

Memorandum

Date: June 28, 2021

To: Snohomish County Council Via:
Debbie Eco, Clerk of the Council
Elena Lao, Assistant Clerk of the Council

From: Tom Teigen, Director, Conservation and Natural Resources
TT

Subject: NOTICE TO COUNCIL OF FINAL ACTION
ADOPTION OF 2021 SNOHOMISH COUNTY DRAINAGE MANUAL BY RULE

In accordance with Snohomish County Code Chapter 30.82 SCC – Rulemaking, sections 30.82.040(2) and 30.82.060(1), and as authorized by Chapter 30.63A SCC – Drainage, section 30.63A.110, the director of the Department of Conservation and Natural Resources (DCNR) hereby notifies the Snohomish County Council that he is adopting the 2021 Snohomish County Drainage Manual as a departmental rule. The 2021 Drainage Manual consists of revisions to the 2016 Drainage Manual, previously adopted by rule.

The 2021 Drainage Manual meets the requirements of the National Pollutant Discharge Elimination System (NPDES) Phase I municipal stormwater permit. That permit requires Snohomish County to adopt the contents of the 2021 Drainage Manual, plus associated code revisions, by July 1, 2021. The required code revisions were adopted by the County Council on June 16, 2021 in Ordinance 21-025 “Relating to Regulation Of Stormwater; Amending Chapters 7.53, 7.54, 30.63A, 30.63A and Subtitle 30.91 of the Snohomish County Code (SCC) in Response to the County’s 2019 NPDES Phase I Permit.”

Background

Chapter 30.63A SCC authorizes the director of DCNR to adopt by rule, pursuant to Chapter 30.82 SCC, a Snohomish County Drainage Manual.

The 2021 Drainage Manual provides technical standards, requirements, and best management practices (BMPs) for implementation of and compliance with the following SCC chapters, as referenced in those chapters:

- 7.53 – Water Pollution Control
- 7.54 – Maintenance of Constructed Stormwater Control Facilities
- 30.63A – Drainage
- 30.63B – Land Disturbing Activity

Summary of decision

Per 30.82.030 SCC, the DCNR director issued a notice of proposed revisions to the Snohomish County Drainage Manual. A public comment period was held from May 24, 2021 to June 18, 2021.

Per 30.82.040(1), the DCNR director considered comments received during the comment period, plus those that had been submitted to PDS in August 2020 and to the Snohomish County Planning Commission in March 2021.

Per the authority in 30.82.040(1), based on the comments received and in order to meet the July 1, 2021 deadline in the NPDES permit, the DCNR Director adopted the 2021 Snohomish County Drainage Manual. Some of the public comments contain ideas that merit further discussion and deliberation. The DCNR director will hold additional public outreach on the County's Drainage Manual. That process may lead to additional revisions to the Drainage Manual.

Effective date

The 2021 Snohomish County Drainage Manual takes effect on July 1, 2021, concurrent with the revisions to code in Ordinance 21-025.

Availability

The 2021 Snohomish County Drainage Manual will be available by July 1, 2021 at <https://www.snohomishcountywa.gov/1130/Drainage-Manual>

Request for Council review

Per 30.82.065 SCC, an interested person may request Council review of the DCNR director's decision to adopt the 2021 Snohomish County Drainage Manual by submitting a written request to the DCNR director or the contact person listed below within 120 days of this notice, i.e., by October 23, 2021. Council review will determine whether the adopted rule is consistent with the scope of the DCNR director's rulemaking authority as set forth in 30.82.010(1) SCC.

Contact: Bill Leif, 425-367-1962 or b.leif@snoco.org

Department of Conservation and Natural Resources Rule 2021-01

Rule Title

2021 Snohomish County Drainage Manual

Authority

This rule is adopted by the director of the Department of Conservation and Natural Resources (DCNR) in accordance with authority given in Snohomish County Code (SCC) Chapter 30.63A – Drainage, section SCC 30.63A.110, and Chapter 30.82 – Rulemaking, section 30.82.040.

Content

The 2021 Snohomish County Drainage Manual consists of six volumes.

Volume I – Minimum Technical Requirements describes the requirements of Snohomish County code (SCC) that are satisfied by the use of this manual, including a detailed description of the nine Minimum Requirements set forth in Chapter 30.63A SCC. Volume I also sets forth the processes to determine appropriate BMPs to meet these requirements, and contains additional information and requirements referenced by Snohomish County code.

Volume II – Construction Stormwater Pollution Prevention BMPs contains BMPs for stormwater management during and immediately following the period of construction or land disturbance. These BMPs are typically referred to as erosion and sedimentation control BMPs, or ESC BMPs.

Volume III – Hydrologic Analysis and Flow Control BMPs contains hydrologic analysis methods and BMPs to control flow volumes from developed sites. These BMPs are typically referred to as flow control BMPs.

Volume IV – Source Control BMPs contains BMPs to prevent or minimize pollution generated by potential pollution sources at developed sites. These BMPs are typically referred to as source control BMPs.

Volume V – Runoff Treatment BMPs contains BMPs to treat runoff that contains sediment or other pollutants from developed sites. These BMPs are typically referred to as treatment BMPs. Volume V also contains maintenance requirements applicable to all flow control and treatment BMPs.

Volume VI – Stormwater Facility Maintenance contains specific maintenance standards for the stormwater flow control and treatment BMPs presented in Volumes III and V.

Effective Date

This rule shall be effective July 1, 2021

Tom Teigen

Tom Teigen

Director, Conservation and Natural Resources

June 28, 2021

Date