demonstration of upset. A permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:

   1. An upset occurred and that the Permittee can identify the cause(s) of the upset;
   2. The permitted facility was at the time being properly operated; and
   3. The Permittee submitted notice of the upset as required in 40 CFR 122.41(l)(6)(ii)(B) (24-hour notice of noncompliance).
   4. The Permittee complied with any remedial measures required under 40 CFR 122.41(d) (Duty to Mitigate).

D. Burden of proof. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

DEFINITIONS AND ACRONYMS

AKART means all known, available, and reasonable methods of prevention, control and treatment.

All known, available and reasonable methods of prevention, control and treatment refers to the State Water Pollution Control Act, Chapter 90.48.010 and 90.48.520 RCW.

Applicable TMDL means a TMDL which has been approved by EPA on or before the issuance date of this Permit, or prior to the date that the Permittee's application is received by Ecology, or prior to a modification of this Permit, whichever is later.

Beneficial Uses means uses of waters of the states which include but are not limited to use for domestic, stock watering, industrial, commercial, agricultural, irrigation, mining, fish and wildlife maintenance and enhancement, recreation, generation of electric power and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the state.

Best Management Practices ("BMPs") are the schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices approved by the Department that, when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington State.

BMP means Best Management Practice.

Bypass means the diversion of stormwater from any portion of a stormwater treatment facility.

Common plan of development or sale means a site where multiple separate and distinct construction activities may be taking place at different times on different schedules, but still under a single plan. Examples include: phased projects and projects with multiple filings or lots, even if the separate phases or filings/lots will be constructed under separate contract or by separate owners (e.g. a development where lots are sold to separate builders); a development plan that may be phased over multiple years, but is still under a consistent plan for long-term development; and projects in a contiguous area that may be unrelated but still under the same contract, such as construction of a building extension and a new parking lot at the same facility. If the project is part of a common plan of development or sale, the disturbed area of the entire plan shall be used in determining permit requirements.

Component or **Program Component** means an element of the Stormwater Management Program listed in S5 Stormwater Management Program for Cities, Towns, and Counties or S6 Stormwater Management Program for Secondary Permittees of this permit.

Co-permittee means an operator of a regulated small MS4 which is applying jointly with another applicant for coverage under this permit. A co-permittee is an owner or operator of a regulated small MS4 located within or adjacent to another regulated MS4. A co-permittee is only responsible for complying with the conditions of this permit relating to discharges from the MS4 the co-permittee owns or operates. See also 40 CFR 122.26(b)(1)

CWA means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (6-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.

Detailed Implementation Plan means the formal implementation plan for a Total Maximum Daily Load (TMDL) or water quality clean-up plan.

DIP means Detailed Implementation Plan.

Director means the Director of the Washington State Department of Ecology, or an authorized representative.

Discharge for the purpose of this permit means, unless indicated otherwise, any discharge from a MS4 owned or operated by the permittee.

Entity means another governmental body, or public or private organization, such as another permittee, a conservation district, or volunteer organization.

40 CFR means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

General Permit means a permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.

Ground water means water in a saturated zone or stratum beneath the surface of the land or below a surface water body.

Heavy equipment maintenance or storage yard means an uncovered area where any heavy equipment, such as mowing equipment, excavators, dump trucks, backhoes, or bulldozers are washed or maintained, or where at least five pieces of heavy equipment are stored.

Hydraulically Near means runoff from the site discharges to the sensitive feature without significant natural attenuation of flows that allows for suspended solids removal. See Appendix 7 Determining Construction Site Sediment Damage Potential for a more detailed definition.

Hyperchlorinated means water that contains more than 10 mg/Liter chlorine. Disinfection of water mains and appurtenances requires a chlorine residual of 10 mg/L at the end of the disinfection period. This level is well above the Maximum Residual Disinfectant Level of an annual average of 4 mg/Liter chlorine for potable water.

Illicit connection means any man-made conveyance that is connected to a municipal separate storm sewer without a permit, excluding roof drains and other similar type connections. Examples include sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, or outlets that are connected directly to the municipal separate storm sewer system.

Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

Large Municipal Separate Storm Sewer System means all municipal separate storm sewer systems located in an incorporated place with a population of 250,000 or more, a county with unincorporated urbanized areas with a population of 250,000 or more according to the 1990 decennial census by the Bureau of Census.

Low Density Residential Land Use means, for the purpose of permit section S8 Monitoring, one unit per 1-5 acres.

Low Impact Development (LID) means a stormwater management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrologic functions.

Major Municipal Separate Storm Sewer Outfall means a municipal separate storm sewer outfall from a single pipe with an inside diameter of 36 inches or more, or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive stormwater from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 12 acres or more).

Material Storage Facilities means an uncovered area where bulk materials (liquid, solid, granular, etc.) are stored in piles, barrels, tanks, bins, crates, or other means.

Maximum Extent Practicable (MEP) refers to paragraph 402(p)(3)(B)(iii) of the federal Clean Water Act which reads as follows: Permits for discharges from municipal storm sewers shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques, and system, design, and engineering methods, and other such provisions as the Administrator or the State determines appropriate for the control of such pollutants.

Medium Municipal Separate Storm Sewer System means municipal separate storm sewer systems located in an incorporated place with a population of more than 100,000 but less than 250,000, or a county with unincorporated urbanized areas of more than 100,000 but less than 250,000 according to the 1990 decennial census by the Bureau of Census.

MEP means Maximum Extent Practicable.

MTRs means Minimum Technical Requirements.

Municipal Separate Storm Sewer System (MS4) means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

(i) owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State Law) having jurisdiction over disposal of wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States.

(ii) designed or used for collecting or conveying stormwater.

(iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

Notice of Intent (NOI) means the application for, or a request for coverage under this General Permit pursuant to WAC 173-226-200.

Notice of Intent for Construction Activity and **Notice of Intent for Industrial Activity** mean the application forms for coverage under the *Baseline General Permit for Stormwater Discharges Associated with Industrial Activities*.

Outfall means point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the State and does not include open conveyances connecting two municipal separate storm sewer systems, or pipes, tunnels, or other conveyances which connect segments of the same stream or other waters of the State and are used to convey waters of the State.

Permittee unless otherwise noted, the term "Permittee" includes Permittee, Co-Permittee, and Secondary Permittee, as defined below:

(i) A "Permittee" is a city, town, or county owning or operating a regulated small MS4 applying and receiving a permit as a single entity.

(ii) A "Co-Permittee" is any operator of a regulated small MS4 that is applying jointly with another applicant for coverage under this Permit. Co-Permittees own or operate a regulated small MS4 located within or adjacent to another regulated small MS4.

(iii) A "Secondary Permittee" is an operator of regulated small MS4 that is not a city, town or county.

Physically Interconnected means that one MS4 is connected to a second MS4 in such a way that it allows for direct discharges to the second system. For example, the roads with drainage systems and municipal streets of one entity are physically connected directly to a MS4 belonging to another entity.

Pollutant Generating Impervious Surfaces (PGIS) are surfaces considered to be significant sources of pollutants in stormwater runoff. Such surfaces include those that are subject to vehicular use, industrial activities, or storage of erodible or leachable materials that receive direct rainfall or run-on or blow-in of rainfall. Metal roofs are considered to be PGIS unless coated with an inert, non-leachable material. Roofs that are subject to venting of indoor pollutants from manufacturing, commercial or other operations or processes are also considered PGIS. A surface, whether paved or not, shall be considered PGIS if it is regularly used by motor vehicles. The following are considered regularly-used surfaces: roads, unvegetated road shoulders, bike lanes within the traveled lane of a roadway, driveways, parking lots, unfenced fire lanes, vehicular equipment storage yards, and airport runways.

Process Wastewater means any water which, during manufacture or processing, comes into direct contact with or results form the production or use of any raw material, intermediate product, finished product, by product, or waste product.

Qualified Personnel or Consultant means someone who has had professional training in the aspects of stormwater management for which they are responsible and are under the functional control of the Permittee.

RCW means the Revised Code of Washington State.

Regulated Small Municipal Separate Storm Sewer System (MS4) means a Municipal Separate Storm Sewer System which is automatically designated for inclusion in the Phase II stormwater permitting program by its location within an Urbanized Area, or by designation by the NPDES permitting authority and is not eligible for a waiver or exemption under S1.C.

Replaced impervious surfaces means, for structures, the removal and replacement of any exterior impervious surfaces or foundation; or, for other impervious surfaces, the removal down to bare soil, or base course, and replacement. Exemptions and partial exemptions are defined in Appendix 1 of this Permit.

Runoff is water that travels across the land surface and discharges to water bodies either directly or through a collection and conveyance system. See also "Stormwater."

Shared Waterbodies means waterbodies, including downstream segments, lakes and estuaries that receive discharges from more than one permittee.

Secondary Permittee is an operator of regulated small municipal separate storm sewer system which is not a city, town or county. Secondary Permittees include special purpose districts and other MS4s that meet the criteria for a regulated small MS4 in S1.B.

Significant contributor means a discharge contributes a loading of pollutants considered to be sufficient to cause or exacerbate the deterioration of receiving water quality or instream habitat conditions.

Sediment/Erosion-Sensitive Feature means an area subject to significant degradation due to the effect of construction runoff or areas requiring special protection to prevent erosion. See Appendix 6 Determining Construction Site Sediment Transport Potential for a more detailed definition.

Small Municipal Separate Storm Sewer System or **Small MS4** is a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels and/or storm drains which is:

a. Owned or operated by a city, town, county, district, association or other public body created pursuant to State law having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer districts, flood control districts or drainage districts, or similar entity.

b. Designed or used for collecting or conveying stormwater.

c. Not a combined sewer system,

d. Not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

e. Not defined as "large" or "medium" pursuant to 40 CFR 122.26(b)(4) & (7) or designated under 40 CFR 122.26 (a)(1)(v).

Small MS4s include systems similar to separate storm sewer systems in municipalities such as: universities, large publicly owned hospitals, prison complexes, highways and other thoroughfares. Storm sewer systems in very discrete areas such as individual buildings do not require coverage under this Permit.

Small MS4s do *not* include storm drain systems operated by non-governmental entities such as: individual buildings, private schools, private colleges, private universities, and industrial and commercial entities.

Stormwater means runoff during and following precipitation and snowmelt events, including surface runoff and drainage.

Stormwater Associated with Industrial and Construction Activity means the discharge from any conveyance which is used for collecting and conveying stormwater, which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, or associated with clearing grading and/or excavation, and is required to have an NPDES permit in accordance with 40 CFR 122.26.

Stormwater Management Manual for Western Washington means the 5-volume technical manual (Publication Nos. 99-11 through 15 for the 2001 version and Publication Nos. 05-10-029-033 for the 2005 version (The 2005 version replaces the 2001 version) prepared by Ecology for use by local governments that contains BMPs to prevent, control, or treat pollution in storm water.

Stormwater Management Program (SWMP) means a set of actions and activities designed to reduce the discharge of pollutants from the regulated small MS4 to the maximum extent practicable and to protect water quality, and comprising the components listed in S5 or S6 of this Permit and any additional actions necessary to meet the requirements of applicable

Total Maximum Daily Load (TMDL) means a water cleanup plan. A TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The calculation must include a margin of safety to ensure that the water body can be used for the purposes the state has designated. The calculation must also account for seasonable variation in water quality. Water quality standards are set by states, territories, and tribes. They identify the uses for each water body, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use. The Clean Water Act, section 303, establishes the water quality standards and TMDL programs.

Urbanized Area (UA) is a land area comprising one or more places and the adjacent densely settled surrounding area that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile. For the year 2000 Census, the U.S. Census Bureau classified "urban" as all territory, population, and housing units located within an Urbanized Area (UA) or an Urban Cluster (UC). It delineated UA and UC boundaries to encompass densely settled territory, which consists of: core census

block groups or blocks that have a population density of at least 1,000 people per square mile and surrounding census blocks that have an overall density of at least 500 people per square mile. In addition, under certain conditions, less densely settled territory may be part of each UA or UC. The U.S. Census Bureau announced the "Census 2000 Urbanized Areas" on May 1, 2002. More information can be found at the U.S. Census Bureau website.

Urban/higher density rural subbasins means any subbasin or portion thereof that is within or proposed to be within the urban growth area (UGA), or any rural area subbasin or portion thereof fifty percent or more of which is comprised of lots smaller than 5 acres in size.

Vehicle Maintenance or Storage Facility means an uncovered area where any vehicles are regularly washed or maintained, or where at least 10 vehicles are stored.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in Chapter 90.48 RCW which includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington.

Water Quality Standards means Surface Water Quality Standards, Chapter 173-201A WAC, Ground Water Quality Standards, Chapter 173-200 WAC, and Sediment Management Standards, Chapter 173-204 WAC.

APPENDIX B

- **Acronyms and Definitions**

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Acronyms and Definitions

The following definitions and acronyms are taken directly from the Phase II Permit and are reproduced here for the reader's convenience.

AKART means all known, available, and reasonable methods of prevention, control and treatment. **All known, available and reasonable methods of prevention, control and treatment** refers to the State Water Pollution Control Act, Chapter 90.48.010 and 90.48.520 RCW.

