I. Permittee Information

Permittee Name King County	**Permittee Coverage Number** WA R04-4501
Contact Name Doug Navetski	**Phone Number** 206-296-8311
Mailing Address WLRD, DNRP, KSC-NR-0600 201 S. Jackson St, Ste. 600	
City Seattle	**State** WA **Zip + 4** 98104-3855
Email Address doug.navetski@kingcounty.gov	

II. Regulated Medium or Large MS4 Location

	Entity Type: Check the box that applies		
Jurisdiction King County	**County**	**City/Town**	**Other**
	X		
Major Receiving Water(s) Puget Sound, Green/Duwamish, Cedar, White Rivers, Lakes Washington & Sammamish			

III. Relying on another Governmental Entity

If you are relying on another governmental entity to satisfy one or more of the permit obligations, list the entity and briefly describe the permit obligation(s) they are implementing on your behalf below. ***Attach a copy of your agreement with the other entity to provide additional detail.***

Name of Entity:	**Permit Obligation(s):**

REMINDER: Save this Excel worksheet under a new name. Did you

IV. Certification

All annual reports must be signed and certified by the responsible official(s) of permittee or co-permittees. Please print and sign this page of the reporting form and mail it (with an original signature) to Ecology at the address noted below. An electronic signature will not suffice.

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that Qualified Personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations.

Name	[signature]	Title	DIRECTOR, WATER AND LAND RESOURCES DIVISION Director of the Department of Natural Resources and Parks	Date	3.27.09
Name		Title		Date	
Name		Title		Date	
Name		Title		Date	
Name		Title		Date	

VI. Status Report Covering Calendar Yr: **2008** **Jurisdiction Name:** **King County**

PLEASE label any information in attachments with corresponding question numbers.
NOTE: Items that have future compliance dates must still be answered to indicate status.
PLEASE indicate reporting year and your jurisdiction in Line 1, above.
PLEASE refer to the INSTRUCTIONS tab for assistance filling out this table.
PLEASE review your work for completeness and accuracy. Save this worksheet as you go!

	Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
1	**Attached** a copy of any annexations, incorporations or boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period, and implications for the SWMP as per S9.E.8.	Y			Section VII Attachment
	S4. Compliance with Standards				
2	Took action pursuant to S4.F during the reporting period. Attached (as part of the Program Evaluation and Other Activities narrative in Section VII.B) a summary of the status of implementation and any information from assessment and evaluation procedures collected during the reporting period, pursuant to S4.F.2.d.	Y			Section VII Attachment
	S5 Stormwater Management Program				
	S5.C.1 Legal Authority				
3	Operated pursuant to legal authority as required under S5.C.1.	Y			
	S5.C.2 MS4 Mapping and Documentation				
4	The location of all known municipal separate storm sewer outfalls, receiving waters and structural stormwater BMPs you own, operate, or maintain are mapped. (*Required* by February 15, 2009, S5.C.2.b.i)	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	

	Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
5	A program is in place to map the location of all known connection points between municipal separate storm sewers you own or operate and other municipalities or other public entities. (Required by February 15, 2009, S5.C.2.b.i)	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
6	Cities: All storm sewer outfalls with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems, and including tributary conveyances (type, material and size where known), associated drainage areas and land use throughout the city, are mapped. (*Required* by February 15, 2011, S5.C.2.b.ii) Counties: All storm sewer outfalls with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems, and including tributary conveyances (type, material and size where known), associated drainage areas and land use in urban/higher density rural sub-basins, are mapped. (Required by February 15, 2011, S5.C.2.b.ii)	NA		This program will be in place to meet the February 2011 deadline.	
7	A program is in place to maintain a map of all connections to the MS4 that have been authorized or allowed after the effective date of the permit. (S5.C.2.b.iii)	Y		This program is in place. For further information see the King County SWMP: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
8	Cities: All existing, known connections over 8 inches to municipal separate storm sewers tributary to all storm sewer outfalls with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems, are mapped. *(Required* by February 15, 2009, S5.C.2.b.iv) Counties: All existing, known connections over 8 inches to municipal separate storm sewers tributary to all storm sewer outfalls with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems, located in one-half the area of the County within urban/higher density rural sub-basins are mapped. (Required by February 15, 2011, S5.C.2.b.iv)	NA		This program will be in place to meet the February 2011 deadline.	
9	Geographic areas served by the MS4 that do not discharge stormwater to surface waters are mapped. (*Required* by February 15, 2011, S5.C.2.b.v)	NA		This program will be in place to meet the February 2011 deadline.	
10	Municipal storm sewer system GIS data layers that you have updated are listed in *Comments* field. (S5.C.2.b.vi)	NA		Mapping deadlines take effect in 2009, and thus a list of updated GIS layers will be included in the 2009 report next year.	
11	Mapping information has been made available to Ecology, Co-Permittees and Secondary Permittees upon request to the extent appropriate. (S5.C.2.b.vi and vii)	Y		Available upon request.	

	Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
	S5.C.3 Coordination				
12	Established and are implementing written internal coordination agreement(s) or directives to facilitate compliance with the permit. (*Required* by February 15, 2008, S5.C.3.b.i)	Y			
13	Established coordination mechanisms clarifying roles and responsibilities for control of pollutants between any other municipal stormwater Permittee's physically interconnected municipal storm sewers. (*Required* by February 15, 2009 or within 2 years following the addition of a new Secondary Permittee, S5.C.3.b.ii)	NA		This program is in place. For further information see the King County SWMP: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP
14	Established coordination activities for shared waterbodies among Permittees including Secondary Permittees. (*Required* by February 15, 2009, S5.C.3.b.ii)	NA		This program is in place to meet February 2009 deadline. For further information see the King County SWMP: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP
	S5.C.4 Public Involvement and Participation Program				
15	Implemented a process to create opportunities for the public to participate in processes for development, implementation and updates of the SWMP, including consideration of public comments on the SWMP. (*Required* by August 15, 2007, S5.C.4.b.i)	Y		For further detail see: http://www.kingcounty.gov/environment/wlr/stormwaterprogram/meeting-announcement.aspx	
16	Made the SWMP and all submittals required by the permit available to the public on the Permittee's website listed below, or provided all submittals to Ecology in electronic format for posting on Ecology's website. (*Required* by March 31, 2008, S5.C.4.b.ii) List Permittee's website address in *Comments* field.	Y		The SWMP is available online at: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
	S5.C.5 Controlling Runoff from New Development, Redevelopment and Construction Sites				
17	Submitted draft enforceable requirements, technical standards and manual, that address requirements to prevent and control runoff from new development, redevelopment and construction site activities in S5.C.5.b.i through S5.C.5.b.iii, to Ecology for review and approval on the date provided in *Comments* field. (*Required* by February 15, 2008, S5.C.5.b.iv)	Y		Submitted on February 19, 2008. Due to President's Day Holiday the due date for this requirement was 19th.	
18	Adopted the final enforceable requirements, technical standards and manual to prevent and control runoff from new development, redevelopment and construction site activities on the date provided in *Comments* field. (*Required* by August 15, 2008, or 60 days following Ecology's written response)	N		These are found in the King County Surface Water Design Manual (KCSWDM). Due to the Pollution Control Hearing Board (PCHB) ruling the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
19	Were exceptions or variances to the minimum requirements in Appendix 1 granted? (*Required* by August 15, 2008, S5.C.5.b.ii, and Section 6 of Appendix 1)	N		Due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
19a	Number of variances granted:		0		
20	To the extent allowable under state and federal law, established legal authority to inspect private stormwater facilities and enforce maintenance standards for all new development and redevelopment approved under the provisions of S5.C.5.b. (*Required* by August 15, 2008, S5.C.5.b.v)	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
21	Developed and implemented a process of permits, plan review, inspections, and enforcement capability to meet the requirements of S5.C.5.b.vi, including maintenance plans for permanent stormwater facilities/BMPs, recordkeeping and an enforcement strategy. (*Required* to begin by August 15, 2008, S5.C.5.b.vi)	N		The process is in place. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
22	Reviewed stormwater site plans submitted for proposed development involving land disturbing activities that meet the thresholds in S5.C.5.b.i. (*Required* beginning August 15, 2008, S5.C.5.b.vi)	N		The process is in place. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
22a	Number of site plans submitted:		0		
22b	Number of site plans reviewed:		0		
23	Inspected, prior to clearing and construction, permitted development sites that meet the thresholds in S5.C.5.b.i and that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 *Identifying Construction Site Sediment Transport Potential.* (*Required* to begin by August 15, 2008, S5.C.5.b.vi)	N		The process is in place. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
23a	Number of sites determined to have high sediment transport potential:		0		
23b	Number of sites inspected:		0		
24	Inspected construction-phase stormwater controls at permitted development sites that meet the thresholds in S5.C.5.b.i during construction to verify proper installation and maintenance of required erosion and sediment controls. (*Required* to begin by August 15, 2008, S5.C.5.b.vi)	N		The inspection process is in place. However, due to the PCHB ruling, the KCKCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
24a	Number of qualifying permitted development sites:		0		
24b	Number of sites inspected:		0		
25	Enforced as necessary based on the construction-phase inspection at new development and redevelopment projects. (*Required* to begin by August 15, 2008, S5.C.5.b.vi) List nature of enforcement actions in *Comments* field.	N		The enforcement process is in place. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
25a	Number of enforcement actions taken:		0		
26	Inspected permitted development sites that meet the thresholds in S5.C.5.b.i upon completion of construction and prior to final approval or occupancy to verify proper installation of permanent erosion controls and stormwater facilities / BMPs. (*Required* to begin by August 15, 2008, S5.C.5.b.vi)	N		The inspection process is in place. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
26a	Number of qualifying permitted development sites that completed construction:		0		
26b	Number of sites inspected:		0		
27	Verified that a maintenance plan for sites that meet the thresholds in S5.C.5.b.i is completed and responsibility for maintenance is assigned. (*Required* to begin by August 15, 2008, S5.C.5.b.vi)	N		The process is in place. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
28	Enforced as necessary based on the post-construction inspection. (*Required* to begin by August 15, 2008, S5.C.5.b.vi) List the nature of enforcement actions in the *Comments* field.	N		The process is in place. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
28a	Number of enforcement actions taken:		0		

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
29	Developed and implemented an enforcement strategy to respond to issues of non-compliance. (*Required* to begin by August 15, 2008, S5.C.5.b.vi)	N		The process is in place. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
30	Developed and implemented a recordkeeping process for inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, other enforcement records, maintenance inspections and maintenance activities. (*Required* by August 15, 2008, S5.C.5.b.vi)	N		The process is in place. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
31	Made Ecology's *Notice of Intent for Construction Activity* and *Notice of Intent for Industrial Activity* available to representatives of proposed new development and redevelopment. (S5.C.5.b.vii)	Y			
32	All staff whose primary job duties are implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. (*Required* by August 15, 2008, S5.C.5.b.viii)	N		Due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. KC has minimum training requirements; see KC SWMP for more info: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP

	Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
	S5.C.6 Structural Stormwater Controls				
33	The SWMP includes a Structural Stormwater Control Program to construct stormwater controls to prevent or reduce impacts (hydrology and pollutants) to waters of the state caused by discharges from the MS4 where impacts are not adequately controlled by other SWMP components. (*Required* by February 15, 2008, S5.C.6.b)	Y			
34	**Attached** (as part of each annual update to the SWMP in Section VII.A or as part of the Program Evaluation and Other Activities narrative in Section VII.B) updated information required under S5.C.6.b about the Structural Stormwater Control Program. This information must include a detailed list/description of proposed/planned structural stormwater control projects with associated estimated pollutant load reduction for treatment projects or expected outcome for flow control projects, other environmental benefits, implementation schedule, whether monitoring/evaluation is planned and, if applicable, monitoring results. (*Required* by February 15, 2008, S5.C.6.b)	Y		See App 2 of SWMP, which is attached in Section VII of this Annual Report.	Section VII - SWMP
35	Currently implementing Structural Stormwater Control Program. (*Required* by August 15, 2008, S5.C.6.b.i)	Y			

	Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
	S5.C.7 Source Control Program for Existing Development				
36	Submitted draft enforceable document(s), such as an ordinance, and proposed Source Control Program, which address requirements in S5.C.7.a and S5.C.7.b, to Ecology for review and approval on the date listed in the *Comments* field. (*Required* February 15, 2008, S5.C.7.b.i)	Y		The process is in place. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
37	Adopted the enforceable document(s), such as an ordinance, on the date listed in the *Comments* field. (*Required* August 15, 2008, S5.C.7.b.i)	N		January 9, 2009. Surfacewater Pollution Prevention Manual (SPPM) in place. However the SPPM is part of the KCSWDM and thus due to the PCHB ruling not equivalent until permit modification complete. See App 1.	AR Appendix 1
37a	Began enforcing Source Control Program on the date listed in the *Comments* field. (*Required* August 15, 2008, S5.C.7.b.i)	N		Program in place, but requirements are sourced from the SPPM. See answer 37 and AR Appendix 1 for further information.	AR Appendix 1
38	Established an inventory or listing of land uses/businesses using the categories in Appendix 8 to identify sites that are potentially pollution generating. (*Required* August 15, 2008, S5.C.7.b.ii)	Y		Inventory developed. See Appendix 7 of the SWMP for an expalnation of the inventory development process.	Section VII - SWMP
39	Periodically updated the inventory or listing of land uses/businesses using the categories in Appendix 8, as required in S5.C.7.b.ii.	Y		Inventory developed. See Appendix 7 of the SWMP for an expalnation of the inventory development process.	Section VII - SWMP
40	Implemented a program to respond to complaints and to identify other pollutant generating sources, such as mobile or home-based businesses. (*Required* August 15, 2008, S5.C.7.b.ii)	Y			
41	Began implementing an audit/inspection program for sites identified pursuant to S5.C.7.b.ii. (*Required* February 15, 2009, S5.C.7.b.iii)	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
41a	Number of sites that were provided with information about activities that may generate pollutants and associated source control requirements:		0		
42	During the reporting period, inspected 20% of identified sites in the audit/inspection program established in S5.C.7.b.ii. (*Required* to begin by February 15, 2009, report beginning with the third year Annual Report for 2009, S5.C.7.b.iii)	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
43	During the reporting period, inspected 100% of sites identified through legitimate complaints. (*Required* to begin by February 15, 2009, report beginning with the third year Annual Report for 2009, S5.C.7.b.iii)	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
43a	Number of sites identified through legitimate complaints:		0		
43b	Number of sites inspected:		0		
44	Began implementing a progressive enforcement policy to require sites to come into compliance with stormwater requirements. (Required beginning February 15, 2009, S5.C.7.b.iv) List nature of enforcement actions in *Comments* field. (S9.E.2.d)	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
44a	Number of follow-up actions taken:		0		
44b	Number of further enforcement actions taken:		0		
45	Contacted Ecology immediately upon discovering a source control violation that presented a severe threat to human health or the environment. (S5.C.7.b.iv and/or G3.)	Y			
45a	Number of violations reported to Ecology:		81		

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
46	Referred to Ecology non-emergency violation(s) of local ordinances after making a documented effort of progressive enforcement to bring them into compliance. (S5.C.7.b.iv)	N			
46a	Number of referrals to Ecology:		0		
47	All staff whose primary duties are implementing the Source Control Program are trained to conduct these activities in accordance with S5.C.7.b.v. (*Required* February 15, 2009, S5.C.7.b.v)	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
	S5.C.8 Illicit Connections and Illicit Discharge Detection and Elimination (IDDE) Program				
48	The SWMP includes an ongoing program to detect and remove illicit connections and illicit discharges into the MS4 owned or operated by the Permittee, including the provisions in S5.C.8.a and S5.C.8.b.i through S5.C.8.b.ii. (S5.C.8.b.i)	Y			
49	Procedures have been developed for addressing pollutants entering the MS4 from an interconnected, adjoining MS4. (*Required* by February 15, 2009, S5.C.8.b.i)	NA		These procedures are in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
50	Evaluated and, if necessary updated, existing ordinances or other regulatory mechanisms to effectively prohibit non-stormwater, illicit discharges, and/or dumping into the MS4. (*Required* by August 15, 2008, S5.C.8.b.ii)	Y			

	Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
51	All municipal field staff responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, improper disposal and illicit connections are trained to conduct these activities. (*Required* by August 15, 2008, S5.C.8.b.iii)	Y			
52	All municipal field staff which, as part of their normal job responsibilities might come in contact with or otherwise observe illicit connections or discharges are trained to identify illicit connections and discharges and the proper procedures for reporting and response. (*Required* by February 15, 2009, S5.C.8.b.iv)	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
53	Provided a publicly-listed hotline or other local telephone number for water quality citizen complaints/reports. (For all except Clark County, *required* by February 15, 2007; for Clark County *required* by August 15, 2007, S5.C.8.b.v)	Y		The numbers include the Roads 24-hour hotline (206-296-8100 or 800-KCROADS); the SWS Water Quality hotline (206-296-1900); and the Illegal Dumping Task Force (IDTF) hotline (206-296-SITE or 866-431-7483).	Section VII - SWMP
54	Cities: Conveyances and outfalls within the incorporated area are prioritized for field screening and source tracing as part of the ongoing program to detect and remove illicit connections and illicit discharges. Counties: Conveyances and outfalls in the urban/higher density rural sub-basins are prioritized, and one rural sub-basin has been selected, for field screening and source tracing as part of the ongoing program to detect and remove illicit connections and illicit discharges. (In preparation for the 2011 deadline, S5.C.8.b.vi)	NA			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
55	Cities: Completed field screening of 60% of the conveyance systems within the incorporated area. Counties: Completed field screening of 50% of the conveyance systems in urban/higher density rural sub-basins and at least 1 rural sub-basin. (Required by February 15, 2011, S5.C.8.b.vi)	NA			
56	Upon discovery or upon receiving a report of a suspected illicit connection, initiated an investigation within 21 days. (S5.C.8.b.vii(1))	Y			
56a	Number of investigations:		6		
57	Upon confirmation of the illicit connection, used enforcement authority to eliminate the illicit connection within 6 months. (S5.C.8.b.vii(2)) List nature of enforcement actions in *Comments* field.	Y			
57a	Number of enforcement actions:		0		
57b	Number of illicit connections eliminated:		4		
58	Contacted Ecology immediately upon discovering an illicit connection presented a severe threat to human health or the environment. (S5.C.8.b.vii(3). See also question 7 of this report.)	Y			
58a	Number of illicit connections identified as presenting severe threat to human health or the environment:		0		

