

Informational Briefing on Proposed Changes Spurred by the 2024 Phase 1 Municipal Stormwater Permit

Snohomish County Council

April 1, 2025



Snohomish County

Planning and Development Services

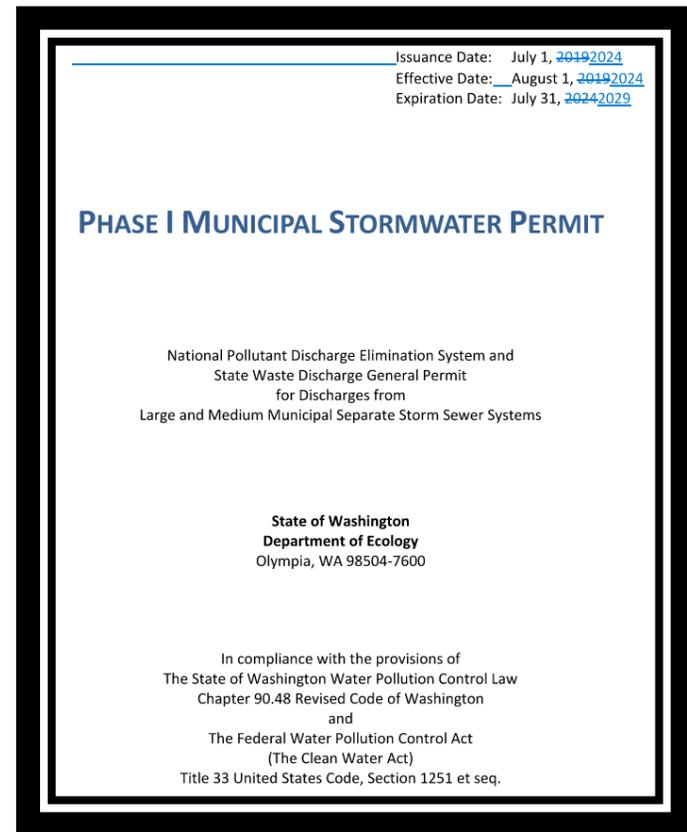
Presentation Overview

- Phase 1 Permit and Significant Changes identified by Ecology
- Summary of code amendments
 - DM and EDDS updates occurring simultaneously
- Specific amendments - significant or otherwise
- Next steps – drafts due to Ecology July 1, 2025



Phase 1 Municipal Stormwater Permit

- Covers discharges from large and medium Municipal Separate Storm Sewer Systems
- Most recently updated in 2024 by Ecology
- Snohomish County is required to update enforceable documents to incorporate Ecology's identified significant changes.



Appendix 10 – Significant Changes

1. Redevelopment Project Thresholds: Road Related Projects and Commercial or Industrial Projects
2. Project Exemptions: Utilities, ADA, oil and gas, pavement maintenance activities
3. Wetland Hydroperiod Protection Method 2: increase allowable monthly discharge volume deviations (only change will be within DM)
4. Definitions
5. Runoff Treatment Performance Goal Thresholds: only change required will be in DM
6. Source Control BMPs – PCB Edits: only change required will be in DM
7. Bioretention: only change required will be in DM

Summary of Code Changes

- Primarily within Chapters 30.63A (Drainage) and 30.63B (Land Disturbing Activity) SCC, as well as SCC 30.70.310 (start of construction), and definitions.
- Chapter 7.53 SCC amendments will also be required, although not a part of package to Ecology
- Overall, changes narrow the scope of activities that are exempt from Minimum Requirements

Summary of Drainage Manual Changes

- Volume I:
 - Wetland Hydroperiod Protection Method 2: allowable modeled discharge increase into a wetland was previously 15% year-round, now 20% Oct-Dec
 - Runoff Treatment Performance Goals: requirements based on site-specific uses for oil control, phosphorus treatment, metals treatment, and basic treatment, as well as volume and flow rate
- Volume IV:
 - New & amended Source Control BMPs related to PCBs in building materials – primarily related to building washing & demolition
- Volume V:
 - BMP for bioretention updated to include HPBSM – “High Performance Bioretention Soil Mix” that omits compost to allow use in phosphorus-sensitive locations
- Miscellaneous other formatting changes (not related to equivalency)

Summary of EDDS Changes

- Updates to EDDS Section 1-17 Definitions
 - amendments to definitions primarily were cross-references to SCC
- Updates to EDDS Chapter 11 Low Impact Development (LID) Section 11-01.B. Exemptions
 - changes made in accordance with Appendix 1 Section 1. redlines
- Update to EDDS Section 11-02.I.3 Bioretention Design and Construction
 - change made to include use of HPBSM and cross-reference applicable BMP
- Updates to EDDS Section 11-02 LID Best Management Practices (BMPs)
 - other minor changes made considered beyond Ecology's list of significant changes

Code Changes: Redevelopment Project Level Thresholds

- Road Redevelopment Projects (SCC 63A.310(5)):

“...shall meet minimum requirements 1 through 9 (SCC 30.63A.400 through 30.63A.605) if the new plus replaced hard surfaces total 5,000 square feet or more, and the new plus replaced hard surfaces total 50 percent or more of the existing hard surfaces within the project limits.”

- Commercial or Industrial Redevelopment Projects (SCC 30.63A.310(6)):

- Creates a new threshold that could trigger compliance with MRs 1-9

“Threshold 2 (for commercial or industrial sites only):

- (i) the project adds 5,000 square feet or more of new plus replaced hard surfaces, and
- (ii) the new plus replaced hard surfaces total 50 percent or more of the existing hard surfaces within the site.”

Code and EDDS Changes: Project Exemptions

- Utilities: the only exempt surfaces are those disturbed for trench work and it cannot be for new development or redevelopment projects
- ADA required updates are exempt
- Pavement maintenance may only include targeted work. Overlaying cannot expose base course.

“...The following road and pavement maintenance activities are exempt from all Minimum Requirements:

(a) pothole (~~and~~) patching, square cut patching, or other targeted preservation work,

(b) overlaying (including grinding and overlaying, so long as base course is not exposed) existing asphalt or concrete pavement (~~with~~). Examples of overlay materials include bituminous surface treatment (BST or “chip seal”), asphalt, or concrete (~~without expanding the coverage area~~),

(c) shoulder grading,

(d) reshaping and/or re-grading drainage systems (including adding curb/gutter and/or wedge curbs),

(e) crack sealing, (~~resurfacing with in-kind material without expanding the road prism, pavement preservation activities that do not expand the pavement prism~~), and

(f) vegetation maintenance associated with the road right-of-way.”

Code, DM, and EDDS Changes: Definitions

- Amend Bioretention BMPs
- Amend Common Plan of Development or Sale
- Amend Effective impervious surface and Impervious surface
- Add New hard surface
- Add New impervious surface
- Amend On-site stormwater management BMPs
- Amend Pollution-generating pervious surfaces
- Add Project, amend Project site, amend Site
- Amend Replaced hard surface
- Amend Replaced impervious hard surface
- Amend Source control BMP
- Amend Threshold discharge area
- Add Vehicular use

Nonsignificant Changes

- Updates to references
- Updates to ensure consistency across other enforceable documents and other chapters in Title 30 SCC
- Updates to align the code, DM, and EDDS with other changes made within the Phase 1 permit that were not flagged by Ecology as significant
 - Including Minimum Requirement language
 - Start of construction timing

Next Steps

- Complete Tables 10.1 and 10.2 for submittal to Ecology
- Brief the Planning Commission May 27, 2025
- Drafts due to Ecology by July 1, 2025

Questions?

