

# Regional Stormwater Program 2013 Stormwater Management Plan

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*This 2013 SWMP is an attachment to the 2012 Annual Report to the Department of Ecology for its Phase II NPDES Permit*



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Serving: **Asotin County**



**City of Asotin**



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# Introduction

## What is Stormwater?

Stormwater is rain and snow melt that runs off surfaces such as rooftops, paved streets, highways, and parking lots. As water runs off these surfaces, it can pick up pollutants such as oil, fertilizers, pesticides, soil, trash, and animal waste. From here, the water might flow directly into a local stream, river, or lake. Or, it may go into a storm drain and continue through storm pipes until it is released untreated into a local waterway.

## Why is Stormwater a Problem in Washington?

Stormwater is a problem because it is often polluted and can harm human health, drinking water, and interfere with the habitat for fish and wildlife. Untreated stormwater contains toxic metals, organic compounds, and bacterial and viral pathogens. It is not safe for people to drink and is not recommended for swimming. In some areas, gravelly soils allow rapid infiltration of storm water. Untreated stormwater discharging into the ground can contaminate aquifers used for drinking water. Virtually all of our urban creeks, streams, and rivers are harmed by urban stormwater runoff.

Stormwater is the leading contributor to water quality pollution of urban waterways. In fact, about one-third of the state's waters are too polluted to meet state water quality standards – frequently stormwater is the major cause of this pollution. Urban development causes significant changes in patterns of stormwater runoff – leading to increased flooding during the wet season and decreased stream flows during the dry season.

## How is Stormwater Regulated?

In 1987, Congress changed the federal Clean Water Act by declaring the discharge of stormwater from certain industries and municipalities to be a point source of pollution. Due to this change, certain stormwater discharges now require a National Pollutant Discharge Elimination System (NPDES) permit to discharge to surface waters. The U.S. Environmental Protection Agency (EPA) gave the Department of Ecology (Ecology) the authority to implement these permits in Washington State.

The EPA stormwater regulations establish two phases (Phase I and Phase II) for the stormwater permit program. Phase I was established in 1990 and requires municipalities with populations of 100,000 or greater to implement a stormwater management program as a means to control polluted discharges from stormwater systems. Phase II was established in 1999, and expands the requirement for stormwater permits to all municipalities located in urbanized areas and to construction sites between one and five acres. The cities of Asotin, Clarkston, and urbanized parts of Asotin County are considered to be part of the Clarkston Urbanized Area.

The *National Pollutant Discharge Elimination System and State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington* (Phase II Permit) was issued by the Washington State Department of Ecology (Ecology) on January 17, 2007, and became effective on February 16, 2007. The permit covers a five-year period that expires on February 15, 2012. The Eastern Washington Phase II Permit can be found at the following website:

<http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseiiEwa/ewph2permit.html>

The current Phase II Permit has been extended until July 2014. A new permit has been issued for August 2014 – August 2018. The Regional Stormwater Program participated in meetings with Ecology and testified at a public hearing to provide comments on the proposed permit. Letters were submitted from the Regional Stormwater Program office, the Board of County Commissioners, City of Asotin Council and City of Clarkston Council during the formal comment period. The new Phase II Permit can be found at:

<http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseiiEwa/5YR/EWAPhasIIPermit2014.pdf>

### **What is a Stormwater System?**

A stormwater system includes roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains designed for stormwater collection and conveyance that discharges into waters of the United States and that are owned or operated by a state, city, town, county, or other public body.

### **Stormwater Management Plan (SWMP)**

The Phase II Permit outlines stormwater program activities and implementation milestones that permittees must follow to comply with the federal Clean Water Act (CWA). The Phase II Permit is a general permit, meaning that the requirements are the same for all entities that are regulated by the Permit. All Phase II jurisdictions are expected to develop and implement a stormwater management plan (SWMP) that includes the required activities (minimum control measures), implement those activities within the required timeframes outlined in the Phase II Permit, and submit annual reports to Ecology each year to document progress towards program implementation.

### **Development of the Regional Stormwater Program**

From the beginning of the stormwater program, the three entities, City of Asotin, City of Clarkston and Asotin County knew that implementing the Permit in our area would be expensive and time consuming and that there would be an overlap of requirements. The three entities agreed to work together and developed an interlocal agreement to manage the work required to meet permit requirements and manage the funds provided by Ecology through the Legislature to assist in the development of the Stormwater Management Plan (SWMP).