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
59	Referred to Ecology illicit connection(s) after making a good faith and documented effort of progressive enforcement to terminate the violation(s). (S5.C.8.b.vii(3))	Y			
59a	Number of referrals to Ecology:		0		
60	Participated in a regional emergency response program or developed and implemented procedures to investigate and response to spills and improper disposal into the MS4. (*Required* by August 15, 2007, S5.C.8.b.vii)	Y			
61	Developed a program to prioritize and investigate complaints/reports or monitoring information that indicate potential illicit discharges, including spills. (*Required* by August 15, 2007, S5.C.8.b.viii)	Y			
	S5.C.9 Operation and Maintenance Program				
62	Established maintenance standards as protective, or more protective, of facility function than those specified in Chapter 4 of Volume V of the 2005 *Stormwater Management Manual for Western Washington*, and in accordance with the provisions in S5.C.9.b.i. (*Required* by August 15, 2008, S5.C.9.b.i)	N		The maintenance standards have been established and are found in Appendix A of the KCSWDM. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
63	Evaluated and, if necessary, updated existing ordinances or enforceable documents requiring maintenance of all permanent stormwater treatment and flow control facilities, including catch basins, regulated by the Permittee, in accordance with maintenance standards established under S5.C.9.b.i. (*Required* by August 15, 2008, S5.C.9.b.ii(1))	Y		Enforceable documents are prepared and included in the KCSWDM. However, due to the PCHB ruling, the KCSWDM will not be equivalent until Ecology's permit modification process is complete. For further detail see AR Appendix 1.	AR Appendix 1
64	Developed and implemented an initial inspection schedule for all known, permanent stormwater treatment and flow control facilities (other than catch basins) regulated by the Permittee that involves an inspection of each facility at least once during this permit term. (*Required* by August 15, 2008, S5.C.9.b.ii(2))	Y			
65	Developed and implemented an ongoing inspection schedule to annually inspect all stormwater treatment and flow control facilities (other than catch basins) regulated by the Permittee. (*Required* to begin by February 15, 2011, S5.C.9.b.ii(3))	NA			
66	Reduced the frequency of inspections to less than annually for stormwater treatment and flow control facilities (other than catch basins) regulated by the Permittee. Indicate in comments below if reduction is based on maintenance records or certification pursuant to S5.C.9.b.ii(3)).	Y		KC will be reducing the frequency to every other year. For further info see the SWMP available online at: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
67	Managing maintenance activities to inspect new permanent stormwater treatment and flow control facilities, including catch basins, in new residential developments every 6 months during period of heaviest construction to identify maintenance needs and enforce compliance. (*Required* to begin by February 15, 2009, S5.C.9.b.ii(4))	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
68	Required cleaning of catch basins found to be out of compliance with maintenance standards under the requirements of S5.C.7 (Source Control Program) and S5.C.8 (Illicit Discharges Detection and Elimination) or as part of facilities you regulate and inspected under S5.C.9 (Operation and Maintenance Program). (S5.C.9.b.ii(6))	Y		For further info see the SWMP available online at: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	
69	Developed and implemented a program to annually inspect all permanent stormwater treatment and flow control facilities (other than catch basins) owned or operated by the Permittee and to implement appropriate maintenance action in accordance with established maintenance standards. (Implementation *required* to begin by February 15, 2009, S5.C.9.b.iii(1))	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
70	Changed the frequency of inspection schedule to less than annually for permanent stormwater treatment and flow control facilities (other than catch basins) owned or operated by the Permittee. Indicate in comments below if reduction is based on maintenance records or certification pursuant to S5.C.9.b.iii(1).	Y		For further info see the SWMP available online at: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP
71	Implemented a program to conduct spot checks of stormwater facilities owned or operated by Permittee (other than catch basins) after major storm events, and to respond to findings, in accordance with S5.C.9.b.iii(2). (*Required* to begin by February 15, 2009, S5.C.9.b.iii(2))	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
72	Implemented program to annually inspect catch basins and inlets owned or operated by the Permittee in accordance with the provisions in S5.C.9.b.iv(1). (*Required* to begin by February 15, 2009, S5.C.9.b.iv(1))	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
73	Changed the frequency of inspection schedule to less than annually for catch basins owned or operated by the Permittee. Indicate in comments below if reduction is based on maintenance records or certification pursuant to S5.C.9.b.iv(2)).	NA			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
74	Decant water from catch basin cleaning activities is disposed of in accordance with the requirements in Appendix 6. (*Required* by February 15, 2009, S5.C.9.b.iv(3))	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
75	**Attached** (as part of the Program Evaluation and Other Activities narrative in Section VII.B) a summary of maintenance or repair activities conducted by the Permittee requiring capital construction of $25,000 or more. (*Required* annually beginning with third annual report/for calendar year 2009, S5.C.9.b.v)	NA			
76	Established practices to reduce stormwater impacts associated with runoff from streets, parking lots, roads or highways owned or operated by the Permittee, and road maintenance activities listed in S5.C.9.b.vi conducted by the Permittee. (*Required* by February 15, 2008, S5.C.9.b.vi)	Y		The program is in place. For further info see the SWMP available online at: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP
77	Implemented the established practices to reduce stormwater impacts associated with runoff from streets, parking lots, roads or highways owned or operated by the Permittee, and road maintenance activities listed in S5.C.9.b.vi conducted by the Permittee. (*Required* by August 15, 2008, S5.C.9.b.vi)	Y		The program is in place. For further info see the SWMP available online at: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
78	Established and implemented policies and procedures, which address activities and lands listed in S5.C.9.b.vii, to reduce pollutants in discharges from lands owned or maintained by the Permittee. (Required by August 15, 2008, S5.C.9.b.vii)	Y		Program in place. For further detail see: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP
79	Developed and implemented an ongoing training program for Permittee employees with primary construction, operations or maintenance job functions that could impact stormwater quality (*Required* by February 15, 2009, S5.C.9.b.viii.)	NA		This program is in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	
80	Developed and implemented Stormwater Pollution Prevention Plan(s) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not covered under another Ecology-issued stormwater discharge permit. (*Required* by February 15, 2009, S5.C.9.b.xi)	NA		The SWPPPs are in place to meet the February 2009 deadline and documentation of successful compliance will be included in the 2009 Annual Report.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
	S5.C.10 Education and Outreach Program				
81	Implemented or participated in an education and outreach program designed to achieve measurable improvements in understanding of the problem and associated solutions for the target audiences listed in S5.C.10.b. (*Required* by February 15, 2008, S5.C.10.b.i)	Y		Program in place. For further detail see: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP
82	Implemented or participated in an effort to measure understanding and adoption of the targeted behaviors by the target audiences listed in S5.C.10.b.i. (*Required* to begin February 15, 2008, S5.C.10.b.ii)	Y		Program in place. For further detail see: http://www.kingcounty.gov/environment/wlr/stormwaterprogram.aspx	Section VII - SWMP

	Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
	S7. Compliance with Total Maximum Daily Load Requirements				
83	Is there a Total Maximum Daily Load (TMDL) listed in Appendix 2 applicable to you? (S7)	N			
84	**Attached** (as part of the Program Evaluation and Other Activities narrative in Section VII.B) a summary of the status of TMDL implementation activities conducted by the Permittee, and/or on behalf of the Permittee, including as applicable: • How TMDL-related activities are incorporated into the SWMP or other permit requirements, such as monitoring • Any lists or inventories required • Description of inspections, including total number of sites targeted and number of inspections conducted • Any specific deadlines or milestones reached in the reporting term and associated dates • Selected monitoring and implementation approaches, where options are described in Appendix 2 • Other information necessary to provide a summary of the TMDL implementation status	NA			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
85	If applicable, complied with the specific requirements identified in Appendix 2. (S7.A)	NA			
	S8. Monitoring				
86	During the reporting period, stormwater monitoring studies involving the Permittee's MS4 were conducted by the Permittee, on behalf of the Permittee, or were reported to the Permittee and **attached** (as part of the Program Evaluation and Other Activities narrative in Section VII.B) is a brief description of the type of information gathered or received. (S8.B.1)	NA		King County is participating in collaborative monitoring and thus will be submitting its first Annual Stormwater Monitoring Report in 2010 as part of the 2009 Annual Report. Additional information about stormwater monitoring studies not included with the Annual Monitoring Report is included in Section VII question 6.	
	General Conditions				
87	Notified Ecology of the failure to comply with the permit terms and conditions within 30 days of becoming aware of the non-compliance. (G20)	Y		King County submitted a G20 letter for compliance issues related to the equivalency of the KCSWDM.	AR Appendix 1
88	Notified Ecology immediately in cases where the Permittee becomes aware of a discharge from the MS4 which may cause or contribute to an imminent threat to human health or the environment? (G3 and G20)	N		None	

REMINDER: Save your work as you go. Did you answer each question, provide necessary background information in the # and/or *Comments* field, and attach and/or note the filename and page number of all required documentation in the *Attachment* field? Proceed to the Attachments **(Section VII)** tab next.

VII. Annual Report Attachments

A. Annual Update of Stormwater Management Program Document (S5.A.1 and S9.E)

Attach your annual update of your Stormwater Management Program (SWMP) document to the email in which you transmit this Annual Report form to Ecology. Label each file clearly. If only parts of the SWMP document have changed, you may attach only those updated sections or pages provided you clearly describe that the provided attachments represent replacement pages.

B. Program Evaluation and Other Activities Narrative

Attach a document that includes your narrative program assessment and other required information as follows. The Table of Contents below identifies seven chapters.

Table of Contents

1. If applicable, notification of any changes to authorization pursuant to G19.C (S9.E.9).
2. If applicable, a summary of any actions taken pursuant to S4.F (S9.E.3).
3. Assessment of the appropriateness of your program design and/or specific BMPs identified for each component of the SWMP, including any changes made or anticipated to be made, and why (S9.E.6 and S8.B.2).
   - 3.1 Public Involvement and Participation
   - 3.2 Controlling Runoff from New Development, Redevelopment and Construction Sites
   - 3.3 Structural Stormwater Controls
   - 3.4 Source Control Program for Existing Development
   - 3.5 Illicit Connections and Illicit Discharges Detection and Elimination
   - 3.6 Operation and Maintenance Program
   - 3.7 Education and Outreach Program

4. Updated information required under S5.C.6.b about the Structural Stormwater Control Program (if not provided in the annual SWMP update in Section VII.A)

5. Summary of actions taken to comply with applicable TMDL requirements (S9.E.4).

6. Brief description of any stormwater monitoring studies not part of your Annual Stormwater Monitoring Report involving your MS4 in accordance with S8.B.1 (S9.E.6).

7. Operations and Maintenance Records, if applicable

7.1 Justification of reduced inspection frequency, including records if applicable, pursuant to S5.C.9.b.ii(3), S5.C.9.b.iii(1) and S5.C.9.b.iv(2).

7.2 Information pertaining to stormwater facility maintenance or repair requiring capital construction of $25,000 or more (S5.C.9.b.v). This information may be presented in a summary table and, when the maintenance or repair has not yet been completed, should include an estimated cost and an estimated completion date

8. Notification of any annexations, incorporations or jurisdictional boundary changes in the geographic area of coverage during the reporting period, and implications for the SWMP (S9.E.8), if applicable.

REMINDER: Send electronic and hard copies of these attachments to Ecology according to directions in the Certification tab under Section V. Proceed to the **Monitoring (Section VII)** tab next.

VIII. Annual Stormwater Monitoring Report (S8.H and S9.E.5)

Refer to the Annual Stormwater Monitoring Report contents guidance for additional information regarding Ecology's expectations for this report.

King County Phase I NPDES Municipal Stormwater Permit
2008 Annual Report
Section VII Annual Report Attachments

A) Annual update of Stormwater Management Program

See attached SWMP. Entire document has been revised.

B) Program evaluation and other activities narrative

1. Changes of authorization

None

2. Summary of actions pursuant to S4F

As a result of correspondence with Ecology in 2009, the County will begin a program to proactively identify, assess feasibility, and prioritize capital projects to address erosive outfall problems pursuant to Ecology's direction stated in their letter to King County dated July 22, 2008 (see Appendix 2 of the 2009 SWMP). The program will consider different approaches to address these problems such as use of tightlines (pipes down steep slopes), upper basin flow control facilities, and/or low impact development retrofits that more closely mimic the predeveloped hydrologic condition. Attached find the correspondence between Ecology and the County regarding the S4F notification for Denny Creek discharges.

3. Assessment of appropriateness of program design and BMP selection

This section is a legacy of the Federal Register language inapplicable to this permit as the permit (National Pollutant Discharge Elimination System and State Waste Discharge General Permit, Phase I Municipal Stormwater Permit for discharges from Large and Medium Municipal Separate Storm Sewer Systems, State of Washington) is comprehensively prescriptive in its scope of activities and requirements.

4. Updated information about the Structural Control Program

Please see Appendix 2 of the SWMP which outlines the Structural Control Program in detail.

5. Summary of actions taken to comply with applicable TMDL requirements (in response to specific information requirements posed in line 84 of annual report form)

None.

6. Description of any stormwater monitoring studies not included with Annual Stormwater Monitoring Report

Juanita Creek Monitoring

King County Department of Natural Resources and Parks have entered into a partnership with City of Kirkland and Washington State Department of Transportation for a Washington State Ecology grant to investigate potential effects of retrofitting to the storm water system in the Juanita Creek basin. This basin is almost completely developed with residential and commercial land uses, and drains to Juanita Bay in Lake Washington.

Data collected will include continuous water level and temperature from recording, and water quality from grab samples from the water column at eight locations within the basin. In-situ measured parameters will include: flow rates, water temperature, dissolved oxygen, turbidity, conductivity, and pH. Laboratory analyses will include: total suspended solids, ammonia-N, nitrate and nitrite, orthophosphate phosphorus, total nitrogen, total phosphorus, total organic carbon, dissolved organic carbon, chlorophyll-a, alkalinity, hardness (derived from calcium and magnesium), biochemical oxygen demand, total and dissolved concentrations for copper and zinc, and fecal coliforms.

