

June 2015

Project Overview & Frequently Asked Questions

Clark County is updating its municipal code and stormwater design manual to comply with Washington's **NPDES Phase I Municipal Stormwater Permit**. This flier highlights main issues related to the project and associated updates.

Project Overview

- Clark County Stormwater Manual and Code update project is required by the NPDES Phase I Municipal Stormwater Permit from WA Department of Ecology.
- The goal is to create a unified and consistent single stormwater manual for development and redevelopment projects that meets local needs and complies with the NPDES permit.
- The main new addition to the manual is the mandate to use low impact development stormwater infiltration BMPs wherever feasible.
- The update process started in August 2013, when Washington's Department of Ecology issued their updated 5-year municipal stormwater permit. The permit outlines the requirements for code and stormwater manual updates.
- The requirement to use low impact development created a two-part project:
 - (1) Updated county code and stormwater manual – rewrite stormwater code chapters 13.26A and 40.386 and create a new county stormwater manual as a stand-alone document divided into four sections: 1) administration and procedures; 2) design; 3) source control BMPs; and 4) operations and maintenance.
 - (2) Revise development regulations in Title 40 to remove barriers to the use of low impact development practices.
- The NPDES permit requires the new regulations and stormwater manual go into effect by January 8, 2016.

What is the National Pollution Discharge Elimination System Permit?

- Many urban areas that collect stormwater runoff in municipal separate storm sewer systems (MS4s) are required to have a permit under the federal Clean Water Act.
- The Environmental Protection Agency (EPA) stormwater regulations established two phases — Phase I (for medium and large MS4s) and Phase II (for smaller MS4s) — for the municipal stormwater permit program. Clark County is a Phase I permittee, while many local city jurisdictions are Phase II.
- In Washington State, the Department of Ecology develops and administers National Pollutant Discharge Elimination System (NPDES - a section of the Clean Water Act) municipal stormwater permits.

- WA Dept. of Ecology



In Clark County, the NPDES permit is managed by the Department of Environmental Services, Clean Water Program. The permit requires coordination with other Clark County Departments and local partners, including Public Works, Community Planning, Community Development, General Services, and the Prosecuting Attorney's office.

For more information:

Visit www.clark.wa.gov/stormwater for links to the permits and draft documents



Frequently Asked Questions

Q. Is there a public outreach process to this project? Who has been involved?

A. Yes, the permit requires a public input and outreach process as part of the update. The County used the following outreach techniques:

- Technical Advisory Committee - 10 meetings with 11 invited external stakeholders
- Stakeholder Advisory Committee - 6 meetings with 22 invited external stakeholders
- Web updates - information provided on a project [webpage](#)
- E-Newsletters - emailed to interested stakeholders as available (10 volumes to date)

Q. Is the Department of Ecology involved in the update process and do they review the county documents prior to approval?

A. Yes, the County has participated in a number of meetings over the past two years with Ecology staff to review documents, discuss issues and attend public meetings. Per the permit requirements, the county submitted Review Draft code and stormwater manual in June 2014 for their official review. The county received Ecology comments in April 2015. The review was to ensure that the county documents meet equivalency requirements to the state stormwater manual. There were no major flaws identified in the Review Draft.

Q. What are the consequences if the county does not adopt the new stormwater code and manual by January 8, 2016?

A. If Clark County fails to adopt and make effective the updated code and manual by January 8th, it will be out of compliance with its NPDES municipal stormwater permit. The county could then be subject to actions by the state of Washington for non-compliance with the Clean Water Act and possible lawsuits in a federal court.

Q. What is Low Impact Development (LID) and do we have examples of LID in our community?

A. Low Impact Development, by definition from Ecology is: *"A stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design."* There are already a number of examples of LID in our community, including pervious pavement, better site design, bioretention, rain gardens, native plantings and rainwater harvesting. More information about LID techniques and a map of projects throughout Clark County can be found at www.stormwaterpartners.com/LID.

Q. What major changes should project designers and applicants expect?

A. The stormwater codes (13.26A and the new 40.386) have been simplified and most technical information has been moved to the stormwater manual. The stormwater manual has been divided into 4 books for the ease of the user. Most project applicants will need to review Book 1 to understand how to apply the new regulations to their project. Design elements are in Book 2, including details and figures.



Important dates for project adoption:

- [Clean Water Commission](#) - July 1, 2015, 6:30 pm
- [Development and Engineering Advisory Board](#), July 9, 2015, 5:00 pm
- [Department of Commerce Review](#) - July and August 2015
- [Board of County Councilors worksession](#) - August 2015 (TBD)
- [Planning Commission worksession](#) - October 1, 2015, 6:30 pm
- [Planning Commission hearing](#) - October 15, 2015, 6:30 pm
- [Board of County Councilors public hearing](#) (for adoption of the code and stormwater manual updates) - November 2015 (TBD)
- [Regulations become effective](#) - no later than January 8, 2016



Need more information?

Visit our website for links to county and state information
www.clark.wa.gov/stormwater
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