The development of the SWMP included a gap analysis that identified the requirements of the Permit, the work the three entities were already conducting to meet those requirements and the additional work that would be needed when the Permit was fully implemented. This gap analysis also included a separate cost estimate for each entity.

During the gap analysis several items were identified that overlapped and could be completed by the Stormwater Program Coordinator for all three entities. These items included development of an outreach program, a public participation program, illicit discharge detection & elimination program, construction / post-construction site stormwater control inspections and program record keeping. By combining these activities into one office rather than three separate offices, the estimated cost of the program was greatly reduced.

### **Stormwater Utility Fee Development**

The requirements of the Phase II Permit became more difficult and expensive to meet as the Permit matured. The first steps included planning and ordinance development during the first four years.

However, in the fifth year of the Permit all of the plans needed to be fully developed and implemented. The cost of these requirements could not be covered with existing budgets or with the grants provided by Ecology; therefore the Regional Stormwater Program began discussing a stormwater utility fee.

The fee originally was calculated separately for each entity. However, the goal of the Regional Stormwater Program was standard delivery of the program in the Permit Area, regardless of jurisdiction. The ordinances that were required by the Permit were nearly identical and the only differences were those required by state law for cities and counties. The Management Team, a committee consisting of staff and elected officials was formed by the three entities to discuss how to share the costs and responsibilities of the program. In an atmosphere of cooperation and community, the group proposed using a standard fee throughout the Permit Area. The fee acknowledges the cost of the program in each entity as well as the fiscal contributions each entity makes based on grant awards and population.

The Management Team recommended that the permit fee be reduced in 2013 to \$4/ERU per month. In evaluating the stormwater program budget, it was determined that a large enough operating reserve was available to cover the costs of implementing the Permit with the reduced fee. The elected officials of the three entities approved the fee reduction to be effective January 1, 2013.

### **Interlocal Cooperation Agreement – Management Team**

An interlocal cooperation agreement (ILA) was signed by the City of Clarkston, City of Asotin and Asotin County. The ILA can be found at [http://asotincountystormwater.com/Content/Stormwater-Utility-Program/Interlocal\\_Cooperation\\_Agreement-Final.pdf](http://asotincountystormwater.com/Content/Stormwater-Utility-Program/Interlocal_Cooperation_Agreement-Final.pdf). This agreement replaces all previous agreements between the parties and outlines how stormwater utility fees that are collected will be handled. The ILA defines the work required of the Regional Stormwater Program, the restrictions on what can be done by the Regional Stormwater Program, and provides accountability to the public on how the funds are spent. The utility fees are restricted for stormwater program work only and can't be used to fund any other departments.

The Management Team was developed as part of the ILA to oversee the day-to-day operations of the Regional Stormwater Program. The Management Team is made up of one elected official and one staff or designee from each of the entities. The Management Team meets at least quarterly to review the budget status, approve spending and project development and to make policy recommendations to the elected officials of the three entities. The meetings are open to the public and the public has the chance to comment about the program at the meetings. For more information about the Management Team, visit <http://www.asotincountystormwater.com/Stormwater-Management-Team.html>.

### **Permit Area**

The Phase II Permit requirements will be implemented in the Permit Area, which is defined as the geographic areas of the entire incorporated area of the City of Clarkston and the City of Asotin and the urbanized areas and urban growth areas of the cities and the urbanized area under the jurisdictional control of Asotin County. The boundary was changed by the County Commissioners at a public hearing held on October 24, 2011 in response to a petition submitted by residents. The petition included a request to reduce the boundary area to exclude urban-rural interface areas that



were previously included in the 20-year planning boundary. The Commissioners determined that the 2000 Census boundary was more appropriate because the urban defined census area is the reason Asotin County, City of Clarkston and City of Asotin are included in the Phase II Permit. The current Permit Area boundary map is located on our website at <http://www.asotincountystormwater.com/Permit-Area.html>.

## **SWMP Components**

The Phase II Permit is broken down into six minimum control measures. The implementation and enforcement of these six components is collectively referred to as the stormwater management plan (SWMP). The six minimum control measures are:

1. Public Education and Outreach
2. Public Participation and Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management for New Development and Redevelopment
6. Pollution Prevention and Good Housekeeping for Municipal Operations

In addition to these six minimum control measures, the Phase II Permit also requires the following special conditions:

- Compliance with stormwater provisions of approved Total Maximum Daily Loads (TMDLs);
- Monitoring and program evaluation; and
- Record keeping and annual reporting.

