

Changes in the Phase I Permit

S5.A.2 Expense Reporting Starting in 2026

The 2019 permit required permittee to track or estimate expenses by permit component (S5.C.1 to S5.C.11 and S8). The 2024 permit requires reporting expenses which is problematic because there is no uniform way of doing it among permittees. It also requires reporting revenue sources. The first reporting date is the 2026 annual report in March 2027.

S5.C.2.a.ix. Mapping Connections to Private Systems

This is currently known by maintenance owner but there are no separate mapped points for these connections.

S5.C.2.b.i Outfall Data Submittal by March 2026

The permit requires submittal of all outfall locations and associated asset data information by March 2026. We currently only submit new outfalls created during the permit term.

S5.C.2.b.ii. Canopy Mapping for County Properties by December 31, 2026

Create a method and map tree canopy for county properties by December 31, 2026 and update it annually.

S5.C.2.b.iii Outfall and Treatment Catchment Mapping by March 2028

This new element requires submittal of mapping showing MS4 outfall areas with treatment and flow control BMPs. Provide maps and tables of the areas treated and untreated within outfall catchments. Outfalls are the MS4 discharges to a natural drainageway that is not part of the MS4.

The outfall catchments are mostly mapped for the urban areas but not areas lacking piped drainage. Facility catchments are partially mapped in the urban area. This only applies to outfalls 24 inches or larger.

S5.C.2.b.iv Overburdened Community Mapping by December 31, 2028

A new requirement to map overburdened communities in relation to the MS4 characteristics and tree canopy on county lands. This could be adding a GIS layer to compare to the MS4.

S5.C.2.b.v Complete MS4 Mapping in the Rural Area by December 31, 2028

The previous requirement was half of the rural area. We have a project to field verify remote sensing ditch mapping.

S5.C.3. Update Interdepartmental Agreements by March 31, 2026

There are agreements within Public Works and between Public Works and other departments to implement the permit. These all need to be updated.

S5.C.4.a Overburdened Community Public Involvement by December 31, 2026

The permittee must document specific opportunities to involve overburdened communities in the permit program and the SMAP. This includes an annual update.

S5.C.5.a Code and Manual Update by July 2026

Submit a table showing how the mandatory changes and a table showing how significant changes proposed by Clark will be included in the code and manual by June 30, 2025. The revised code and manual must be implemented by July 1, 2026.

S5.C.6.c.ii Adopt and Implement Tree Canopy Goals by December 2028

The permittee is required to adopt and implement tree canopy goals and policies to support water quality improvement in receiving waters. The goals and policies apply to both all lands and county lands.

This is a requirement that goes beyond the scope of managing the MS4.

S5.C.6.d Complete another SMAP Plan by March 31, 2027

The 2019 permit required counties to do a Stormwater Management Action Plan (SMAP) for a priority catchment. This permit requires permittees to either add another SMAP catchment area plan or add actions to the 2019 permit plan by December 2027.

The permit asks that the plan should add projects to address high traffic area pollutants and actions that will benefit overburdened communities.

S5.C.7 Obtain 1000 Stormwater Management for Existing Development (SMED) Points by March 31, 2028

The number of points required is increased to 1000 for the permit term and can include projects completed after December 31, 2022 (2019 permit). However, the multipliers are increased as well, making the increased point requirement less of an issue. 275 points must be for actual retrofit projects either design points or construction. 400 points are required for completed projects.

Points can be for projects in design, projects completed and for sweeping above permit requirements. The points allowed for sweeping depends on the amount of sweeping performed under the maintenance requirements. The permit calls for four times a year for high priority areas, which generally excludes local access roads in neighborhoods.

S5.C.9 Illicit Connections and Illicit Discharge Elimination IDDE Program

Language is added to address firefighting discharges with PFAS foam by requiring permittee coordination with emergency responders by December 31, 2026. Also, by January 1, 2027, permittees must update procedures for minimizing PFAS to the MS4.

Language is also added to 13.26A to address PCBs during building cleaning or demolition following the Ecology guidance document.

S5.C.10.f Sweeping Standards and Plan Implemented by July 2027

The permit added street sweeping as a requirement. This includes making and implementing a plan by July 1, 2027 to sweep priority areas discharging to outfalls. Priority areas are high traffic roads, high tire wear areas such as intersections and roundabouts, tree leaf area, and roads in commercial or industrial areas.

Priority areas must be swept four times per year and once during summer months (July, August and September).

The sweeping must start by July 2027 but we should be able to count earlier sweeping in the SMED points reporting starting in August 2024.

Record keeping for permit compliance is going to be complicated due to the mix of outfall catchments and areas not draining to outfalls. Also, are only areas draining to outfalls counted for SMED points?

S5.C.10.f.v. Sweeping Reporting Starting March 31, 2028

The permit has detailed sweeping reporting requirements starting in March 2028, including:

- Areas swept
- Sweeping dates
- Sweeping frequency
- Type of sweeper
- Total curb miles of priority area
- Total priority curb miles swept
- Amount of material for each sweeping event (4 required per year)

S5.C.10.h. O and M Training

The permit adds more specific language for training that could require a more structured training program than currently in place. It seems like this is an opportunity to have regional or shared training programs.

S5.C.11.a.i(b) PCB BMP E and O for Persons Who Develop or Manage Property

The permit adds PCB pollution control BMPs to the education program.

PCBs in the environment have been an issue for years with little to no public information. Now with the stormwater permit, PCBs in building materials suddenly becomes an E and O issue.

S5.C.11.a.ii (b) Social Marketing

Update the social marketing campaign based on the recommendations from the 2024 report by July 2025.

S5.C.11.a.ii(c) Behavior Change Campaign

No later than September 1, 2025, begin implementing the strategy above.

S5.C.11.a.ii(d) Behavioral Change Campaign Evaluation by March 2029

Submit a report with the March 2029 annual report.

S8 Monitoring and Assessment

This permit has no monitoring requirements except for monetary contributions to the Ecology pooled monitoring fund in amounts specified in Appendix 11.

S9.B Records Retention

The record retention requirement is changed from five years to five years after the permit expires. Every record thing form 2024-on would be retained until the end of 2034.

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