Basin Plan is a surface water management process consisting of three parts: a scientific study of the basin's drainage features and their quality; developing actions and recommendations for resolving any deficiencies discovered during the study; and implementing the recommendations, followed by monitoring.

Best Management Practices ("BMPs") are the schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices approved by the Department that, when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington State.

BMP means Best Management Practice.

Component or **Program Component** means an element of the Stormwater Management Program listed in S5 Stormwater Management Program for Cities, Towns, and Counties or S6 Stormwater Management Program for Secondary Permittees of this permit.

CWA means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (6-483 and Pub. L. 97-117, 33 U.S.C. 1251 et. seq.

Discharge for the purpose of this permit means, unless indicated otherwise, any discharge from a MS4 owned or operated by the permittee.

Ecology's Western Washington Phase I Municipal Stormwater Permit regulates discharges from municipal separate storm sewers owned or operated by Clark, King, Pierce and Snohomish Counties, and the cities of Seattle and Tacoma.

Ecology's Western Washington Phase II Municipal Stormwater Permit covers certain "small" municipal separate stormwater sewer systems.

Entity means another governmental body, or public or private organization, such as another permittee, a conservation district, or volunteer organization.

Equivalent document means a technical stormwater management manual developed by a state agency, local government or other entity that includes the Minimum Technical Requirements in Appendix 1 of this Permit. The Department may conditionally approve manuals that do not include the Minimum Technical Requirements in Appendix 1; in general, the Best Management Practices (BMPs) included in those documents may be applied at new development and redevelopment sites, but the Minimum Technical Requirements in Appendix 1 must still be met.

Heavy equipment maintenance or storage yard means an uncovered area where any heavy equipment, such as mowing equipment, excavators, dump trucks, backhoes, or bulldozers are washed or maintained, or where at least five pieces of heavy equipment are stored.

Illicit connection means any man-made conveyance that is connected to a municipal separate storm sewer without a permit, excluding roof drains and other similar type connections. Examples include sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, or outlets that are connected directly to the municipal separate storm sewer system.

Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

IDDE- Illicit discharge detection and elimination

Low Impact Development (LID) means a stormwater management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrologic functions.

Major Municipal Separate Storm Sewer Outfall means a municipal separate storm sewer outfall from a single pipe with an inside diameter of 36 inches or more, or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive stormwater from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 12 acres or more).

Material Storage Facilities means an uncovered area where bulk materials (liquid, solid, granular, etc.) are stored in piles, barrels, tanks, bins, crates, or other means.

Maximum Extent Practicable (MEP) refers to paragraph 402(p)(3)(B)(iii) of the federal Clean Water Act which reads as follows: Permits for discharges from municipal storm sewers shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques, and system, design, and engineering methods, and other such provisions as the Administrator or the State determines appropriate for the control of such pollutants.

MEP means Maximum Extent Practicable.

MTRs mean Minimum Technical Requirements.

Municipal Separate Storm Sewer System (MS4) means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

(i) owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State Law) having jurisdiction over disposal of wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States.

(ii) designed or used for collecting or conveying stormwater.

(iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

Notice of Intent (NOI) means the application for, or a request for coverage under this General Permit pursuant to WAC 173-226-200.

Outfall means point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the State and does not include open conveyances connecting two municipal separate storm sewer systems, or pipes, tunnels, or other conveyances which connect segments of the same stream or other waters of the State and are used to convey waters of the State.

O&M- Operations and Maintenance

Permittee unless otherwise noted, the term "Permittee" includes Permittee, Co-Permittee, and Secondary Permittee, as defined below:

(i) A "Permittee" is a city, town, or county owning or operating a regulated small MS4 applying and receiving a permit as a single entity.

(ii) A "Co-Permittee" is any operator of a regulated small MS4 that is applying jointly with another applicant for coverage under this Permit. Co-Permittees own or operate a regulated small MS4 located within or adjacent to another regulated small MS4.

(iii) A "Secondary Permittee" is an operator of regulated small MS4 that is not a city, town or county.

Small Municipal Separate Storm Sewer System or **Small MS4** is a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels and/or storm drains which is:

a. Owned or operated by a city, town, county, district, association or other public body created pursuant to State law having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer districts, flood control districts or drainage districts, or similar entity.

b. Designed or used for collecting or conveying stormwater.

c. Not a combined sewer system,

d. Not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

e. Not defined as "large" or "medium" pursuant to 40 CFR 122.26(b)(4) & (7) or designated under 40 CFR 122.26 (a)(1)(v).

Small MS4s include systems similar to separate storm sewer systems in municipalities such as: universities, large publicly owned hospitals, prison complexes, highways and other thoroughfares. Storm sewer systems in very discrete areas such as individual buildings do not require coverage under this Permit.

Small MS4s do *not* include storm drain systems operated by non-governmental entities such as: individual buildings, private schools, private colleges, private universities, and industrial and commercial entities.

Stormwater means runoff during and following precipitation and snowmelt events, including surface runoff and drainage.

Stormwater Associated with Industrial and Construction Activity means the discharge from any conveyance which is used for collecting and conveying stormwater, which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, or associated with clearing grading and/or excavation, and is required to have an NPDES permit in accordance with 40 CFR 122.26.

Stormwater Management Manual for Western Washington means the 5-volume technical manual (Publication Nos. 99-11 through 15 for the 2001 version and Publication Nos. 05-10-029-033 for the 2005 version (The 2005 version replaces the 2001 version) prepared by Ecology for use by local governments that contains BMPs to prevent, control, or treat pollution in storm water.

Stormwater Management Program (SWMP) means a set of actions and activities designed to reduce the discharge of pollutants from the regulated small MS4 to the maximum extent practicable and to protect water quality, and comprising the components listed in S5 or S6 of this Permit and any additional actions necessary to meet the requirements of applicable

Vehicle Maintenance or Storage Facility means an uncovered area where any vehicles are regularly washed or maintained, or where at least 10 vehicles are stored.

City Departments

All- Utilities, Parks, Finance, CAO, PCD, DSD, IT, Trans, HR, Civic Services, Fire, City Clerks, Police

CAO- City Attorney's Office

HR- Human Resources

IT- Information Technology

DSD- Development Services Department

PCD- Planning and Community Development

Trans- Transportation

APPENDIX C

- **Ecology's Guidance for City and County Annual Reports for Western Washington Phase II Municipal Stormwater General Permits**

Available at: http://www.ecy.wa.gov/biblio/0710100.html

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Guidance for City and County Annual Reports for Western Washington Phase II Municipal Stormwater General Permits

December 2007
Revised December 2008, November 2009, December 2010, December 2011

Publication Number 07-10-100

DEPARTMENT OF
ECOLOGY
State of Washington

To ask about the availability of this document in a format for the visually impaired, call the Water Quality Program at 360-407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

I. Components of the Annual Report

At the request of several Phase II cities, towns, and counties, the Department of Ecology (Ecology) developed and updated this guidance for preparing annual report submittals. The Western Washington Phase II Municipal Stormwater Permit (effective February 16, 2007 and modified June 2009) requires you to send your annual report for the previous calendar year to Ecology by March 31 of each year.

The annual report submittal package includes three components:

1. An updated Stormwater Management Program (SWMP) document
    - The SWMP document (S9.E.1) must meet the description in permit section S5.A.2.
2. An Annual Report form
    - A completed Annual Report form: either a hard copy of Appendix 3 – Annual Report Form for Phase II Western Washington cities, towns and counties OR the Annual Report form Excel file at: www.ecy.wa.gov/programs/wq/stormwater/municipal/annualreports.html
3. Supplemental documentation for the Annual Report form
    - Documentation necessary to respond to specific questions in the Annual Report form, including information associated with S9.3 requirements (changes in geographic boundaries and implications for the SWMP).

Ecology does not approve these documents. However, Ecology municipal stormwater staff will review them each year to evaluate permit compliance and target technical assistance. The sections below describe the three components in further detail.

Photo by Brian Walsh

II. Preparing the SWMP Document

Ecology strongly suggests that you write the SWMP document as a planning and implementation document, not a detailed report of past activities. It should generally describe your stormwater management program and how your jurisdiction plans to meet permit requirements in the future. The SWMP document does not create an obligatory work plan or legal commitment beyond what the permit requires.

The SWMP document has three separate audiences and purposes:

1. Ecology – Document how you intend to meet permit requirements for a Stormwater Management Program, as described in permit condition S5.A.2.
2. The public – Solicit input and build local support for your stormwater management program by posting it on your website as described in Public Involvement and Participation requirements (S5.C.2.b).
3. Your staff and officials – Build support for and understanding of your program.

General reminders for preparing a SWMP document

1. The permit requires you to organize the SWMP document to follow the program components as they are organized in the permit.
2. Indicate specific activities that are happening or planned for the upcoming year, at a minimum, under each program component. You may also identify activities that build program capacity (e.g. staffing, equipment procurement, departments involved). Keep your descriptions brief, to the point, and clear for your public audience. The expired permit remains in effect after February 16, 2012, and in accordance with 2011 legislation amending RCW 90.48.260, Ecology expects to reissue the current permit unchanged for a period of one year. As a result, the written documentation of the SWMP for activities planned in 2012 may be limited to ongoing program activities at a level of effort commensurate with that of 2011 activities.
3. Reference other documents, policy statements, codes, ordinances, etc. You need not repeat information in the SWMP document that another publicly accessible document explains sufficiently. For example, you do not need to restate permit language for each component. If you briefly summarize the permit requirements, your SWMP document will better meet the needs of the public audience.
4. As described in S5.A.2.b, you may identify additional activities that your community implements to support the specific program component (i.e., beyond the stated minimum measures for each section of S5.C. in your permit). You may include these additional activities in the permit-required components of your Stormwater Management Program, or may present them in separate chapters or appendices of the SWMP document.
5. Describe where you are coordinating internally and with other regulated entities to implement any particular program component (or additional activity). Note specific coordination mechanisms, activities, programs, policies, and projects. Clarify who is doing what.

III. Preparing the Annual Report Form

Permittees must submit the Annual Report to Ecology by March 31 in one of two formats:

- The Appendix 3 format found in the permit

OR

- Excel file format of the same document downloaded from Ecology's website at

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

The completed form, including certification and signature, constitutes compliance with reporting under Reporting Requirements (S9.E.2). You must use this form (either version) to report compliance activities during the reporting period—the previous calendar year. Keep all records related to your permit and the SWMP for at least five years. **In all cases, deadlines in the body of the permit are correct. In case of a discrepancy with a deadline noted in the Annual Report form, always report based on deadlines in the body of the permit**.

Instructions for completing your Annual Report Form in the Appendix 3 format in the permit:

1. The Contact Name in Permittee Information (Section I) refers to the staff contact, not the responsible official(s) identified under Certification (Section IV).
2. Limit the information you provide in the Comments section to approximately 50 words. For additional information, you may cross-reference with other annual reporting documents such as the supplemental documentation or your SWMP document. You may also provide web links to online documents such as ordinances or reports. Please specify the section or pages of the referenced document where appropriate. We encourage you to use these options to avoid duplicating reporting information that is easily accessible elsewhere.
3. Clarifications for Section VII Information Collection, BMP Evaluation, and Monitoring
   - Sections A, B, and C- Complete in each annual report, as noted in S8.B.2 of the permit.

4. For questions in Annual Report Section VI, if there is NA and the question does not apply to you, circle NA and explain in the Comments field. For other questions:

For each question, select the category below that best describes your program's implementation status for the reporting year.	**If your answer is "YES"…**	**If your answer is "NO"…**
Did you meet the permit requirement by the deadline noted in the permit? OR Did you implement this existing requirement over the entire reporting period?	Circle **YES** or answer **Y**. You may provide additional detail in the *Comments* field.	Circle **NO** or answer **N**. In *Comments* field provide: "reasons why, corrective steps taken and proposed, and expected dates that the deadline will be met." [See S9.E.2.d]
Did you meet the permit requirement <u>in advance of</u> the permit deadline?	Circle **YES** or answer **Y**. You may note in *Comments* that this requirement has been met ahead of the permit deadline.	Answer **NA** if you have not met this requirement and note in *Comments* that the requirement <u>is not yet due.</u>

Please refer to the INSTRUCTIONS tab of the Annual Report Excel file for directions on how to fill out the answer fields. Also see *10 Steps for Electronic Annual Report Submittal* which is available on the Ecology Annual Reports webpage at www.ecy.wa.gov/programs/wq/stormwater/municipal/annualreports.html

This website also provides additional information on individual questions for the annual report in the link to Frequently Asked Questions about Annual Reporting for Municipal Stormwater Permittees.

IV. Preparing Annual Report Supplemental Documentation

The annual reporting requirement for Western Washington Phase II cities and counties requires permittees to include additional documentation to supplement responses to questions in the Annual Report Form. The Annual Report form identifies some of these supplemental submittals, while others are noted in the body of the permit. The table of contents below provides an outline of the key information permittees may need to provide as supplemental documentation.