Samples will be collected during seven storm events and three base flow events over a period of 12 to 18 months. Each storm and base event will be sampled three times over a 24-hour period (i.e. every 6 ~ 10 hours). Base flow sampling will occur once in fall, winter, and spring or summer. Targeted storms will be sampled once per month depending on weather patterns.

Results from this monitoring project will support development of a set of continuous hydrologic models intended to characterize existing conditions, and to analyze possible retrofits of existing storm water systems to restore beneficial uses the Juanita Creek system. The analysis of possible retrofit scenarios will include constructing regional flow control and treatment facilities, the use of low impact development practices and the development of new storm water regulations that would apply to future development in the basin.

Urban Planned Development Monitoring

During 2008 King County Water and Land Resources Division performed stormwater monitoring at the Trilogy and Redmond Ridge UPDs. Due to different monitoring requirements in the respective post-development monitoring plans, the methods employed differed by development.

At Redmond Ridge UPD, we used composite samplers that collected storm samples at the inflow and outflow structures of two facilities in basins greater than 75% built out. Water quality parameters that were measured once monthly during storms in the wet season included total suspended solids (TSS), Total Nitrogen, Total Phosphorus, Total Arsenic, Total Cadmium, Total Calcium, Total Chromium, Total Copper, Total Lead, Total Magnesium, Total Manganese, Total Nickel, Total Silver, Total Zinc, and hardness. These analytes were all collected with ISCO automated composite samplers that ran for 5 days once triggered. Also, grab sampling was performed at the end of these events for

pH and Fecal Coliform bacteria. Sampled storm events occurred during March, May, October, November, and December of 2008.

At the Trilogy UPD, sampling was limited to three wet season storms when grab samples were taken of the following analytes: pH, total Nitrogen, Total Phosphorus, Orhtophosphate phosphorus, Fecal Coliform, Total Arsenic, Total Cadmium, Total Calcium, Total Chromium, Total Copper, Total Lead, Total Magnesium, Total Manganese, Total Nickel, Total Silver, Total Zinc, and hardness. Sampled storm events occurred during March, May, and June 2008.
In all cases at both UPDs, metal analysis was performed ICP-MS methods.

White Center Stormwater Monitoring
As part of the work for WDOE grant G09000041, King County will be monitoring storm water quality at 10 to 13 different sites throughout the Lake Hicks (Garrett) basin. The sites were chosen to test the success of capital improvement projects intended to decrease phosphorus content of storm water and, if possible, address fecal coliform content as well. Lake Hicks, which is an enclosed basin at the bottom of the drainage, is currently on the 303d list for impairment for both parameters, although no TMDLs have been completed as yet.

The project will measure two wet season storms (November – April) and one dry season storm (July – September) each year for the duration of the grant. Data gathered during the first year of the grant period will act as baseline values for comparison to subsequent data as the projects are completed. Parameters measured include field-measured temperature, pH, conductivity and dissolved oxygen. Laboratory-measured parameters include total phosphorus, fecal coliform bacteria, and total suspended solids.

Cottage Lake Inlets Monitoring
Cottage Lake inlets are being monitored as part of the evaluation effort for work completed as part of WDOE Centennial Clean Water Fund grant G0600071. Cottage Lake was on the 303d list for impairment due to excess phosphorus and a Lake Management Plan was prepared in the mid 1990s. A TMDL was completed in 2004. The aim of the project is to reduce phosphorus inputs to Cottage Lake from the basin by changing residents' behaviors through educational efforts, as well as by promoting and carrying out restoration along the lake and inlet shorelines.

From 5 to 10 sites along the inlets are being monitored on a routine monthly basis through the duration of the grant. In addition, the intention is to measure one wet season storm (November – April) and one dry season storm (July – September) each year. Parameters measured include field-measured temperature, pH, conductivity, and dissolved oxygen. Laboratory-measured parameters include total phosphorus, orthophosphate, fecal coliform bacteria, and total suspended solids.

7. Operation and maintenance records, if applicable

All King County custodial agencies were surveyed and no maintenance or repair activities, as described in S5.C.9.b.v, that exceeded the $25,000 threshold took place in 2008.

8. Annexation notification

See attached 2008 annexation map.

King County is participating in collaborative monitoring and thus will be submitting its first Annual Stormwater Monitoring Report in 2010 as part of the 2009 Annual Report.

King County
Water and Land Resources Division
Department of Natural Resources and Parks
King Street Center
201 South Jackson Street, Suite 600
Seattle, WA 98104-3855
206.296.6519 Fax 206.296.0192
TTY Relay: 711

COPY

May 13, 2008

Rachel McCrea
Municipal Stormwater Specialist
Washington State Department of Ecology
Northwest Regional Office
3190 – 160th Avenue Southeast
Bellevue, WA 98008-5452

RE: NPDES Municipal Stormwater Permit WAR04-4501 S4 Notification

Dear Ms. McCrea:

This letter is to inform you that on April 17, 2008, King County became aware of information which may need to be reported under Special Condition S4 F of the Municipal Stormwater Permit. Information collected by the Denny Creek Neighborhood Alliance and presented in the O.O. Denny Creek Watershed Survey (2007) suggests that King County outfalls may be contributing to exceedances of turbidity standards in the O.O. Denny Creek on the east shore of Lake Washington, northwest of Kirkland. Because of the uncertainty created by the S4 language about the conditions under which S4F reporting is required, we would like to meet with you and Bill Moore to discuss the information we have received so we can better understand its relevance to the S4F requirements. I will ask Luanne Coachman, our Municipal Stormwater Permit Coordinator, to contact you about setting up a meeting. I look forward to our discussion and the creation of increased certainty about the meaning of S4F.

Sincerely,

Curt W. Crawford, P.E.
Stormwater Services Section Manager

CC:bgD21

cc: Joe Rochelle, Deputy Prosecuting Attorney, Civil Division
Mark Isaacson, Division Director, Water and Land Resources Division (WLRD)
Luanne Coachman, NPDES Municipal Stormwater Permit Coordinator, Stormwater Services Section, WLRD

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

July 22, 2008

Curt Crawford
Stormwater Services Section Manager
King County Water and Land Resources Division
201 South Jackson St., Suite 600
Seattle, WA 98104-3855

RE: King County's S4.F Notification: O.O. Denny Creek turbidity (WAR04-4501)

Dear Mr. Crawford:

I am responding to King County's S4.F notice dated May 13, 2008 and submitted to Ecology under the Phase I Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (Phase I Permit).

