December 22, 2015

The Honorable Larry Phillips

Chair, King County Council

Room 1200

C O U R T H O U S E

Dear Councilmember Phillips:

This letter transmits an ordinance to amend King County's stormwater code, road standards, and critical areas code that will advance King County’s goals to protect water quality from polluted stormwater and prevent flooding and erosion that can result from stormwater runoff.

The proposed amendments will make King County’s Surface Water Design Manual and Stormwater Pollution Prevention Manual consistent with updated state requirements for large counties and cities to manage stormwater. Adoption of the ordinance is necessary to comply with the County’s 2013-2018 Phase I National Pollutant Discharge Elimination System General Municipal Stormwater Permit that was issued by the Washington State Department of Ecology (Ecology) under the federal Clean Water Act.

These code amendments were developed with consideration of not only the state and federal regulatory mandates, but also the King County’s broader public safety, water quality, and customer service goals in mind. The ordinance and manual updates will provide the following benefits:

* Improved stormwater runoff control on new development and redevelopment through increased use of low impact development practices;
* Improved customer service through technical changes to clarify code provisions;
* Flexibility for rural landowners in addressing the state's low impact development requirements;
* Reduced engineering costs for residential and agricultural projects through an improved drainage review process;
* Improved protection of public safety and property from natural hazards; and
* Flexibility for meeting the state’s low impact development requirements in road rights-of-way.

The proposed ordinance will further the following goals of the King County Strategic Plan:

* Justice and Safety – keep people safe in their homes and communities through improved control and prevention of flooding, erosion, landslides, sedimentation, and pollution resulting from new development and activities occurring on existing development.
* Environmental Sustainability – protect and restore water quality, biodiversity, and ecosystems through improved prevention of pollution at its source on existing developed lands, increased application of low impact development practices to new development and redevelopment, and improved stormwater management on new development and redevelopment.

The Water and Land Resources Division (WLRD) provided information to and requested input from a broad range of stakeholders including the Master Builders Association, Washington Environmental Council, Puget Soundkeeper Alliance, Cascadia Green Building Council, King County Agriculture Commission, and local municipalities. The County reached out to Tribes and local municipalities that are impacted by County stormwater management practices to solicit their input. King County offered draft documents for review and conducted an informational meeting to solicit comments from interested parties. The comments were evaluated and incorporated as appropriate.

The Water and Land Resources Division has worked with Ecology throughout the drafting process to ensure equivalency with state standards. WLRD submitted a revised draft proposal to Ecology on June 30, 2014. In May of 2015, and over the past several months, Ecology has conveyed additional comments that are addressed in the proposed ordinance. As required by the state permit, Ecology is currently reviewing the proposed code changes and implementing manuals for equivalency with the State’s current Stormwater Management Manual for Western Washington, and is expected to notify the County of any final changes needed for equivalency after the first of the year.

Additional information on proposed changes to the code is provided in the attached Plain Language Summary of Updates to the Stormwater Code. Since approval of the ordinance is considered an action under the State Environmental Policy Act, attached is an Environmental Checklist and Determination of Nonsignificance as required under state regulations.

Thank you for your consideration of this ordinance. This important legislation will further the goals of safety and environmental sustainability in the King County Strategic Plan and enable King County to meet requirements for compliance with the 2013-2018 Phase I National Pollutant Discharge Elimination System Municipal Stormwater Permit.

If you have any questions, please feel free to contact Mark Isaacson, Division Director, Water and Land Resources Division, Department of Natural Resources and Parks, at

206-477-4601.

Sincerely,

Dow Constantine

King County Executive

Enclosures

cc: King County Councilmembers

ATTN: Carolyn Busch, Chief of Staff

Anne Noris, Clerk of the Council

Carrie S. Cihak, Chief of Policy Development, King County Executive Office

Dwight Dively, Director, Office of Performance, Strategy, and Budget

Christie True, Director, Department of Natural Resources and Parks (DNRP)

Mark Isaacson, Director, Water and Land Resources Division, DNRP