Table of Contents for supplemental documentation

1. Notification of any changes to authorization pursuant to G19.C (S9.E.2.h), if applicable.
2. Copies of interlocal agreement(s) that identify the other governmental entity/ies and the permit obligations they are implementing on your behalf (S9.E.2.f), if applicable. [NOTE: Do NOT resubmit each year if agreements are unchanged.]
3. Notification of any annexations, incorporations or jurisdictional boundary changes in the geographic area of coverage during the current reporting period, and implications for the SWMP (S9.E.3), if applicable.
4. Attached documentation to address specific items in the Annual Report form, including:
    - Summary of feedback received from illicit discharge detection and elimination public education efforts as per S5.C.3.e. [Required by August 19, 2011.]
    - Documentation of maintenance delays as per S5.C.4.c.ii(2) and S5.C.5.a.ii, if applicable. [Required beginning February 16, 2010.]
    - Justification for reduced inspection frequency, including records, pursuant to S5.C.4.c.iii and S5.C.5.b, if applicable. [Required beginning February 16, 2010.]
    - Status report of TMDL implementation (S7.A), if applicable.
    - If required, status of the implementation of any actions taken pursuant to S4.F and the status of any monitoring, assessment, or evaluation efforts conducted during the reporting period
    -
5. A brief description of any stormwater monitoring studies involving the permittee's MS4 in accordance with S8.B.1, if applicable. Include location of study, media and parameters studied, and study citation.

Contact the following Ecology staff for more information

Island, Skagit, and Whatcom Counties	Christina Maginnis christina.maginnis@ecy.wa.gov	360-715-5212
Snohomish County	Rachel McCrea rachel.mccrea@ecy.wa.gov	425-649-7223
King County and Kitsap County	Anne Dettelbach anne.dettelbach@ecy.wa.gov	425-649-7093
Clallam and Pierce Counties	Vince McGowan vince.mcgowan@ecy.wa.gov	360-407-7320
Clark, Cowlitz, Grays Harbor, Lewis, and Thurston Counties	Lisa Cox lisa.cox@ecy.wa.gov	360-902-7120

APPENDIX D

▪ City of Bellevue 2011 Annual Compliance Report

Background

The Annual Compliance Report (ACR) is a specific "fill in the blanks" spreadsheet provided by the Washington State Department of Ecology and **documents the City's NPDES Permit activities for the preceding year.** This year's compliance report is for calendar year 2011.

The Compliance Report is very prescriptive and is completed administratively.

Draft 2011 Annual Compliance Report - Placeholder

This draft ACR describes Permit compliance activities for calendar year 2011. It is completed by City staff responsible for implementing or managing the various Permit-required programs and activities.

In this draft NPDES 2011 Annual Compliance Report, blue-highlighted cells indicate 2010 Report data which will be updated or information which is required to be attached to the 2011 Report.

City staff will add the 2011 data and attachments required for this report in January 2012. A complete 2011 ACR will be provided to the Commission at the February 2012 ESC meeting.

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City of Bellevue, WA NPDES Municipal Stormwater Permit
2011 Annual Compliance Report

The Annual Compliance Report (ACR) is a specific "fill in the blanks" spreadsheet provided by the Washington State Department of Ecology and **documents the City's NPDES Permit activities for the preceding year.** This year's compliance report is for calendar year 2011.

The ACR is very prescriptive and is completed administratively by City staff at the beginning of each year. The City Manager signs and certifies the annual compliance report on behalf of the City.

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I. Permittee Information

Permittee Name City of Bellevue, WA	**Permittee Coverage Number** WAR04-5504
Contact Name Phyllis Varner	**Phone Number** 425-452-7683
Mailing Address P.O. Box 90012	
City Bellevue	**State** **Zip + 4** WA 98009-9012
Email Adddress pvarner@bellevuewa.gov	

II. Regulated Small MS4 Location

Jurisdiction	***Entity Type: Check the box that applies***		
	County	**City/Town**	**Other**
City of Bellevue		X	

Major Receiving Water(s)
All streams in Bellevue are tributaries to Lake Washington or Lake Sammamish. See www.bellevuewa.gov for stream information.

III. Relying on another Governmental Entity

If you are relying on another governmental entity to satisfy one or more of the permit obligations, list the entity and briefly describe the permit obligation(s) they are implementing on your behalf below. ***Attach a copy of your agreement with the other entity to provide additional detail.***

Name of Entity:	**Permit Obligation(s):**

IV. Certification

All annual reports must be signed and certified by the responsible official(s) of permittee or co-permittees. Please print and sign this page of the reporting form and mail it (with an original signature) to Ecology at the address noted below. An electronic signature will not suffice.

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that Qualified Personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations.

Name	Steve Sarkozy	Title	Bellevue City Manager	Date	Certification is signed by City Mgr. for submittal by 3/31/12.
Name		Title		Date	
Name		Title		Date	
Name		Title		Date	
Name		Title		Date	

VI. Status Report Covering Calendar Yr: **2011** **Jurisdiction Name:** **City of Bellevue, WA**

PLEASE indicate reporting year and your jurisdiction in Line 1, above.

PLEASE refer to the INSTRUCTIONS tab for assistance filling out this table.

NOTE: Items that have future compliance dates must still be answered to indicate status.
NOTE: For clarification on how to answer questions, place cursor over cells with red flags.
NOTE: Highlighted items indicate requirements that are due in 2010.
PLEASE review your work for completeness and accuracy. Save this worksheet as you go!

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
1.	**Attached** annual written update of Permittee's Stormwater Management Program (SWMP), including applicable requirements under S5.A.2 and S9?	Y			City of Bellevue 2012 NPDES Stormwater Management Program (NSWMP)
2.	**Attached** a copy of any annexations, incorporations or boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period, and implications for the SWMP as per S9.E.3?	NA		Bellevue did not annex, incorporate or make boundary changes in 2011.	
3.	Implemented an ongoing program for gathering, tracking, maintaining, and using information to evaluate SWMP development, implementation and permit compliance and to set priorities? (S5.A.3)	Y			
4.	Began tracking costs or estimated costs of the development and implementation of the SWMP? (*Required* no later than January 1, 2009, S5.A.3.a)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
5.	SWMP includes an education program aimed at residents, businesses, industries, elected officials, policy makers, planning staff and other employees of the Permittee? (*Required to begin* by February 15, 2009, S5.C.1)	Y			
6.	Distributed appropriate information to target audiences identified in the area served by the MS4? (*Required to begin* by February 15, 2009, S5.C.1.a)	Y			
7.	Tracked the types of public education and outreach activities implemented. (*Required to begin* by February 15, 2009, S5.C.1.c)	Y			
7b.	Number of activities implemented:		15		
8.	Measured the understanding and adoption of the targeted behaviors among at least one targeted audience in at least one subject area. (*Required to begin* by February 15, 2009, S5.C.1.b)	Y			
9.	Provided opportunities for the public to participate in the decision making processes involving the development, implementation and updates of the Permittee's SWMP? (*Required* by February 15, 2008, S5.C.2.a)	Y			
10.	Developed and implemented a process for public involvement and consideration of public comments on the SWMP? (*Required* by February 15, 2008, S5.C.2.a)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
11.	Made the most current version of the SWMP available to the public. (S5.C.2.b)	Y			
12.	Posted the SWMP and latest annual report on your website. (S5.C.2.b)	Y			
12b.	NOTE website address in *Attachment* field:	Y			www.bellevuewa.gov
13.	Initiated or implemented an ongoing program to detect and remove illicit connections and illegal discharges into the Permittee's MS4? (*Required* August 19, 2011, S5.C.3)	Y			
14.	Developed and currently maintain a map of your MS4? (*Required* by February 16, 2011, S5.C.3.a)	Y			
14b.	Initiated a program to develop and maintain a map of all connections to the MS4 authorized or allowed by the Permittee after the Permit effective date? (S5.C.3.a.ii)	Y			
15.	Map shows the location of all known municipal separate storm sewer outfalls, receiving waters and structural stormwater BMPs owned, operated, or maintained by the Permittee? (*Required* by February 16, 2011, S5.C.3.a.i)	Y			
16.	Map shows all storm sewer outfalls with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems and includes tributary conveyances, associated drainage areas and land use? (*Required* by February 16, 2011, S5.C.3.a.i)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
17.	Map shows geographic areas served by the Permittee's MS4 that do not discharge stormwater to surface waters? (*Required* by February 16, 2011, S5.C.3.a.iii)	Y			
18.	Map has been made available upon request? (S5.C.3.a.iv)	Y			
19.	Developed and implemented regulatory actions necessary to effectively prohibit non-stormwater, illicit discharges into the Permittee's MS4? (*Required* by August 15, 2009, S5.C.3.b)	Y		Amended Bellevue City Codes (BCC) in 2009 to comply with NPDES permit requirements. See ordinances 5905 [BCC 24.06 Storm & Surface Water Utility], 5906 [BCC 23.76 Clearing and Grading Code], and 5907 [BCC 1.18.75. Civil Violations Code] located at http://www.bellevuewa.gov/doc_library.htm	
20.	Developed and implemented an ongoing program to detect and address non-stormwater illicit discharges, including spills, and illicit connections into the Permittee's MS4? (*Required* by August 19, 2011, S5.C.3.c)	Y			
21.	Developed procedures for locating priority areas likely to have illicit discharges, including at a minimum: evaluating land uses and associated business/industrial activities present; areas where complaints have been registered in the past; and areas with storage of large quantities of materials that could result in illicit discharges, including spills? (*Required* by August 19, 2011, S5.C.3.c.i)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
22.	Implemented field assessment activities, including visual inspection of priority outfalls identified during dry weather, and for the purposes of verifying outfall locations, identified previously unknown outfalls, and detected illicit discharges? (*Required* by August 19, 2011, S5.C.3.c.ii)	Y			
23.	Prioritized receiving waters for visual inspection? (*Required* by February 16, 2010, S5.C.3.c.ii)	Y			
24.	Conducted field assessments for three high priority water bodies? (*Required* by February 16, 2011, S5.C.3.c.ii)	Y			
25.	Conducted field assessments on at least one high priority water body? (*Required* annually **after** February 16, 2011, S5.C.3.c.ii)	Y			
26.	Developed and implemented procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found by or reported to the Permittee? (*Required* by August 19, 2011, S5.C.3.c.iii)	Y			
27.	Developed and implemented procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures? (*Required* by August 19, 2011, S5.C.3.c.iv)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
28.	Developed and implemented procedures for removing the source of the discharge, including notification of appropriate authorities; notification of the property owner; technical assistance for eliminating the discharge; follow-up inspections; and escalating enforcement and legal actions if the discharge is not eliminated? (*Required* by August 19, 2011, S5.C.3.c.v.)	Y			
29.	Informed public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste? (*Required* by August 19, 2011, S5.C.3.d)	Y			
30.	Distributed appropriate information to target audiences identified pursuant to S5.C.1? (*Required* by August 19, 2011, S5.C.3.d.i)	Y			
31.	Publicized a hotline or other local telephone number for public reporting of spills and other illicit discharges? *(Required* by February 15, 2009, S5.C.3.d.ii)	Y			
31b.	Number of hotline calls received:		108		
31c.	Number of follow-up actions taken in response to calls:		108		
32	Maintained a hotline or other reporting number for public reporting of illicit discharges, including spills? (*Required* by February 15, 2009, S5.C.3.d.ii)	Y			
32b.	NOTE hotline number in *Comments* field	Y		24-hour emergency line 425-452-7840	
33	Tracked the number of illicit discharges, including spills, identified? (*Required* by August 19, 2011, S5.C.3.e)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
33b.	Number of illicit discharges identified:		188		
34	Tracked the number of inspections made for illicit connections? (*Required* by August 19, 2011, S5.C.3.e)	Y			
34b.	Number of inspections:		1		
35	Received feedback from IDDE public education efforts? (*Required* by August 19, 2011, S5.C.3.e)	Y			
36	**Attached** report on IDDE public education efforts? (*Required* by August 19, 2011, S5.C.3.d, S5.C.3.e)	Y			Illicit Discharge Detection and Elimination (IDDE) Public Education Efforts by the City of Bellevue, Washington
37	Municipal field staff responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, improper disposal and illicit connections are trained to conduct these activities? (*Required* by August 15, 2009, S5.C.3.f.i)	Y		Staff training completed in 2009. [Per 2009 Annual Report, one training session held with 71 City staff.]	
37b.	Number of trainings provided:	NA		Completed in 2009.	
37c.	Number of staff trained:	NA		Completed in 2009.	
38	Provided follow-up training as needed to address changes in procedures, techniques or requirements? (*Required* by August 15, 2009, S5.C.3.f.i)	Y			
38b.	Number of trainings provided:		1		
38c.	Number of staff trained:		6		