Activities identified in the SWMP are designed to reduce the discharge of pollutants from municipalities to the maximum extent practicable, to satisfy the state requirement to apply “All Known, Available, and Reasonable methods of prevention, control and Treatment” (AKART) prior to discharge, and to protect water quality. The Phase II Permit requires that specified activities from each category be completed each year in order to achieve full compliance by the end of the first permit term.

The following paragraphs describe the requirements of the Phase II Permit. Each section provides a brief overview of the regulatory requirements along with a review of last year’s activities and current planned activities for all three entities in the ILA.

It should be noted that Special Conditions S7 (Compliance with TMDLs), S8 (Monitoring and Program Evaluation), and S9 (Reporting and Record Keeping) also apply to permit holders. While compliance with these activities is not required to be included in the SWMP, they are to be addressed in the annual report to Ecology. The permit and annual reporting requirements for these conditions are described as they relate to the implementation of the overall stormwater program.

In addition to the Phase II Permit, the entities must also address the requirements of the state’s Underground Injection Control (UIC) program. This program, as required by the federal Safe Drinking Water Act (SDWA), is intended to protect underground sources of drinking water from contamination by waste fluids, including the infiltration of polluted stormwater. The regulatory

requirements and planned activities to meet these requirements are outlined in the last section of the SWMP.

## I. Public Education and Outreach—Special Condition S5.B.1

### Regulatory Requirements

A formal Public Education and Outreach (PE&O) Program aimed at distributing educational materials to the community about the impacts of stormwater discharges to water bodies and the steps that can be taken to reduce pollutants in stormwater must be developed. All target audiences must be identified by February 16, 2010 and a PE&O plan must be fully developed and implemented by August 15, 2011. The following are the minimum requirements, based on land uses and target audiences found within the community:

- (1) Provide information for the general public about:
  - Improving water quality and protecting beneficial uses of waters of the state
  - Potential impacts from stormwater discharges
  - Methods of avoiding, minimizing, reducing and/or eliminating adverse impacts of stormwater discharges
  - Actions individuals can take to improve water quality, including participation in local environmental stewardship activities
- (2) Provide information for businesses and the general public about:
  - Preventing illicit discharges, including what constitutes illicit discharges
  - The impacts of illicit discharges
  - Promoting the proper management and disposal of toxic materials
  - Education and outreach activities associated with illicit discharges
  - Education activities to reduce the types of discharges
- (3) Provide information for engineers, construction contractors, developers, development review staff, and land use planners about:
  - Technical standards
  - Development of stormwater site plans and erosion control plans
  - Stormwater BMPs for reducing adverse impacts from stormwater runoff from development sites

### 2013 Activities

- Continue to update the regional stormwater website to provide information to residents about the progress of SWMP development and implementation. New information will be added throughout the year.
- Attend public events, such as the Asotin County Fair and Alive After Five to provide information to residents.
- Participate in Public Works Day to provide information to school students about stormwater quality.
- Continue to engage the local media to provide updates to residents about the program.

- Provide outreach materials for schools, businesses, households and other target audiences.
- Attend training opportunities whenever possible.
- Work with other Eastern WA permittees to promote [www.OnlyRainDownTheDrain.com](http://www.OnlyRainDownTheDrain.com) materials.
- Develop an advertising schedule to promote seasonal messages to educate the public on water quality benefits of changed behavior. Utilize local newspaper and TV outlets to promote [www.OnlyRainDownTheDrain.com](http://www.OnlyRainDownTheDrain.com) materials.

## 2. Public Involvement and Participation—Special Condition S5.B.2

### Regulatory Requirements

Adopt a program or policy directive to create opportunities for the public to participate in the decision making process involving the development, implementation, and update of the SWMP and associated ordinances. Opportunities for public and stakeholder participation in the development and implementation of the SWMP may include attending public hearings, participation in the development and adoption of regulatory ordinances and other required program elements, participation in volunteer opportunities, or other similar activities. The Public Involvement and Participation Program must comply with applicable state and local public notice requirements, and must also include provisions for consideration of public comments.

### 2013 Activities

- Conduct Management Team meetings.
- Conduct public hearings for ordinances, resolutions, etc.
- Post current SWMP to website by May 31, 2013.