Ecology requested additional detail from King County regarding the O.O. Denny Creek Watershed Survey and associated turbidity measurements from the Creek, but has not yet received the information. Based on the notification and conversations with you and your staff, I understand that the issue is one of stormwater flow discharging near the top of a ravine and causing or contributing to erosion of the hillside and/or downgradient creek banks. That erosion in turn has caused or contributed to exceedances of turbidity standards in the creek.

I also understand that there are numerous locations in the County that can experience this condition. Whether this condition is created during average rain events or only during extreme rain events likely varies on a case by case basis. The County's Surface Water Design Manual (KCSWDM) contains specific requirements for these situations that would be triggered by new or redevelopment activities. At this time, in addition to implementing flow control measures, the County's primary approach to correcting these problems caused by flow is to install a tightline system (refer to KCSWDM, Table 1.2.3.A regarding Type 2 drainage problems, severe erosion problems).

Ecology recognizes that stormwater runoff is the number 1 water pollution problem in the urban areas of our state. The flow control standards for new and redevelopment required by Special Condition S5.C.5 of the Phase I Permit are intended to address the bulk of downgradient erosion problems caused by collected stormwater flows. In addition, Special Condition S5.C.6, Structural Stormwater Controls, is intended in part to support a locally-developed stormwater infrastructure retrofit program to address impacts to watershed hydrology. Ecology has determined that the conditions reflected in this S4F

notification must be addressed through the required Structural Stormwater Controls and Runoff Controls for New and Redevelopment components of King County's Stormwater Management Program (SWMP). At this time, a report under condition S.4.F.2.a. of the Phase I Permit is not necessary. This determination does not affect any obligation you may have under other laws.

The determination that an S.4.F.2.a report for the turbidity observed in O.O. Denny Creek is not necessary is conditioned on the following actions to be taken by King County as part of your Stormwater Management Program:

- The County must address stormwater flow and/or conveyance issues associated with the O.O. Denny Creek S4F notification and other areas with similar "Type 2 drainage problems" (such as in the Goat Hill area) in your Structural Stormwater Controls program component. Specific topic areas to address include proactive identification and prioritization of these problem areas (instead of relying on complaints), engineering or feasibility studies of potential retrofit solutions, and planned expenditures to begin to address these problem areas.
- The County must evaluate the appropriateness of additional or different approaches to correcting these problems (other than the tightline pipe approach), such as upper basin flow control facility or conveyance system retrofits that more closely mimic the pre-developed hydrologic condition (such as bioretention technologies where feasible).

Beginning with King County's 2009 SWMP document submitted with the Annual Report for 2008, King County must include a description of this specific effort as part of the Structural Stormwater Control program component. Ecology expects this effort to be described in the County's planning process and associated Tier 1 project types (such as Neighborhood Drainage Assistance Program projects) as well as specific project identification. Ecology recognizes this effort will be ongoing.

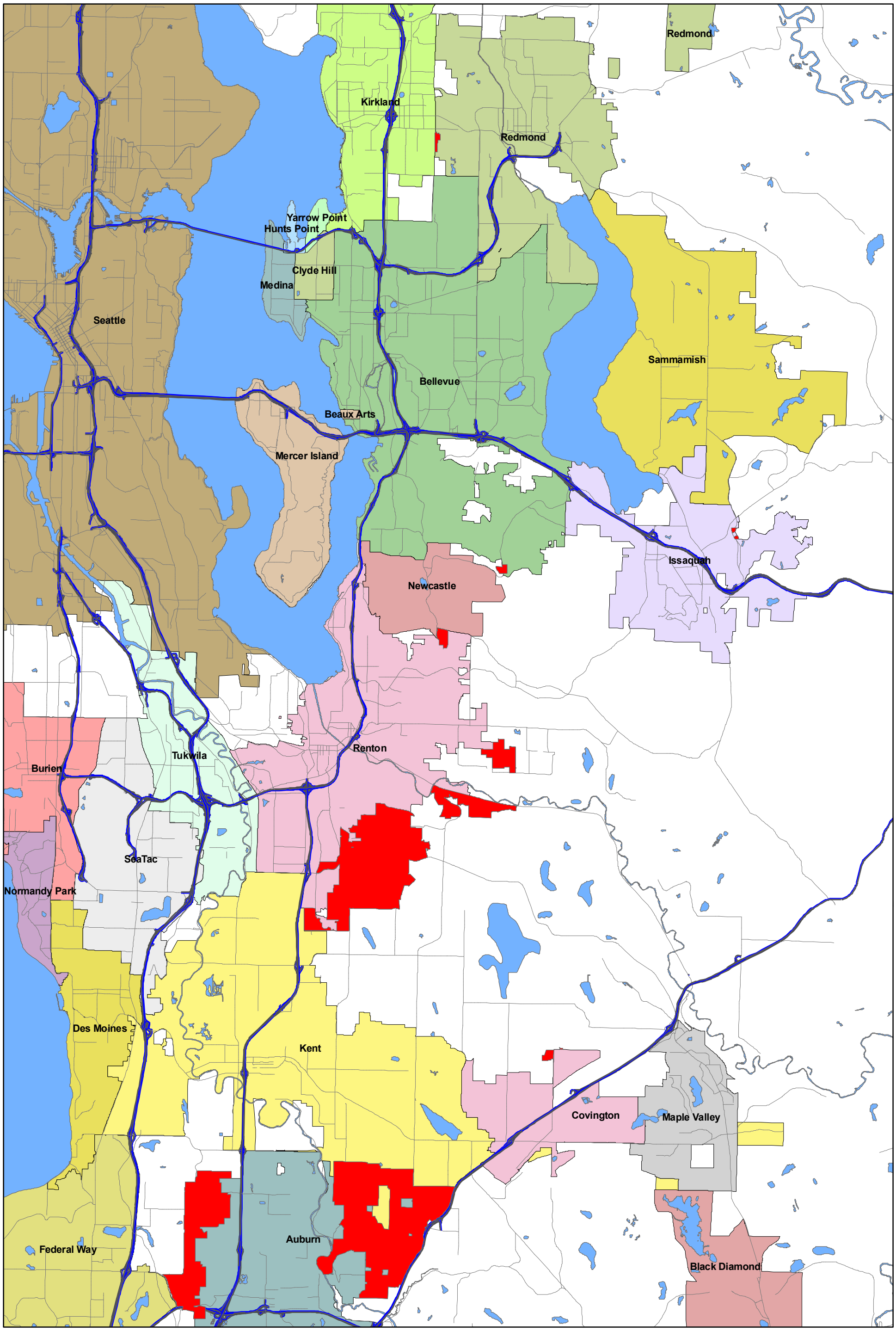
If you or your staff have questions, please contact me at (425) 649-7223 or by email at rmcc461@ecy.wa.gov.