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
39	Developed and implemented an ongoing training program on the identification of an illicit discharge/connection, and on the proper procedures for reporting and responding to the illicit discharge/ connection for all municipal field staff, which, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system? (*Required* by February 16, 2010, S5.C.3.f.ii.)	Y			
39b.	Number of trainings provided:		1		
39c.	Number of staff trained:		87		
40	Developed, implemented and enforced a program to reduce pollutants in stormwater runoff to a regulated small MS4 from new development, redevelopment and construction site activities? *(Required* by February 16, 2010, S5.C.4)	Y			
41	Applied stormwater runoff program to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale? *(Required* by February 16, 2010, S5.C.4)	Y			
42	Applied stormwater runoff program to private and public development, including roads? *(Required* by February 16, 2010, S5.C.4)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
43	Applied the Technical Thresholds in Appendix 1 to all sites 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale? *(Required* by February 16, 2010, S5.C.4)	Y		Bellevue applies the technical thresholds in Appendix 1 to all sites requiring permits, regardless of size.	
44	Adopted and implemented regulatory mechanism (such as an ordinance) necessary to address run-off from new development, redevelopment and construction site activities? (*Required* by February 16, 2010, S5.C.4.a)	Y		Amended Bellevue City Codes (BCC) in 2009, effective date January 1, 2010. See ordinances 5905 [BCC 24.06 Storm & Surface Water Utility Code], 5906 [BCC 23.76 Clearing and Grading Code], and 5907 [BCC 1.18.75. Civil Violations Code] located at http://www.bellevuewa.gov/doc_library.htm.	
45	Retained existing local requirements to apply stormwater controls at smaller sites or at lower thresholds than required pursuant to S5.C.4? (S5.A.4)	Y			
46	The ordinance or other enforceable mechanism includes the minimum requirements, technical thresholds, and definitions in Appendix 1 (or an equivalent approved by Ecology under the NPDES Phase I Municipal Stormwater Permit) for new development, redevelopment, and construction sites? (*Required* by February 16, 2010, S5.C.4.a.i)	Y			
47	The ordinance or other enforceable mechanism includes exceptions and variance criteria equivalent to those in Appendix 1? (*Required* by February 16, 2010, S5.C.4.a.i., and Section 6 of Appendix 1)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
48	Were exceptions or variances to the minimum requirements in Appendix 1 granted? (*Required* by February 16, 2010, S5.C.4.a.i., and Section 6 of Appendix 1)	N			
48b.	If so, how many were granted?		0		
49	The ordinance or other enforceable mechanism includes a site planning process and BMP selection and design criteria that, when used to implement the minimum requirements in Appendix 1 (or equivalent approved by Ecology under the Phase I Permit) will protect water quality, reduce the discharge of pollutants to the maximum extent practicable and satisfy the State requirement under Chapter 90.48 RCW to apply all known, available and reasonable methods of prevention, control and treatment (AKART) prior to discharge? *(Required* by February 16, 2010, S5.C.4.a.ii)	Y			
49b.	Cite documentation to meet this requirement in *Attachment* field:	Y			See ordinances listed in Question #44 response and the revised Storm & Surface Water Engineering Standards and Clearing & Grading Development Standards located at http://www.bellevuewa.gov/doc_library.htm. The standards incorporate the site planning process and BMP selection and design criteria from the 2005 Ecology Manual.

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
50	The ordinance or other enforceable mechanism provides the legal authority, through the approval process for new development, to inspect private stormwater facilities that discharge to the Permittee's MS4? (*Required* by February 16, 2010, S5.C.4.a.iii)	Y		See response to Question #44.	
51	The ordinance or other enforceable mechanism allows non-structural preventive actions and source reduction approaches such as Low Impact Development (LID) Techniques to minimize the creation of impervious surfaces and minimize the disturbance of native soils and vegetation? (*Required* by February 16, 2010, S5.C.4.a.iv)	Y		See response to Question #44.	
52	If the ordinance or regulatory mechanism allows construction sites to apply the **Erosivity Waiver** in Appendix 1, Minimum Requirement #2, does it include appropriate, escalating enforcement sanctions for construction sites that provide notice to the Permittee of their intention to apply the waiver but do not meet the requirements (including timeframe restrictions, limits on activities that result in non-stormwater discharges, and implementation of appropriate BMPs to prevent violations of water quality standards) to qualify for the waiver? (If waiver is allowed, the qualification is *required* by February 16, 2010, S5.C.4.a.v)	NA		Bellevue's Clearing and Grading Code does not provide an erosivity waiver option.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
53	Developed and implemented a permitting process to address runoff from new development, redevelopment and construction site activities with plan review, inspection, and enforcement capability? *(Required* by February 16, 2010, S5.C.4.b)	Y			
54	Applied permitting process to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale? (*Required* by February 16, 2010, S5.C.4.b)	Y		Bellevue applies the permitting process to all sites requiring permits, regardless of size.	
55	Reviewed **Stormwater Site Plans** for new development and redevelopment projects? (*Required* by February 16, 2010, S5.C.4.b.i)	Y			
55b.	Number of site plans reviewed during the reporting period:		364	This is the number of Clearing and Grading permits submitted for review in 2011. Majority are reviewed in 2011; review of some of the permits extends into 2012.	
56	Inspected, prior to clearing and construction, all known development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 **Determining Construction Site Sediment Potential**? (*Required* by February 16, 2010, S5.C.4.b.ii)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
56b.	Number of qualifying sites inspected prior to clearing and construction during the reporting period:		247	This is the number of sites that had "preconstruction" inspections in 2011 for Clearing and Grading permits. Note - not all issued permits go to construction immediately or ever for a variety of reasons.	
57	Inspected construction-phase stormwater controls at all known permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls? (*Required* by February 16, 2010, S5.C.4.b.iii)	Y			
57b.	Number of sites inspected during the construction phase for the reporting period:		257	This is the number of sites that had "during construction" inspections for Clearing & Grading permits.	
58	Enforced as necessary based on the inspection at new development and redevelopment projects? (*Required* by February 16, 2010, S5.C.4.b.iii)	Y			
58b.	Number of enforcement actions taken during the reporting period:		15	Enforcement actions for Clearing and Grading permits applied for and issued in 2011 include 11 correction notices and 4 stop work orders.	
59	Inspected qualifying permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater controls such as stormwater facilities and structural BMPs? (*Required* by February 16, 2010, S5.C.4.b.iv and v)	Y			
59b.	Number of qualifying sites known during the reporting period:		118	Qualifying sites represent permanent stormwater control permits submitted in 2010 and 2011.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
59c.	Number of qualifying sites inspected during the reporting period:		42	Represents permanent stormwater control permits submitted in 2010 and 2011 that requested or were ready for a final inspection of their stormwater systems in 2011 (these inspections can occur well before projects receive final acceptance or occupancy).	
60	Verified a maintenance plan is completed and responsibility for maintenance is assigned for qualifying projects? (*Required* by February 16, 2010, S5.C.4.b.iv)	Y			
61	Enforced regulations as necessary based on the inspection? (*Required* by February 16, 2010, S5.C.4.b.iv)	Y			
61b.	Number of enforcement actions taken during the reporting period:		22	22 correction notices were issued to permanent stormwater control permits.	
62	Developed and implemented an enforcement strategy to respond to issues of non-compliance with the regulations for qualifying projects? (*Required* by February 16, 2010, S5.C.4.b.vi)	Y			
63	Did the Permittee choose to allow construction sites to apply the **Erosivity Waiver** in Appendix 1, Minimum Requirement #2? (S5.C.4.b.vii)	NA		See comment to Question #52.	
63b.	If yes, how many waivers were allowed ?		0		
64	Developed and implemented a long-term operation and maintenance (O&M) program for post-construction stormwater facilities and BMPs? (*Required* by February 16, 2010, S5.C.4.c)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
65	Adopted an ordinance or other regulatory mechanism that clearly identifies the party responsible for maintenance, requires inspection of facilities and establishes enforcement procedures? (*Required* by February 16, 2010, S5.C.4.c.i)	Y		See ordinances 5905 [Bellevue City Code 24.06 Storm & Surface Water Utility] and 5907 [BCC 1.18.75. Civil Violations Code] located at http://www.bellevuewa.gov/doc_library.htm.	
66	Inspected post-construction stormwater controls, including structural BMPs, at new development and redevelopment projects? (*Required* by February 16, 2010, S5.C.4.c)	Y		This requirement applies to private new development and redevelopment projects with permanent stormwater control permits that have a submittal date of 2010 and for which the permanent stormwater controls received final (construction) inspection in 2010.	
66b.	Number of sites inspected during the reporting period:		1	The first post-construction annual inspection of the 2010 qualifying sites' stormwater controls occurred in 2011 and are reported here.	
66c.	Number of structural BMPs inspected during the reporting period:		6	Permit defines structural BMPs as flow control and water quality treatment BMPs.	
66d.	Number of enforcement actions taken during the reporting period:		0		
67	Established maintenance standards that are as protective, or more protective, of facility function as those specified in Chapter 4 of Volume V of the **2005 Stormwater Management Manual for Western Washington**? (*Required* by February 16, 2010, S5.C.4.c.ii)	Y		The Storm and Surface Water Maintenance Standards are available on the city website at: http://www.bellevuewa.gov/doc_library.htm	
68	Performed timely maintenance as per S5.C.4.c.ii? *(Required* by February 16, 2010, S5.C.4.c.ii)	Y			
68b.	**Attached** documentation of any maintenance delays. *(Required* by February 16, 2010, S5.C.4.c.ii)	NA			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
69	Established program to annually inspect all stormwater treatment and flow control facilities (other than catch basins) permitted by the Permittee according to S5.C.4.b. unless there are maintenance records to justify a different frequency? (*Required* by February 16, 2010, S5.C.4.c.iii)	Y			
70	If using reduced inspection frequency, **Attached** documentation as per S5.C.4.c.iii? (*Required* by February 16, 2010, S5.C.4.c.iii)	NA			
71	Inspected all new stormwater treatment and flow control facilities owned or operated, including catch basins, for new residential developments that are a part of a larger common plan of development or sale, every 6 months during the period of heaviest house construction (i.e., 1 to 2 years following subdivision approval) to identify maintenance needs and enforce compliance with maintenance standards as needed? (*Required* by February 16, 2010, S5.C.4.c.iv)	Y			
71b.	Number of facilities inspected during the reporting period:		1	Inspected stormwater facilities for one residential plat development (2010 permit submittal) that received final inspection in 2010 and triggered the "heaviest house construction" inspection requirement for the 2011 reporting period.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
72	Implemented a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, other enforcement records, maintenance inspections and maintenance activities? (*Required* by February 16, 2010, S5.C.4.d)	Y			
73	Provided copies of the **Notice of Intent for Construction Activity** and **Notice of Intent for Industrial Activity** to representatives of proposed new development and redevelopment? (S5.C.4.e)	Y			
74	All staff responsible for implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement were trained to conduct these activities? (*Required* by February 16, 2010, S5.C.4.f)	Y			
74b.	Number of trainings provided:		4	The training numbers reflected here represent City staff training on stormwater management guidelines developed for transportation maintenance and capital improvement projects, for inspection staff (certified erosion an sediment control lead and low impact development training). Overall, on-going training is provided through staff meetings, project-specific discussions and in developing handouts for staff and permittees to use in applying the new requirements.	
74c.	Number of staff trained:		33		

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
75	Developed and implemented an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations? (*Required* by February 16, 2010, S5.C.5)	Y			
76	Adopted maintenance standards as protective, or more protective, of facility function as those specified in Chapter 4 of Volume V of the 2005 *Stormwater Management Manual for Western Washington* ? (*Required* by February 16, 2010, S5.C.5.a)	Y		The Storm and Surface Water Maintenance Standards are available on the city website at: http://www.bellevuewa.gov/doc_library.htm	
77	Performed timely maintenance as per S5.C.5.a.ii? *(Required* by February 16, 2010, S5.C.5.a.ii)	Y			
77b.	**Attached** documentation of any maintenance delays. *(Required* by February 16, 2010, S5.C.5.a.ii)	NA			
78	Designed a program to annually inspect and maintained all stormwater treatment and flow control facilities (other than catch basins)? (*Required* by February 16, 2010, S5.C.4.c.iii)	Y			
78b.	Number of known facilities:		318	Numbers revised from 2010 report due to data clean-up including duplication, data errors, and refining new Maximo database system.	
78c.	Number of facilities inspected during the reporting period:		318		

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
79	If using reduced inspection frequency, **Attached** documentation as per S5.C.5.a.ii? *(Required* by February 16, 2010, S5.C.5.b)	NA			
80	Conducted spot checks of stormwater facilities after major storms? *(Required* by February 16, 2010, S5.C.5.c)	Y			
80b.	Number of known facilities:		318		
80c.	Number of facilities inspected during the reporting period:		16	Utilities conducts routine spot checks after major storms of 105 facilities and locations known to be prone to flooding, of which at least 16 are critical stormwater flow control & treatment facilities. Facilities and locations known to be prone to flooding were spot checked multiple times during the reporting period in response to major storm events.	
81	Inspected municipally owned or operated catch basins at least once before the end of the Permit term? (*Required* by February 16, 2010, S5.C.5.d)	Y			
81b.	Number of known catch basins:		20,059	13,585 catch basins, 4,061 inlets and 2,413 manholes. Numbers revised from 2010 report due to data clean-up including duplication, data errors, and refining new Maximo database system	
81c.	Number of inspections:		32,802	Total inspected between 2007-2012 (several were inspected multiple times)	
81d.	Number of catch basins cleaned:		8,225	Total cleaned between 2007-2012	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
82	Established and implemented practices to reduce stormwater impacts associated with runoff from streets, parking lots, roads or highways owned or maintained by the Permittee, and road maintenance activities conducted by the Permittee? *(Required* by February 16, 2010, S5.C.5.f)	Y			
83	Established and implemented policies and procedures to reduce pollutants in discharges from all lands owned or maintained by the Permittee and subject to this Permit, including but not limited to: parks, open space, road right-of-way, maintenance yards, and stormwater treatment and flow control facilities? *(Required* by February 16, 2010, S5.C.5.g)	Y			
84	Implemented an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations? (Required by February 16, 2010, S5.C.5.h.)	Y			
84b.	Number of trainings provided:		4		
84c.	Number of staff trained:		154		