## 3. Illicit Discharge Detection and Elimination—Special Condition S5.B.3

### Regulatory Requirements

Develop, implement, and enforce a program to detect and eliminate illicit discharges into its municipal separate storm sewer system (MS4). This element of the SWMP requires that the Regional Stormwater Program:

- (1) Develop and adopt an ordinance by August 16, 2009 that prohibits non-stormwater (illicit) discharges and authorizes enforcement actions.
- (2) Develop procedures for characterizing illicit discharges, spills, or illegal dumping, and procedures for tracing and removing sources of illicit discharges.
- (3) Develop a map of the MS4, showing the location of all known connections to the MS4 and outfalls to receiving waters. Beginning in 2010, one-third of the mapping must be completed by February 15 of each year with mapping being completed by February 15, 2012.
- (4) Prioritize receiving waters and conduct field assessments.

- (5) Establish a hotline for public reporting of spills and other illicit discharges and maintain records of calls and follow-up actions taken.
- (6) Provide adequate training to municipal staff.
- (7) Implement procedures for program evaluation and assessment.

## 2013 Activities

- The Regional Stormwater Program will implement the Illicit Discharge Detection and Elimination (IDDE) Program plan to address the inspection of outfalls, tracing sources of illicit discharges, staff training, field assessments, spill response and containment, tracing methods, sampling/analyzing techniques, and removal methods.
- A hotline number for residents to call with information on illicit discharges to the stormwater system was installed. The phone number, 509-243-2071, will continue to be advertised and included in the public education program.
- The Regional Stormwater Program will document all phone call complaints and the follow-up activities that occurred to remediate the situation.
- The Regional Stormwater Program will continue to collect information on the stormwater system and update the digital map of the MS4.

### 4. Construction Site Stormwater Runoff Control—Special Condition S5.B.4

#### Regulatory Requirements

Develop, implement, and enforce a program to reduce pollutants in stormwater runoff to its MS4 from construction activities, including private and public projects. This element of the SWMP requires that Regional Stormwater Program:

- (1) Develop and adopt an ordinance by February 16, 2010 that requires erosion and sediment controls during construction-phase work, including sanctions to ensure compliance.
- (2) Implement procedures by February 16, 2011 for site plan review, including review of Stormwater Pollution Prevention Plans (SWPPPs) prior to construction.
- (3) Implement procedures by February 16, 2011 for site inspection and enforcement of construction stormwater pollution control measures.
- (4) Provide adequate training for all permitting, planning, review, inspection, and enforcement staff.

- (5) Maintain records of activities related to site plan review, inspection, and enforcement.

### 5. Post-Construction Stormwater Management for New Development and Redevelopment—Special Condition S5.B.5

#### Regulatory Requirements

Develop, implement, and enforce a program to address post-construction stormwater runoff to its MS4 from both private and public new development and redevelopment projects. This element of the SWMP requires that the Regional Stormwater Program:

- (1) Develop and adopt an ordinance by February 16, 2010 that requires post-construction stormwater controls, including requirements for runoff treatment, flow control, source control, and ongoing long-term operation and maintenance of approved BMPs.
- (2) Implement procedures by February 16, 2011 for site plan review, including review of stormwater site plans prior to construction to ensure that plans include stormwater pollution prevention measures.



- (3) Implement procedures by February 16, 2011 for site inspection and enforcement of post-construction stormwater control measures.
- (4) Provide adequate training for staff.
- (5) Maintain records.

The Post-Construction S5.B.5 activities will be combined with the Construction Site Stormwater Runoff Control Special Condition S5.B.4.

### 2013 Year 6 Activities

- Implement and enforce the construction site stormwater control ordinance to reduce pollutants in stormwater runoff from new development and redevelopment projects by requiring erosion and sediment controls and other construction-phase stormwater pollution controls for runoff treatment, flow control, source control, and on-going long-term operation and maintenance of approved BMPs on both private and public projects.
- The Regional Stormwater Program will continue to provide information to engineers, contractors and developers, etc. about training available on erosion and sediment control BMPs and development of SWPPPs for construction activities through handouts and/or fliers placed on the front desk of the Building and Planning Department. Information is also available on the Stormwater website.
- Provide local training opportunities for contractors, developers, etc., such as CESCL training and CESCL recertification.
- Develop and provide erosion and sediment control training for contractors that build projects less than one acre.
- The Regional Stormwater Program will continue documenting site plan review, site visits, answering complaints and perform any enforcement action necessary.
- The Regional Stormwater Program will evaluate permit fees to cover the increased costs of implementing this component. Public comments will be taken into consideration when finalizing the permit fees, consistent with the public involvement policy