Sincerely;

Rachel McCrea

Rachel McCrea
Municipal Stormwater Specialist

cc: Luanne Coachman, Municipal Stormwater Permit Coordinator, King County
Linda Dougherty, Road Services Division Director, King County
Bill Moore P.E., Ecology HQ
Raman Iyer, Ecology NWRO Compliance & Technical Assist. Unit Supervisor
Permit file



2008 Annexations in King County

2008 Annexations

wlrnt7\Drainage\k2\GIS\Annex08.mxd

Appendix 1

King County Surface Water Design Manual Equivalency Process

At the time of submittal of this Annual Report King County does not have a Surface Water Design Manual with standards equivalent to those required by its Municipal Stormwater Permit. Thus, King County was out of compliance with the permit when specific permit sections requiring an equivalent manual were due in 2008. The delay in achieving equivalency status of the King County Surface Water Design Manual (KCSWDM), the King County Stormwater Pollution Prevention Manual (KCSPPM), and King County's water quality code (KCC) 9.04 and 9.12 is due to a ruling on the process of equivalency by the Washington State Pollution Control Hearing Board ruling (PCHB Nos. 07-021, 026, 027, 028, 029, 030, 037). In accordance with permit non-compliance requirements, and in order to come back into compliance, King County submitted a letter (attached G20) notifying Ecology that it would not be able to meet compliance with permit sections related to the KCSWDM. With the submittal of this letter King County came back into compliance with the permit, awaiting the completion of the equivalency process, which is detailed below.

The KCSWDM contains the requirements and standards for designing surface and storm water management systems in King County. The KCSWDM regulates proposed projects through a mixture of requirements, performance standards, and design standards. The KCSPPM applies to residential, commercial, industrial, governmental, and agricultural activities in King County that have the potential to contribute pollutants to stormwater runoff or directly to receiving waters.

In 2007 King County began the process of updating the requirements of the KCSWDM, the KCSPPM and water quality code to make them equivalent to those mandated by Ecology in the Municipal Stormwater Permit. During 2007 the County and Ecology coordinated on the content of the changes needed to achieve equivalency. Once the content is agreed upon King County has to adopt the new KCSWDM and KCSPPM through a public rule process after necessary KCC amendments are made. Then Ecology has to go through an official process to modify the Municipal Stormwater Permit so that it states that King County's new KCSWDM is officially equivalent.

The process is outlined with the following approximate timeline:

February 19, 2008 - King County submitted the draft updated KCSWDM, KCSPPM and water quality codes to Ecology.

May 20, 2008 - Ecology returns the updated documents with edits required to be deemed equivalent. King County edits the KCSWDM, KCSPPM and codes and begins process to adopt updated KCSWDM, KCSPPM and codes.

October 6, 2008 - King County Council adopts ordinance updating King County Code to enable the new requirements of the updated KCSWDM and KCSPPM.

October 15, 2008 - King County begins public rule process to allow the public to provide input on the updated KCSWDM and KCSPPM.

November 29, 2008 - Public comment period closes.

January 9, 2009 - King County public rule process completed thus making the updated KCSWDM and KCSPPM official.

January 16, 2009 - Ecology begins the permit modification process required to modify the Municipal Stormwater Permit and deem the KCSWDM equivalent. This process will take several months and may involve further coordination with King County.

King County
Water and Land Resources Division
Department of Natural Resources and Parks
King Street Center
201 South Jackson Street, Suite 600
Seattle, WA 98104-3855
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TTY Relay: 711

RECEIVED
JUL 31 2008
DEPT

July 30, 2008

Rachel McCrea
Municipal Stormwater Specialist
Washington State Department of Ecology
Northwest Regional Office
3190 – 160th Avenue Southeast
Bellevue, WA 98008-5452

RE: NPDES Municipal Stormwater Permit WAR04-4501 G20 Notification

Dear Ms. McCrea:

Several sections of Special Condition 5 require the adoption of regulations equivalent to those in Ecology's Stormwater Management Manual for Western Washington. These include S5C5 (Controlling Runoff from New Development, Redevelopment, and Construction Sites), S5C7 (Source Control Program for Existing Development), S5C8 (Illicit Connections and Illicit Discharges Detection and Elimination), and S5C9 (Maintenance Standards). King County and Ecology have reached agreement on the equivalency of the regulations. The King County Department of Natural Resources and Parks (DNRP) proposes to comply with these conditions, but our code revisions, if adopted by the King County Council, will not be effective in time to meet the September 17 deadline established by the permit and letter from Ecology dated May 20, 2008 This letter alerts you, under General Condition 20 of the permit, to anticipate non-compliance.

For our proposals for equivalent regulations to become effective, or implementable, two steps are required at the County First, the King County Council must adopt key code provisions. Once the Council acts, the Department of Natural Resources and Parks (DNRP) will then adopt a public rule. The King County Executive submitted the necessary code revisions to the Council in March of 2008, consolidated in a package of legislation that included our 2008 Comprehensive Plan amendments. The package is proceeding through the Council committee process. Adoption is expected to occur sometime between mid-September and mid-October of 2008. DNRP will be ready to initiate the public rule process as soon as the Council acts. The rule process requires a minimum of three months. Accordingly, the earliest that we could have our equivalent regulations in place would be December of 2008. January of 2009 is the more likely target.

However, there is a further complication. Under a recent decision by the Pollution Control Hearings Board, equivalency cannot be a decision made by Ecology alone. Public process, through a permit modification, is required before our proposed regulations are considered equivalent under the permit. We understand that this process is likely to take four months and would not be initiated by Ecology until sometime after our proposed regulations have actually become effective. Therefore, it is not likely that King County will be able to meet the above cited permit conditions before May of 2009, and quite possibly later.

Please contact Curt Crawford, Manager of the Stormwater Services Section in the Water and Land Resources Division with DNRP, at 206-296-8329 if you need further information about the process I have described. We look forward to Ecology's support during our adoption process.

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations.

Sincerely,

Mark Isaacson
Division Director

MI:LC:bgD30

cc: Theresa Jennings, Director, Department of Natural Resources and Parks (DNRP)
Curt Crawford, Manager, Stormwater Services Section, Water and Land Resources Division (WLRD), DNRP
Doug Navetski, Supervising Engineer, Stormwater Services Section, WLRD, DNRP
Luanne Coachman, NPDES Municipal Stormwater Permit Coordinator, Stormwater Services Section, WLRD, DNRP