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
85	Implemented a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the Industrial Stormwater General Permit? *(Required* by February 16, 2010, S5.C.5.i)	Y		Developed and implemented Stormwater Pollution Prevention Plans for 6 city-owned facilities by February 2010. Subsequently Bellevue purchased a property and its' utilization triggered development of a 7th Stormwater Pollution Prevention Plan (Safeway SWPPP).	
86	Is there an approved Total Maximum Daily Load (TMDL) applicable to stormwater discharges from a MS4s owned or operated by the Permittee?	N			
87	Complied with the specific requirements identified in Appendix 2? (S7.A)	NA			
88	**Attached** status report of TMDL implementation? (S7.A)	NA			
89	Where monitoring was required in Appendix 2, did you conduct the monitoring according to an approved Quality Assurance Project Plan? (S7.A)	NA			
90	Took appropriate action to correct or minimize discharges into or from the MS4 which may constitute a threat to human health, welfare, or the environment? (G3)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
90b.	**Attached** a summary of the status of implementation of any actions taken pursuant to S4.F and the status of any monitoring, assessment, or evaluation efforts conducted during the reporting period? (S4.F.3.d)	Y		One S4F Compliance with Standards notification required in 2011 for muddy stormwater runoff, resulting from a landslide, which entered Coal Creek through a municipal stormwater outfall pipe. Ecology was satisfied with City's response and required follow-up turbidity monitoring to be performed in 2011 and attached to the annual report.	Attached is a copy of Ecology's January 25, 2011 reply to the S4F notification (WAR04-5504) and City's 2011 turbidity sample results. The sample results and visual observations show that the measures taken in response to the Newcastle Golf Club Road Landslide-caused muddy discharge continued to be effective in 2011.
91	Notified Ecology of the failure to comply with the permit terms and conditions within 30 days of becoming aware of the non-compliance? (G20)	N		No G-20 notifications were submitted in 2011.	
92	Notified Ecology immediately in cases where the Permittee becomes aware of a discharge from the Permittees MS4 which may cause or contribute to an imminent threat to human health or the environment? (G3)	Y			
93	**Attached** a summary of identified barriers to the use of low impact development (LID) and measures to address the barriers (Required to be submitted by March 31, 2011, S9.E.4.a)	NA		This one-time requirement was submitted as part of the 2010 Annual Compliance Report.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
94	**Attached** a report describing LID practices currently available and that can be reasonably implemented, potential or planned non-structural actions and LID techniques to prevent stormwater impacts, goals and metrics to identify, promote, measure LID; and schedules to require and implement non-structural and LID techniques on a broader scale (Required to be submitted by March 31, 2011, S9.E.4.b)	NA		This one-time requirement was submitted as part of the 2010 Annual Compliance Report.	

VII. Information Collection, BMP Evaluation, and Monitoring

Complete Part A for all annual reports.
NOTE: Please note in Row 1 of the table if you have no information to report.
NOTE: Please limit your entries to 255 characters per cell. You may include additional information in your Supplemental Documentation attachment and reference it below with the page number.

A. Information Collection

	Briefly describe any stormwater monitoring, studies, or type of information collected and analyzed during the reporting period. (S8.B.1)	Who/how to contact for additional information?
1.	Phantom Lake water quality samples	Mike Graves - 425-452-2030
2.	Larsen Lake water quality samples	Mike Graves - 425-452-2030
3.	Quality Assurance Project Plan for Newcastle Beach Park Monitoring - City of Bellevue; July 5, 2011	Mike Graves - 425-452-2030
4.	City of Bellevue Newcastle Beach Park - Analysis and Review of Existing Water Quality Sample Data - OTAK, consultant; July 22, 2011	Mike Graves - 425-452-2030
5.	City of Bellevue Newcastle Beach Park - Analysis and Review of Water Quality Sample Data - OTAK, consultant; September 28, 2011	Mike Graves - 425-452-2030
6.	Evaluation of Water Quality Data - Pond A; Associated Earth Sciences, Inc., consultant; October 17, 2011.	Mike Graves - 425-452-2030

VII. Information Collection, BMP Evaluation, and Monitoring

Complete Part B for all annual reports.

B. SWMP Evaluation (S8.B & S9)

You are required to assess the appropriateness of the BMPs you have selected to implement your SWMP. This evaluation is necessary to evaluate whether the MEP standard set by the permit is protective of water quality in your receiving water bodies. This assessment may be entirely qualitative. Answer **NA** if you are not yet implementing BMPs for a component of the SWMP. (S8.B.2 and S9)

	Question	Y/N/NA	Comments (50 word limit)
1.	Are the BMPs selected and implemented for Public Outreach appropriate to minimize pollutants in the MS4 to the MEP?	Y	Yes, staff are implementing the BMPs specified by Ecology in the permit as appropriate for minimizing pollutants in the MS4 to the MEP through public education and outreach and, where possible, assessing their effectiveness. For example, assessments show that there has been a reduction in # of fund-raising car washes that result in illicit discharges to the storm system from outreach efforts.
2.	Are the BMPs selected and implemented for Public Involvement appropriate to minimize pollutants in the MS4 to the MEP?	Y	Yes, opportunities for public involvement on the Permit-specified NPDES Stormwater Management Program are provided at Bellevue Environmental Services Commission and City Council meetings and an annual public meeting on the Program.
3.	Are the BMPs selected and implemented for Illicit Discharge Detection and Elimination appropriate to minimize pollutants in the MS4 to the MEP?	Y	Yes, the illicit discharge and civil violations code amendments along with increased public and staff awareness about illicit discharges and their impacts on water quality has resulted in increased reports (188 illicit discharges reported in 2011) and successful elimination of the reported illicit discharges through structural or housekeeping fixes.
4.	Are the BMPs selected and implemented for Construction Stormwater Pollution Prevention appropriate to minimize pollutants in the MS4 to the MEP?	Y	Yes, staff are implementing the construction stormwater pollution prevention BMPs specified by Ecology in the permit as appropriate for minimizing pollutants in the MS4 to the MEP and they are observed to be effective or required to be modified to achieve effectiveness on a case by case basis by inspectors.

5.	Are the BMPs selected and implemented for Post-Construction Runoff Management appropriate to minimize pollutants in the MS4 to the MEP?	Y	Yes, the BMPs are appropriate and staff are implementing them for private and public projects. Escalating enforcement code language has strengthened the effectiveness of these measures.
6.	Are the BMPs selected and implemented for Good Housekeeping for Municipal Operations appropriate to minimize pollutants in the MS4 to the MEP?	Y	Yes, for example, the Stormwater Pollution Prevention Plans for heavy equipment yards and materials storage facilities identified structural changes to reduce the potential release of pollutants from these facilities and the City is implementing these structural changes.

VII. Information Collection, BMP Evaluation, and Monitoring

Complete Part C for all annual reports.

C. Changes in BMPs or objectives (S8.B)

If any of the BMPs or objectives is being changed, list the old BMP and objective, the new BMP and objective, and a justification for the change below. (S8.B.2., and S9)

NOTE: You may choose to attach additional documentation justifying Changes in BMPs or objectives. Note such attachments in the *Justification for change* field.

	Old BMP	Old Objective	New BMP	New Objective	Justification for Change
1	No changes.				
2					
3					
4					
5					
6					
7					

Attachment to 2011 NPDES Annual Compliance Report Question 36

Illicit Discharge Detection and Elimination (IDDE) Public Education Efforts by the City of Bellevue, Washington

PERMIT REQUIREMENT

The National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit requires municipalities, including Bellevue, to provide Illicit Discharge Detection and Elimination (IDDE) public education programs. The programs need to contain procedures for evaluation and assessment, including feedback from the public. Section S5.C3.d requires permittees to inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste. Section S5.C3.e requires permittees to adopt and implement procedures for program evaluation and assessment, including tracking the number and type of illicit discharges, including spills, identified; inspections made; and any feedback received from public education efforts.

The goal of the IDDE public education requirements is to educate city staff and the public on steps they can take to prevent non-point source pollution and protect water quality. Non-point source pollution refers to the pollutants picked up by stormwater runoff from innumerable, diffuse sources as it flows over the land and into streams, lakes and wetlands. These innumerable, diffuse sources of pollution come from everyday human activities and natural sources such as car washing, poorly managed construction sites, yard care, pet and wildlife wastes, business practices, vehicles, pollutant spills, illegal dumping, etc. The cumulative effects resulting from the staggering number of very small bits of pollution that enter stormwater and flow to local waterways adds up over time and contributes to serious water pollution. Illicit discharge is a term used by the NPDES Permit to refer to "non-stormwater discharges" to the municipal drainage system and surface water bodies.

INTRODUCTION

Bellevue has a long history of providing stormwater pollution prevention education to businesses, schools, and the general public. Education programs are based on the principle that maintaining good water quality depends on the cooperation of everyone living, working, or playing in the watershed. Bellevue supports appropriate requirements to provide IDDE public education programs.

IDDE PUBLIC EDUCATION PROGRAMS

Public Employees

- Development Services Training Program

  Development Services has ongoing training on an as-needed basis for those staff who deal with stormwater permits both here at City Hall during the permit application and review process or in the field during the clearing and grading inspection process. Examples include training for Code Compliance officers on clearing & grading issues, and training for Land Use Planners regarding changes to the clearing and grading code and standards resulting from the NPDES Phase II permit. Another is the as-needed Utilities and Clearing & Grading review staff

training during weekly meetings to make sure they are keeping up on rules changes and perfecting information materials and instructions for their customers and the general public.

- Assessment and Feedback

  New applicants often come in with vague ideas on what they need to do to apply for a permit and go away with clear guidance and information. As a result of the time staff have spent with them explaining the new stormwater rules and information, their applications reflect a greater understanding of the requirements and the processes.

- Operations and Maintenance Training Program
  - Awareness Level Training – In 2011, 94 Utilities field staff, who may as part of their normal job duties come into contact with or otherwise observe an illicit discharge or illicit connection, were trained in the proper procedures in reporting and responding to illicit discharges/connections.
  - Investigative Training - Six staff who are responsible for the identification, investigation, termination, clean-up, and reporting of illicit discharges/connections received refresher training.

Businesses

- Local Source Control Specialist Program

  The City contracted with a consultant to conduct more than 250 onsite visits to businesses with potential surface water issues during 2009-2011, distributing pollution prevention educational brochures and posters, and providing pollution prevention technical assistance, as needed. The program was funded by a grant from the Washington State Department of Ecology. The majority of business sectors targeted in Bellevue were related to the automobile industry. They included auto dealers, auto painting and body repair, auto mechanical repair, car washes, and gasoline stations. These sectors were chosen due to the potential for pollution generating activities and their classification as a Small Quantity Generator (SQG).[1]
  - Assessment and Feedback
    - All visited businesses were informed of the program at the Factoria transfer station for hazardous waste disposal from small businesses. Many businesses were not aware of the program and were pleased to find out that they could comply with hazardous material disposal requirements easily and at no additional charge.
    - Pollution prevention posters and brochures were delivered to 45 businesses.
    - Spill kits or spill cleanup materials were provided to 70 businesses along with spill cleanup information and details on creating a spill response plan.
    - The majority of businesses appreciated the education and technical assistance, especially because it was provided at no charge. Some businesses were annoyed at the number of visits from various government agencies (City, county, state, and federal).

[1] SQGs are businesses that generate below 220 pounds of Dangerous Waste and 2.2 pounds of Acutely Hazardous Waste or WT01 toxic waste per month. (Department of Ecology)

- Private Property Storm Drain Marking Program
  The City is working with commercial private property owners to apply storm drain markers on their property. The markers are colorful, durable, and highly visible with the message, "Don't Pollute, Drains to Stream." The program is currently targeting businesses in five watersheds (Goff, Kelsey Creek, West Tributary, Sears, and Richards Creek), and will expand to other watersheds as funding allows. Churches, schools, apartments, and condominium properties are included.

    - Assessment and Feedback
      Feedback has been overwhelmingly positive. Letters were mailed to commercial property owners in the five watersheds listed above explaining the program and asking permission to mark the drains on their property. To date, 470 of the nearly 700 property owners contacted have returned signed permission forms (66% rate of return). No complaints have been received, and additional property owners outside the five targeted watersheds have contacted the City asking to have their properties added to the list.