## 6. Pollution Prevention and Good Housekeeping for Municipal Operations—Special Condition S5.B.6

### Regulatory Requirements

Develop and implement an Operation and Maintenance Program (O&M Plan) by August 16, 2011 aimed at preventing or reducing pollutant runoff from municipal facilities and/or activities. The O&M Plan shall include appropriate pollution prevention/good housekeeping practices for various municipal operations (e.g., storm system maintenance, municipal building maintenance, parks and open space maintenance, etc.), and shall include a schedule of inspections and record keeping requirements. In addition, we must develop and implement a formal training program for all staff whose job functions may impact stormwater quality.

### 2013 Activities

- Implement the components in the O&M plans.
- Provide training to municipal staff.
- Maintain records of all activities in the O&M plans.
- Regional Stormwater Program will hire two O&M employees to conduct street sweeping, catch basin cleaning, stormwater system maintenance and inspections and reporting for all three entities. The Management Team recommended the change for 2013 in order to reduce costs of completing O&M work and to provide better compliance with permit requirements. The two staff will be dedicated to the stormwater program.
- A vector truck will be purchased by Regional Stormwater Program to conduct catch basin and drywell cleaning and pipe jetting and cleaning.

### Compliance with TMDL Allocations— Special Condition S7

A TMDL is scheduled to begin development on Asotin Creek sometime in the future. At this time none of the entities have TMDL requirements to meet to comply with the Permit.

### Monitoring and Program Evaluation Requirements—Special Condition S8

#### Regulatory Requirements

Although water sampling or other testing is not specifically required during the first permit term, the Regional Stormwater Program must annually report any stormwater monitoring or studies and investigations conducted by, on behalf of, or reported to the entities.

The Regional Stormwater Program must also perform an annual assessment of the appropriateness of the BMPs identified for each SWMP component.

Since the populations of City of Asotin, City of Clarkston and Asotin County are less than the thresholds, we are only required to create a program for targeted SWMP effectiveness monitoring. This monitoring will be designed to determine the effectiveness of the Regional Stormwater Program SWMP at controlling stormwater related problems directly addressable by targeted actions in the SWMP.

### 2013 Activities

- Regional Stormwater Program will work with Eastern WA permittees to develop effectiveness monitoring studies for the 2014 Phase II Permit.

### Reporting and Record Keeping Requirements—Special Condition S9

#### Regulatory Requirements

The three entities are required to prepare and submit annual reports to Ecology. These reports must include the most current version of the SWMP and status of compliance with the various conditions outlined in the permit. The annual reports must include:

- (1) the status of implementation of each SWMP component;

- (2) an assessment of the progress in meeting the minimum performance standards;
- (3) a description of activities implemented, including the number and type of inspections, enforcement actions, public education and outreach activities, and illicit discharges detected and eliminated; and
- (4) other reporting requirements.

### **2013 Activities**

- The Regional Stormwater Program will submit the annual report and SWMP to Ecology for review by March 31, 2013.
- The SWMP will be posted to the website for access by the public by May 31, 2013.
- The Regional Stormwater Program will gather, record, and maintain information to track the development and implementation of their SWMP as well as costs involved with implementing the Permit.

## **Underground Injection Control (UIC) Program**

In addition to the Phase II Permit, the Regional Stormwater Program must also address the requirements of the state's UIC program. This program, as required by the federal Safe Drinking Water Act (SDWA), is intended to protect underground sources of drinking water from contamination by waste fluids, including the infiltration of polluted stormwater.

### **Regulatory Requirements**

UIC wells must be either rule-authorized or covered by a state waste discharge permit to operate. If a UIC well is rule-authorized, a permit is not required. Ecology can require corrective action or closure of a UIC well that is not in compliance. A UIC well may be rule-authorized when both of the following requirements are met:

1. A registration form must be submitted to the Department of Ecology.
2. Discharge from the UIC must not contaminate ground water. This is the "non-endangerment performance standard".

### **2013 Activities**

- Register dry wells with Ecology as they are located.
- Complete the evaluation of dry wells that have been registered with Ecology.