
Environment Committee

HB 1237

Brief Description: Regarding the creation of a storm water compliance project.

Sponsors: Representatives Pike, Van De Wege, Chandler, Takko, Harris, Hope, Moeller, Hayes, Moscoso, Wylie, Hargrove, Manweller, Smith and Fagan.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Directs the Department of Ecology to conduct a municipal stormwater control pilot project that evaluates the net environmental effects of alternative approaches to stormwater management and determines if alternative approaches can meet water quality standards at lower costs.

Hearing Date: 1/30/13

Staff: Jason Callahan (786-7117).

Background:

Stormwater is commonly transported through separate conveyance systems than wastewater, and subsequently discharged untreated into water bodies. The federal Clean Water Act establishes the National Pollutant Discharge Elimination System (NPDES), which regulates stormwater discharges. The NPDES permitting authority is delegated to the state, allowing the Department of Ecology (Department) to issue stormwater permits to cities and counties.

Municipal stormwater permits authorize stormwater discharges to surface and ground waters of the state, and vary in form depending on the size and density of the regulated municipality, and impairment levels of receiving water bodies. Municipal stormwater permit holders must fulfill certain stormwater prevention and management responsibilities enumerated in the permit. These responsibilities may include requirements to detect illicit stormwater discharges, control stormwater runoff from development and construction activities, institute structural improvements to reduce discharges, and minimize the accumulation of pollution in areas where it will be conveyed for untreated discharge during a storm.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

There are two types of stormwater permits applicable to western Washington: Phase I and Phase II. Phase I permits apply to the most populous jurisdictions in the state: Seattle, Tacoma, King County, Pierce County, Snohomish County, and Clark County. Phase II permits apply to all other jurisdictions in the western part of the state.

Summary of Bill:

The Department must conduct a municipal stormwater control pilot project that evaluates the net environmental effects of alternative approaches to stormwater management and determines if alternative approaches can meet water quality standards at lower costs. The alternative approaches developed by the Department will serve in lieu of the standard municipal stormwater permit for the participating pilot partner. The pilot partner must be chosen by the Department and may be any county that is subject to Phase I stormwater requirements and that has received a notice of violation relating to stormwater compliance prior to the end of the year 2009.

The basis of the alternative approaches of the pilot project must include the premise that new development in the pilot jurisdiction manages stormwater to maintain the existing environmental conditions while the impacts of existing development are mitigated by the pilot partner. The Department and the pilot partner are both responsible for monitoring the effects of the alternative compliance mechanisms on regional water quality based on metrics agreed to by both parties.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.