- Car Wash Research
  The City conducted onsite car wash education and outreach for 14 businesses hosting charity fundraising car wash events. The program has been very effective in preventing pollution from charity car washes at the visited businesses. Problem situations were quickly identified and corrected, resulting in immediate reduction of pollutants entering the storm drain system. Businesses and groups hosting charity car washes are educated about City code requirements and the need to correctly use car wash kits made available by the City. An "alternatives to car wash fundraising" brochure was also created and distributed through this program.
    - Assessment and Feedback
      - In 2009, the City added preemptive outreach to businesses and secondary schools to provide education prior to events. Feedback from both businesses and charity groups has been mostly positive. Every secondary school office manager, activities director, and/or staff member in charge of approving car washes was contacted. All agreed to pass the information on to their sports coaches, parent volunteers, PTA Presidents, and others who may be interested in holding charity car washes. Each person contacted stated that they appreciated the City's information and the reminder about car wash policies.
      - In 2011, all 14 of the site managers contacted were aware of City regulations and car wash kit requirements. Nine of the site managers allow charity car washes, and three of them keep permanent car wash kits at their site. Five site managers stated that they would not allow car wash fundraisers on their property because of a variety of reasons including: site conditions do not support use of a car wash kit; they do not want to pollute local waterways; and/or they want to be in compliance with City stormwater regulations.

        - Groups lacking or improperly using a car wash kit at visited sites decreased from 50% in 2007 to 12% in 2011. City water quality staff had to respond to only one charity car wash to provide field education and corrective BMPs.

- Educational Materials – Utilities Conservation Group
  A variety of pollution prevention educational materials were created for businesses. The materials were based on information gained from one-on-one interviews of 100 Bellevue business managers conducted in 2007 and from direct requests by City water quality staff. Materials include:
    - Series of three pollution prevention posters and videos (i.e., Washing the Fleet, Spill Something, and Cleaning Up)
    - Your Local Stream Starts Here brochure
    - Stormwater Pollution Prevention Code card
    - Painting Contractor Best Management Practice brochure
    - Pressure Washing Contractor Best Management Practice brochure
    - Assessment and Feedback
        - The series of posters was awarded the 2009 National Association of Flood and Stormwater Management Agencies (NAFSMA) Excellence In Communications Award – First Place
        - The Washington State Department of Ecology linked the posters to their Resources for Stormwater Education and Outreach webpage http://www.ecy.wa.gov/programs/wq/stormwater/municipal/public_outreach_resources.html
        - Requests to use Bellevue's educational materials as a template have been received from Skagit County, Kitsap County, Pierce County, City of Bothell, City of Monroe, City of Des Moines, City of Ellensburg, and the City of Denver, CO.

- Educational Materials - Development Services
    - Provides educational materials for clients who call or come in to the Development Services Center before they submit an application and during the processing of the permit.
    - Clearing & Grading inspectors, Utilities inspectors, and Code Compliance officers have been handing out the *Stormwater Pollution Prevention* information card in the field to clarify requirements and enforcement. The Inspectors and Code Compliance officers have them in their cars to hand out as they respond to a complaint regarding a stormwater situation or when they encounter an illegal discharge. The Clearing & Grading inspectors keep them available for pre-construction conferences held at construction sites.
    - A handout on natural drainage practice guidelines was produced this past year to assist contractors and homeowners with residential development. *Amended Soil and Post Construction Soil Quality and Depth* is given by the Utilities review staff with every new single-family building permit to help the owners meet the City of Bellevue requirements for on-site stormwater management.
    - Assessment and Feedback

Illegal discharges into the stormwater drainage system are first handled by Utilities/Water Quality for non-permitted discharges or by Clearing & Grading or Utilities construction staff for discharges (typically erosion) from construction projects with permits. Except for egregious illicit discharges, three escalating efforts are used to gain voluntary compliance in the field (verbal corrections, written correction notices and stop work orders) before illicit discharges are turned over to Code Compliance staff for issuance of a Notice of Violation and fines. To date, voluntary compliance has been successful in eliminating and/or preventing on-going illicit discharges; no Notices of Violations have been issued to date.

- <u>Educational Materials – Utilities Operations and Maintenance</u>
  - Since 2010 city staff have investigated over 100 illicit discharges per year at non-permitted sites (188 in 2011); a large percentage are businesses or business activities, up from around 60 in 2009. The increase in responses may be due to increased public awareness as the number of reactive responses to business discharges has increased; business behaviors are not necessarily changing but citizen awareness to report them is. It's possible that outreach to the general public is more affective at changing business behaviors than educational campaigns directed towards businesses. Education and educational materials are provided in person as part of the effort to change behaviors, implement BMP's, or make structural improvements to reduce the impacts of business activities. For example, an older car wash gas station in Bellevue had been discharging large amounts of soap into the storm system. Staff worked with the owners to gain a commitment to correct the illicit discharge permanently. As a result, ongoing illicit discharge responses for "soap in the stream" at an apartment building 1/2 mile away have completely stopped. Voluntary compliance and education work as an effective tool for correcting ongoing discharges. Field staff work very closely with business owners to educate and provide alternatives and BMP's to help maintain compliance with discharge regulations
  - The Private Drainage Inspection program provides education on maintenance standards as well as inspection services to over 1400 properties in Bellevue. Education is an important key to maintaining the integrity and functionality of private drainage systems, which represent at least half of all drainage conveyance in Bellevue. Nearly all of the businesses contacted during routine compliance inspections are provided with information on the adopted maintenance standards, illicit discharge educational materials, and the consequences of not complying with city code

An older car wash at the Shell Station on NE 8th and 140th had been discharging large amounts of soap to the storm system at 140th street. (This storm drainage system flows to the Sandpiper apartments ditch connection to Kelsey Creek.) Russell Cotton-Betteridge in O&M worked with the new owners to get them to adopt BMPs (Best Management Practices). The illicit discharge was disconnected on a temporary basis, and the owners have committed to

making infrastructure changes totaling $12-$14,000 to disconnect the Illicit discharge permanently. As a result, Utilities Surface Water/Water Quality responses that were common at Sandpiper over the years have completely stopped. The good news is that voluntary compliance can work. O&M has also just gotten word that Barrier Motors will be doing similar work.

General Public:

- Natural Yard Care Program

  The Natural Yard Care (NYC) program provides education and how-to-resources to Bellevue homeowners on yard care best management practices to encourage yard care behavior change to conserve and protect water resources, reduce yard waste and enhance public health. The desired behavior changes correlate directly with the five steps of NYC: 1) build healthy soil, 2) plant right for your site, 3) practice smart watering, 4) think twice before using pesticides, and 5) practice natural lawn care. These practices are promoted through seasonal NYC workshops and the City's communication avenues. The practices are also modeled and promoted through the City's Waterwise Garden at the Bellevue Botanical Garden. Thirteen new Natural Gardening Guides were produced for the program in 2011. The guides are distributed through the NYC workshops, the City's website, at City Hall, and at the Bellevue Botanical Garden visitor center. Approximately 2,800 guides were distributed between March and September 2011. In addition, five NYC workshops were offered in April and May at Bellevue City Hall. Homeowners from the Coal Creek watershed and the Factoria neighborhood area were invited to participate, but the workshops were open to all interested homeowners. A total of 90 homes participated in the workshop series. Average attendance for the five classes was 56 participants, with a total of 278 people attending. Participants each received a NYC information kit and were also offered a wide range of other NYC-related resources and tools.

  - Assessment and Feedback

    Periodic market research surveys and on-going workshop satisfaction surveys guide the program. A telephone survey was conducted in December 2010 to assess yard care practices and attitudes on a variety of NYC topics. The results showed that while many NYC practices were widely practiced, there is still room for improvement within each of the five steps. An overall participant satisfaction rating of 98 percent was achieved for the workshops. Program participants are also invited to sign a NYC pledge to implement the NYC techniques they learned about during the workshops. A pledge rate of 88 percent was achieved for the spring series.

- Public Storm Drain Marking Program

  In 2011, the City finished marking all public storm drains with the permanent message, "Don't Pollute, Drains to Stream." The four-inch, colorful plastic markers are highly visible and durable for up to fifteen years. The program educates the public that surface water flows largely untreated into streams, lakes and wetlands by using visual reminders on every public storm drain.

  - Assessment and Feedback

A focus group conducted in 2009 found that 75% of participants had seen the markers, and participants were nearly unanimously positive about the markers' value as a pollution prevention message and a good use of public funds.

- Pollution Prevention High School Workshop – "Be the Solution"
  The City presented a pollution prevention interactive workshop targeting high school biology students that reflects the City's key conservation goals and specific pollution prevention messages.
  - Assessment and Feedback
    The workshop was presented to more than 1,300 high school students in the Bellevue School District. Feedback from teachers includes the following comments:

    "They [students] have become very concerned about the pollution of storm drains and sewage systems and the health of the watershed."

    "This is CRUCIAL for refunding. We couldn't have done it without the city's help. Thank you."

- Carbon Yeti Program
  The Carbon Yeti Program integrates storm water pollution prevention messaging into classroom workshops that are presented to all 6th graders in the Bellevue School District. The program includes an online pledge, interactive games, videos, and a social media site. To date, more than 850 pledge cards have been signed by City residents pledging to reduce their pollution causing activities through a variety of methods, including using less fertilizer and pesticides, picking up pet waste and throwing it in the trash, recycling used motor oil, maintaining their car, and never dumping toxic materials on the ground or in the storm drain.
  - Assessment and Feedback
    The Carbon Yeti Program is very popular, and the City has received numerous awards and requests for program materials. Awards include the 2008 Public Relations Society of America Totem Award for Public Service in Government, the 2010 Washington State Recycling Association's Youth Education Recycler of the Year Award, and the 2011 EPA Clean Air Excellence Award. The Carbon Yeti pledge is currently on the Washington State Department of Ecology's website at http://www.ecy.wa.gov/forms/carbonfootprint_pledge.html and has received positive press both regionally and nationally, including The Bellevue Reporter http://www.bellevuereporter.com/news/33452089.html, The Bellevue Business Journal http://bellevuebusinessjournal.com/2011/06/07/%E2%80%9Ccarbon-yeti%E2%80%9D-snares-city-of-bellevue-an-epa-%E2%80%9Cclean-air-excellence-award%E2%80%9D/, and the US Environmental Protection Agency http://yosemite.epa.gov/opa/admpress.nsf/0/14401A7FAA2166CB852578A90059F915. Carbon Yeti's Facebook page has been viewed more than 1,000 times and has 97 "fans."

- Student Action Campaign: Preventing Pet Waste in Local Stormwater
  The City provided a student action campaign to 4th and 5th graders in the Bellevue School District that is designed to involve and engage students in educating the community about the effects of pet waste in local stormwater.
  - Assessment and Feedback
    The campaign was presented to 349 students in 13 student groups at seven schools within the City between October 2010 and June 2011. All 349 students in campaign classes pledged to always scoop, bag and trash their dog's waste or to educate others if they did not own a dog. To raise awareness and educate the entire student body, the fifth grade team at Enatai Elementary School declared October 18th-22nd to be Pet Waste Education Week. Students from each classroom crafted morning pet waste announcements that were delivered daily with the school Principal. The students also presented in-person pet waste campaign information to each classroom at Enatai Elementary. Other schools had poster contests and/or included pet waste messages in their school newsletters. Feedback was overwhelmingly positive.

    "*My son participated in your workshop "The Solution to Poo-llution" Student Pet Waste Action Campaign" at Somerset Elementary School in Bellevue, WA. However, the materials you handed out for the students to complete have been misplaced at our house! (likely accidentally recycled but we are looking). Do you have electronic copies of the activities sheet--the interview sheet and the graph that you could send our way? We will definitely complete these!*
    Thank you,
    Sherilyn Smith, MD
    Associate Professor of Pediatrics,
    Director, Pediatric Infectious Disease Fellowship and Associate Director, Pediatric Clerkship University of Washington/Seattle Children's Hospital

- Kelsey Creek (2010) and Coal Creek (2011) Watershed Outreach Campaigns
  - Mailed educational flyer to all 10,000 single-family and multifamily residents in the Kelsey Creek Watershed with a pledge card for residents to commit to adopting specific pollution prevention behaviors. Received more than 500 completed pledges for a 5% response rate (considered very high).
  - Mailed educational flyer to all 4,151 single-family and multifamily residents in the Coal Creek Watershed with a pledge card where respondents commit to adopting specific pollution prevention behaviors. Received more than 450 completed pledges for an 11% response rate (very high).
  - Assessment and Feedback
    - The Kelsey Creek Watershed Campaign won the 2011 Public Relations Society of America Totem Award for Public Service in Government. The award was given for excellence in research, planning, execution, and evaluation.
    - The two campaigns were very successful with nearly 1,000 residents pledging to prevent pollution by taking their car to a commercial car wash, picking up

pet waste from their dog(s) and throwing it in the trash, and using fewer chemicals in the yard.

