
SUBSTITUTE HOUSE BILL 1689

State of Washington

58th Legislature

2003 Regular Session

By House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville, Schoesler, Cooper, Chandler, Holmquist and Hatfield)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to implementing the federal permit requirements for
2 municipal separate storm sewer system permits; adding new sections to
3 chapter 90.48 RCW; creating a new section; and providing expiration
4 dates.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature intends to provide direction
7 to the department of ecology and to municipalities regarding the
8 development and implementation in Washington of phase two of the
9 national pollutant discharge elimination system permit program required
10 by the federal clean water act (33 U.S.C. Sec. 1251 et seq.).

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.48 RCW
12 to read as follows:

13 (1) The department shall establish a permit development advisory
14 group for western Washington to advise and assist the department
15 regarding permits for municipal separate storm sewer systems. The
16 permit development advisory group shall:

17 (a) Review and address the issues specified in section 4 of this

1 act and any other issues regarding municipal separate storm sewer
2 systems for which the department requests advice and assistance; and

3 (b) Advise and assist the department in drafting a permit or
4 permits for municipal separate storm sewer systems in western
5 Washington as required by federal regulations implementing phase two of
6 the national pollutant discharge elimination system permit program
7 under the federal clean water act (33 U.S.C. Sec. 1251 et seq.).

8 (2) This section expires June 30, 2005.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 90.48 RCW
10 to read as follows:

11 The department shall develop a municipal separate storm sewer
12 system permit or permits that addresses the issues and needs of
13 municipalities operating these systems in eastern Washington. The
14 department shall use the advisory group it has established in eastern
15 Washington to develop a storm water management manual to advise and
16 assist the department regarding permits for municipal separate storm
17 sewer systems to be issued in eastern Washington. The eastern
18 Washington advisory group shall:

19 (1) Review and address the issues specified in section 4 of this
20 act as they pertain to eastern Washington and any other issues
21 regarding municipal separate storm sewer systems for which the
22 department requests advice and assistance; and

23 (2) Assist and advise the department in drafting a permit or
24 permits for municipal separate storm sewer systems in eastern
25 Washington as required by federal regulations implementing phase two of
26 the national pollutant discharge elimination system permit program
27 under the federal clean water act (33 U.S.C. Sec. 1251 et seq.).

28 This section expires June 30, 2005.

29 NEW SECTION. **Sec. 4.** A new section is added to chapter 90.48 RCW
30 to read as follows:

31 (1) No later than nine months after the effective date of this act,
32 the permit development advisory group for western Washington
33 established in section 2 of this act and the eastern Washington storm
34 water management group identified in section 3 of this act shall review
35 and make recommendations to the department regarding the development of

1 permits for municipal separate storm sewer systems. Issues considered
2 by these groups shall include the:

- 3 (a) Types of discharges being regulated under these permits;
- 4 (b) Areas being regulated by these permits under phases one and two
5 of the federal national pollutant discharge elimination system permit
6 program as they relate to municipal borders;
- 7 (c) Issuance of these permits on a watershed basis;
- 8 (d) Integration of permits and permit requirements for phase one
9 and phase two of the federal national pollutant discharge elimination
10 system permit program;
- 11 (e) Application of these permits to ground water discharges;
- 12 (f) Level of effort required of municipalities to satisfy permit
13 requirements regarding:
 - 14 (i) Public education and outreach;
 - 15 (ii) Public participation and public involvement;
 - 16 (iii) Illicit discharge detection and elimination;
 - 17 (iv) Construction site runoff control;
 - 18 (v) Postconstruction runoff control;
 - 19 (vi) Pollution prevention and good housekeeping;
 - 20 (vii) Implementation of applicable total maximum daily loads; and
 - 21 (viii) Program evaluation and reporting;
- 22 (g) Protection for shellfish areas;
- 23 (h) The use of land use planning and existing land use plans and
24 rules as a best management practice for storm water management and to
25 protect water quality; and
- 26 (i) Potential funding sources for implementation of permit
27 requirements.
- 28 (2) This section expires June 30, 2005.

--- END ---