"This is my pledge to prevent Pollution in Bellevue and specifically Kelsey Creek (I live in the Kelsey Creek Watershed); Use a Commercial Car Wash (Commercial car washes send their dirty water to the sewer for treatment); Pick up after my dogs (dog poop should be scooped, bagged and placed in the trash); and use fewer chemicals in my yard (Build healthy soil with compost to reduce my need for pesticides and fertilizer). Three fairly easy things and for making my pledge the City of Bellevue, the Bellevue Stream Team and King Conservation District will send me a coupon (I love Coupons) for a car wash, pet waste dispenser with bags, a coupon for a bag of compost from the Mercer Slough Blueberry Farm, and my favorite a chocolate fish for sharing this information with Family and Friends. And the pledge card doesn't require postage, another bonus. WAY TO GO BELLEVUE!!!!"
Kirk A. Lakey, PWS
Washington Department of Fish and Wildlife
Regional Watershed Stewardship Team Coordinator - Habitat Program

- Puget Sound Starts Here Campaign
  The City continues to provide education and outreach through the Puget Sound Starts Here (PSSH) campaign. PSSH is a coalition of more than 300 Puget Sound organizations, including cities, counties, environmental and stewardship groups, businesses, and universities. The effort is the largest in history to improve water quality in Puget Sound, and is led by the Puget Sound Partnership, STORM (Stormwater Outreach for Regional Municipalities), and the Washington State Department of Ecology. Bellevue is a founding member of STORM. In 2011, PSSH added outreach and education through Facebook and Twitter in addition to their website at www.pugetsoundstartshere.org. City staff also worked with regional partners in the Stormwater Outreach Group (SOGgies) to run Puget Sound Starts Here web ads. The campaign focuses on everyday actions people can take in the yard, with the car, around pets, and at home to reduce stormwater pollution. It emphasizes that the cumulative effect of small changes will have tremendous positive impacts on water quality and the future health of Puget Sound.
  - Assessment and Feedback
    A regional telephone survey of 1,184 residents from 9 area counties was done in 2011 to assess the recall and impact of the campaign among Puget Sound residents. Results showed that 26% of respondents had seen or heard the phrase "Puget Sound Starts Here." The majority (66%) who saw or heard the phrase correctly interpreted its meaning as having to do with water quality, and repeated exposure to the message increased willingness to change behavior to prevent pollution. The PSSH message is conveyed through several avenues including the PSSH website, Facebook, Twitter, YouTube, television ads, radio ads, bus ads, theater ads, and news articles. In 2011, PSSH social media sites had the following reach:
    - Twitter: 1178 followers, 5,300 tweets.

- Facebook: 1,099 fans. During a sample period between June 1 and July 31, 2011, a total of 214 messages were posted by PSSH. There were 325 fans who liked the messages and 75 comments left on PSSH's wall.
- Dog Doogity was released on June 29 and in less than 8 weeks had been viewed 100,000 times, and received extensive media coverage. The video was part of the PSSH GROSS (Grant of Regional or Statewide Significance) grant from Ecology. http://pugetsoundstartshere.org/scoop-poop/

- Stream Team
  Stream Team volunteers gather important information about Bellevue's streams, lakes and wetlands and help improve the City's fish and wildlife habitat in a variety of ways:
  - Salmon Watcher: Volunteers monitor local streams for salmon returning in the fall, visiting a site for 15 minutes twice a week from September through December and reporting when, where and what type of salmon are sighted. They attend a two-hour workshop in September. In 2010, 50 volunteers provided 200 volunteer hours and 550 stream visits.
  - Peamouth Patrol: Volunteers check local streams for 15 minutes twice a week from mid-April through May. They record spawning times and use of Bellevue streams. The volunteers attend a one-hour workshop in April before visiting the streams.
  - Earth Day/Arbor Day: Volunteers installed hundreds of native plants near streams and in wetlands.
  - Invertebrate Sampling: Staff and volunteers collect invertebrate samples from Bellevue streams for water quality monitoring.
  - Assessment and Feedback
    In 2010, pollution prevention educational presentations were given to 3,928 people. Eighty-one volunteers were trained on salmon watching and peamouth patrol, which resulted in more than 220 hours of field monitoring in local streams. Volunteers fill out feedback forms after training, and they are consistently filled with positive comments.

- Development Services
  Phone calls, visits to the Development Services Center, and attendance at various community meetings are the main opportunities the DS staff have to educate the general public on stormwater permits and requirements and to provide the *Stormwater Pollution Prevention card* and the *Natural Drainage Practice Guidelines* as educational takeaways. Code Compliance uses them to answer inquiries by mail, and they pass them out at community meetings. An example of this is the informational meeting held for four areas that are currently going through the Bellevue annexation process.

- Operations and Maintenance
  Responding to reported illicit discharges from residential neighborhoods provides an opportunity for direct customer contact, education, BMP training, and behavioral changes and reduces storm water pollution from the largest land use in Bellevue, single family residential land use. Staff have been able to educate homeowners first hand to reduce their impacts on storm water, such as,

providing guidance to stables in the Bridle Trails areas to reduce runoff from horse pastures. Staff works with homeowners to explore changes as simple as low cost landscaping alterations that direct runoff away from the municipal drainage system to housekeeping; or things such as how best to drain a swimming pool to protect the environment.

Owning a horse stable can be glorious in many ways, but also presents challenges in controlling stormwater runoff from pastures. Managing runoff is an issue for any property owner, since whatever flows into storm drains often goes directly to area streams, lakes or wetlands. Although it's illegal to pollute waterways in Washington, Bellevue relies primarily on public education and voluntary corrective actions to achieve compliance with codes.

Vicki Bergevin, owner of Parkside pastures in Bridle Trails, had already made efforts to control runoff, but when Utilities surface water quality technician Maria Stevens suggested additional ways, she listened.

Where runoff from the pasture used to run into a catch basin, Bergevin installed a large rock area, raised the pasture grade to direct runoff toward the rock area instead of the street and installed bark, compost and grass to provide additional filtering.

"Maria was very helpful in giving me new ideas to prevent runoff from the pasture," said Bergevin, who has owned the 71-year-old Parkside Stables since 1975. Those improvements help her meet federally mandated stormwater regulations that took effect in 2009.

EXAMPLES OF EDUCATIONAL MATERIALS

Stormwater Pollution Prevention Code Card

Stormwater Pollution Prevention

The storm and surface water system in Bellevue is not connected to a sewage treatment plant. Runoff in storm drains flows directly into our local streams, lakes and wetlands. To protect water quality, Bellevue manages stormwater runoff by following "best management" practices and operates under a National Pollutant Discharge Elimination System Phase II Municipal Stormwater Permit issued by the state Department of Ecology. This permit is a requirement of the Federal Clean Water Act.

The Bellevue Storm and Surface Water Utility Code 24.06.125 prohibits storm and surface water pollution. The City will work with you to prevent storm and surface water pollution and to comply with code requirements and restrictions. For assistance, please call 425-452-7840.

24.06.125 Prohibited, permissible, and conditional discharges.

A. General.

1. No person, whether singly or in combination with others, shall dump, throw, drain or otherwise discharge, either directly or indirectly, nonstormwater and/or prohibited discharges into the storm and surface water system or receiving water within or contiguous to city of Bellevue municipal limits; and
2. Every permit issued to implement this code shall contain a performance standard requiring that no discharge of nonstormwater and/or prohibited discharges from a site or real property, directly or indirectly, to the storm and surface water system or a receiving water occurs.

B. Prohibited Discharges.

1. The following substances are prohibited from entering, either directly or indirectly, a storm and surface water system or receiving water within or contiguous to city of Bellevue municipal limits, including but not limited to: (see list at right)

- Petroleum products including but not limited to oil, gasoline, grease, fuel oil and heating oil
- Trash or debris
- Domestic animal wastes
- Chemicals
- Paints
- Steam cleaning wastes
- Washing of fresh concrete for cleaning and/or finishing purposes or to expose aggregates
- Laundry wastes
- Soaps, including biodegradable soaps, detergents, or ammonia
- Pesticides, herbicides, or fertilizers
- Sewage
- Heated water
- Chlorinated water, chlorine, bromine, or other disinfectants
- Degreasers and/or solvents
- Bark and other fibrous material
- Antifreeze or other automotive products
- Lawn clippings, leaves, or branches
- Animal carcasses
- Silt or sediment
- Concrete, cement or gravel
- Acids, alkalis, or bases
- Recreational vehicle wastes
- Dyes (without prior permission of the utility)
- Construction materials
- Food wastes
- Metals in either particulate or dissolved form
- Flammable or explosive materials
- Radioactive material
- Batteries
- Paints, stains, resins, lacquers, or varnishes
- Drain cleaners
- Swimming pool or spa filter backwash
- Chemicals not normally found in uncontaminated water
- Any other process-associated discharges except as otherwise allowed in this section
- Any hazardous material or waste not listed above

Nothing But Rain Down the Storm Drain

Enforcement

Bellevue relies primarily on public education and voluntary corrective actions to achieve compliance; however, discharging pollutants into storm drains or waterbodies will be documented and can result in escalating enforcement.

The city reserves the right to proceed directly to a Notice of Violation, which can result in fines of $500 per day or more [BCC 1.18.075(E)(2)(3)]. For repeat violations that occur within two years of a previous violation, the following penalties may be imposed [BCC 1.18.075(G)(2)].

a. For the first repeat violation the penalty may equal up to $1,000 per day;
b. For the second repeat violation, the penalty may equal up to $2,000 per day;
c. For the third repeat violation, the penalty may equal up to $3,000 per day;
d. For the fourth repeat violation, the penalty may equal up to $4,000 per day; and
e. For each additional violation that may occur beyond the fourth repeat violation, the penalty may equal up to $5,000 per day.

Remember, it's illegal to pollute waterways in Washington State. Call **425-452-7840** to report an illegal discharge in Bellevue. Thank you for keeping our shared waters healthy for people, fish, and wildlife.

Bellevue City Code: *http://www.bellevuewa.gov/doc_library.htm*

City of Bellevue, Stormwater Runoff Management: *http://www.bellevuewa.gov/stormwater-runoff-management.htm*

Clean Water Act: *http://www.epa.gov/lawsregs/laws/cwa.html*

Department of Ecology, Water Quality: *http://www.ecy.wa.gov/programs/wq/wqhome.html*

Department of Ecology's Laws & Rules: *http://www.ecy.wa.gov/laws-rules/index.html*

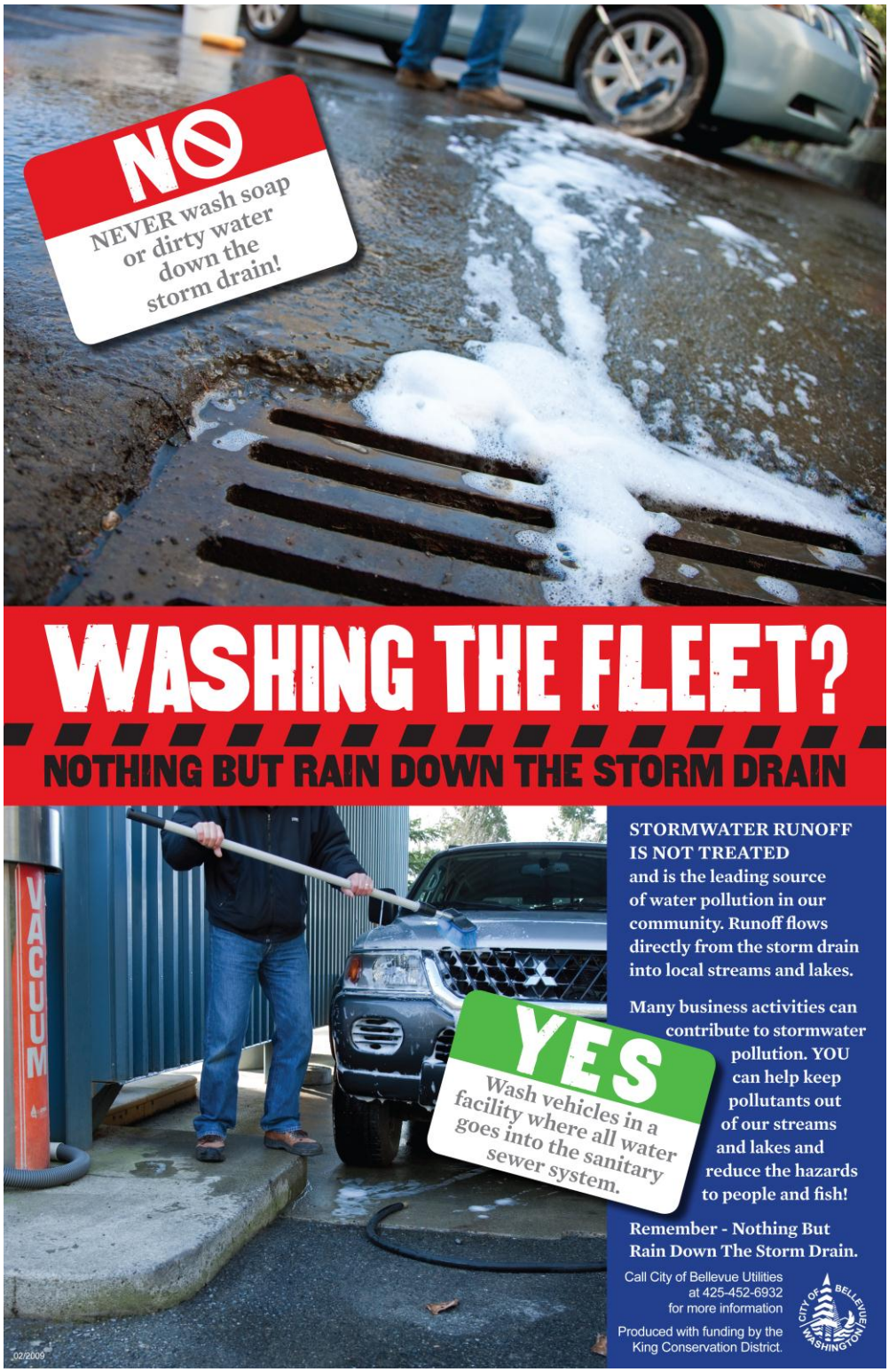
Washington State Legislature, Water Pollution Control, 90.48 RCW: *http://apps.leg.wa.gov/rcw/dispo.aspx?cite=90.48*

8/10

Cleaning Up, Spill Something, and Washing the Fleet posters are available in English, Chinese, Korean, Russian, and Vietnamese at http://www.bellevuewa.gov/stormwater-runoff-management.htm

Cleaning Up Poster

Washing the Fleet Poster



Spill Something Poster

Amended Soil Guidelines

Complete guide available at

http://www.bellevuewa.gov/pdf/Utilities/SFR_Guidelines_Amended_Soil_FINAL.pdf

Natural Drainage Practice Guidelines for Single Family Residential Development

Amended Soil and Post Construction Soil Quality and Depth

Applies to permits issued through December 31, 2011. Revised June 23, 2011.

This guideline is designed to help owners of single family homes meet the City of Bellevue requirements for on-site stormwater management (Minimum Requirement #5) using amended soil. This guideline provides design, construction, inspection, and maintenance guidelines for all projects on single family residential property where Minimum Requirements 1 through 5 only apply. Projects that are also subject to Minimum Requirements 6 and/or 7 must be designed by a licensed civil engineer.

City requirements for on-site stormwater management, including amended soils, are provided in Bellevue Storm and Surface Water Code 24.06.065, the current *City of Bellevue Storm and Surface Water Engineering Standards* (*Storm Engineering Standards*) and the current City of Bellevue *Clearing and Grading Development Standards*. See Figures 2.2 and 2.3 in the *Storm Engineering Standards* to determine which Minimum Requirements apply to the project.

This guideline provides hands-on information about:

- What is healthy soil and why does it matter?
- Requirements for "Post Construction Soil Quality and Depth"
- Options for Post Construction Soil Quality and Depth
- Selecting appropriate Post Construction Soil Quality and Depth options
- Testing native soils
- Pre-approved soil amendment rates
- Calculating custom amendment rates
- Preparing permit submittal documents
- Implementing the selected Soil Quality and Depth options
- Maintaining amended soils
- Finding material suppliers and installers
- Inspections required for Post Construction Soil Quality and Depth
- Scheduling inspections
- Resources and contacts

What is healthy soil and why does it matter?

Naturally occurring, undisturbed soil, soil organisms, and vegetation provide important stormwater management functions, including water infiltration and storage, as well as nutrient, sediment, and pollutant removal.

These functions are largely lost when native soils and vegetation are stripped and replaced with low quality soil and sod. Such landscaped areas create polluted runoff because they become compacted, have increased use of pesticides and fertilizers, and concentrate pet wastes and pollutants from adjacent roads and driveways. While restoring soil quality and depth is not as beneficial as preserving naturally occurring soil and vegetation, it does improve on-site stormwater management and water quality.

Questions?
Utilities Permit Center
utilityreview@bellevuewa.gov
425-452-4187

These Guidelines for storm drainage are strictly for use on single family residential projects where Minimum Requirements 1-5 only apply. Minimum Requirements are usually determined by the amount of impervious area (such as driveways or roofs) that will be new and/or replaced. Contact Bellevue's Utilities Permit Center to determine which Minimum Requirements apply to your project.

LEGAL DISCLAIMER: This handout should not be used as a substitute for compliance with applicable codes, standards, and regulations. Rather, this handout serves as an educational tool for methods of constructing on-site stormwater management facilities. The property owner or any agent thereof is solely responsible for compliance with said codes, standards, and regulations.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

January 25, 2011

Mr. Steve Sarkozy
City Manager
City of Bellevue
PO Box 90012
Bellevue, WA 98009

Dear Mr. Sarkozy:

RE: City of Bellevue S4.F Notification: Turbid Discharge to Coal Creek (WAR04-5504)

I am responding to Bellevue's S4.F notice dated January 10, 2011 and submitted to Ecology under the Phase II WWA Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (Permit).

As indicated in your letter, a landslide in the Coal Creek drainage basin caused the discharge of muddy stormwater from a City of Bellevue stormwater pipe outfall into Coal Creek. This event occurred during an extremely intense winter storm period in December 2010. Working with Puget Sound Energy and the City of Newcastle, the City of Bellevue has implemented several actions intended to prevent reoccurrence of this incident. These actions include: clearing landslide debris plugging a stormwater intake structure to prevent a breach of an impoundment embankment and prevent further slope destabilization and installing a coffer dam upstream of the impoundment area to capture runoff and stream flow entering the impoundment and piping it directly to the drainage system.

Ecology has determined that a report under Special Condition S.4.F.3 is not necessary for the following reason(s):

- The City of Bellevue and other interested parties have already taken significant steps to minimize further destabilization of the slope and prevent future plugging of the stormwater intake structure;
- The City is working to minimize the resuspension and conveyance of landslide-deposited fine sediments currently contained in the impoundment area; and
- The City's most recent monitoring results indicate that the discharge from the stormwater pipe is no longer causing or contributing to a violation of state water quality standards for turbidity.

This determination does not affect any obligation you may have under other laws.

Beginning with the Permit-required Annual Report for 2010, the City of Bellevue must note the ongoing turbidity sampling in accordance with permit requirement S8.B.1. Additional monitoring described in your January 10, 2011 letter conducted to confirm the effectiveness of corrective actions shall be reported in later NPDES Permit Annual Reports in accordance with permit requirement S8.B.1.

If you or your staff have questions, please contact me at (425)649-7093 or by email at adet461@ecy.wa.gov.

Sincerely,

Anne Dettelbach
Municipal Stormwater Specialist

AD:bl
cc: Phyllis Varner, City of Bellevue
Bill Moore P.E., Ecology HQ
Permit file

Attachment to 2011 NPDES Annual Compliance Report Question 90b.

Turbidity Monitoring Conducted in 2011 by the City of Bellevue for the S4F Notification Regarding the Newcastle Golf Club Road Land Slide in Coal Creek Basin

Sample No.	Sample Date	Sample Time	Upstream Background NTUs Sample A	Downstream Mixing Zone NTUs Sample B	NTUs Above Background @ Mixing Zone Difference	Notes
1	1/12/2011	9:15am	163	430	267.0	Significant snowfall followed by rainfall created large turbid flows entering coal creek.
2	1/18/2011	9:30am	40	41	1	Best management practices (BMPs) being installed - flows were minimal with no recent rainfall.
3	1/24/2011	9:30am	48	53	5	Recent rainfalls are not creating turbid flows; BMP's holding up well.
4	3/14/2011		No sample	No sample	N/A	Inspection of BMP's. Everything is still in place and all structures look good. No samples taken today.
5	7/22/2011	10:00am	No sample	No sample	N/A	Inspection of BMP's. Everything is still in place and all structures look good. No samples taken today.
6	9/27/2011	10:30am	No sample	No sample	N/A	All BMP's looks good. More straw will need to be added on the other side of the road near the spillway. I took pictures and will add to W/O# 328609. Water observed on site was clean (includes water leaving outfall pipe which was flowing below the rip rap, water in the ditch upstream of the detention pond, and water in the control structure).

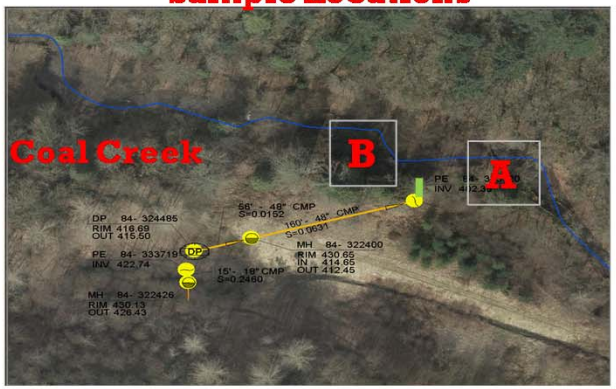
Attachment to 2011 NPDES Annual Compliance Report Question 90b.

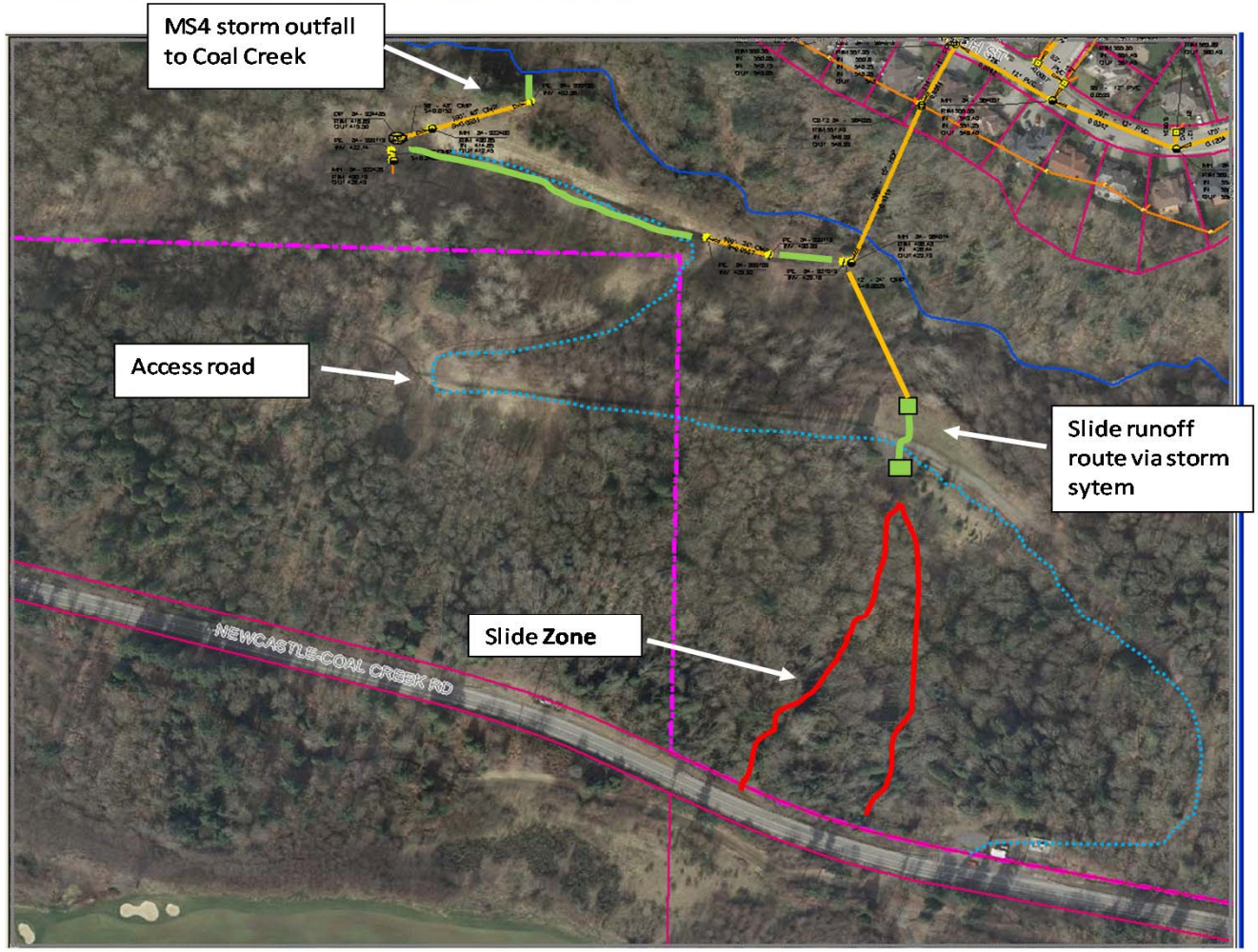
Turbidity Monitoring Conducted in 2011 by the City of Bellevue for the S4F Notification Regarding the Newcastle Golf Club Road Land Slide in Coal Creek Basin

7	10/3/2011	8:00am	2.63	2.5	-0.13	Took samples after recent rains to check turbidity. It was raining lightly this morning. The rain gauge for Coal Creek had weekend accumulation at 0.3 inch.
8	11/21/2011	9:15am	5.48	5.6	0.12	Took samples after recent rains to check turbidity. During the sample it was not raining but had been earlier in the morning. The rain gauge for Coal Creek had rain accumulation at 0.17 inch between 6am and 9am.

See next page for the location of the land slide and the Coal Creek water samples.

Sample Locations





Map of Slide Area