

CITY OF SPOKANE STORMWATER COMPLIANCE GUIDE

Table of Contents

I. Introduction..... 3  
*What is stormwater?* ..... 3

II. Applicable Municipal Code Provisions ..... 3

A. Chapter 17D.060-Stormwater Facilities ..... 3  
*What is the purpose of this Chapter?* ..... 3  
*What are the duties of an owner?* ..... 3  
*What are stormwater facilities?* ..... 4  
*Who determines the design standards of stormwater facilities?* ..... 4  
*What documents must I submit to the City?* ..... 4  
*What is the penalty for violating this chapter?* ..... 4

B. Chapter 17D.090-Erosion and Sediment Control ..... 5  
*What is the purpose of this Chapter?* ..... 5  
*When does this chapter apply?*..... 5  
*When must I submit and ESC plan?* ..... 5  
*What further measures must I take?*..... 5  
*Are there any exemptions from this Chapter?* ..... 6

C. Chapter 17D.010-Concurrency Certification ..... 6

III. Commercial Permit Process ..... 6  
*Why do I need a permit?*..... 7  
*When do I need a permit?* ..... 7  
*What work is exempt from permits?* ..... 7  
*What is a predevelopment conference?* ..... 8  
*How will a predevelopment conference benefit me?*..... 8  
*How do I schedule a predevelopment conference?* ..... 8  
*What is an intake meeting?*..... 8  
*When are intake meetings required?* ..... 8  
*How will an intake meeting benefit me?* ..... 9  
*How do I schedule an intake meeting?* ..... 9  
*What should I bring to the intake meeting?* ..... 9

<i>What is the Over-the-Counter (OTC) plan review process?</i> .....	9
<i>When am I eligible to use the OTC process?</i> .....	9
<i>City of Spokane Stormwater Permit Process Flowchart</i> .....	10
IV. Spokane Regional Stormwater Manual .....	12
<i>What are the general requirements of the SRSM?</i> .....	12
<i>What is the regulatory threshold?</i> .....	13
<i>What are the basic requirements of the SRSM?</i> .....	13
<i>What is new development?</i> .....	13
<i>What basic requirements must new development projects comply with?</i> .....	14
<i>What is redevelopment?</i> .....	14
<i>What basic requirements must redevelopment projects must comply with?</i> .....	14
<i>When may a redevelopment project deviate from the Basic Requirements?</i> .....	14
<i>What projects are exempt from the Basic Requirements of the SRSM?</i> .....	14
<i>What is a Drainage Submittal?</i> .....	15
<i>What is Geotechnical Site Characterization?</i> .....	15
<i>What is Water Quality Treatment?</i> .....	15
<i>What is Flow Control?</i> .....	15
<i>What is a conveyance system?</i> .....	15
<i>What is an erosion and sediment control plan?</i> .....	16
<i>When is an ESC plan required?</i> .....	16
<i>What projects are exempt from an ESC plan?</i> .....	16
<i>What is source control?</i> .....	17
<i>What is the purpose of source control?</i> .....	17
<i>Why is maintenance important?</i> .....	17
<i>Who is responsible for maintenance?</i> .....	17
<i>What is an operations and maintenance manual?</i> .....	18
<i>What is a financial plan?</i> .....	18
V. State Permit Requirements .....	18
<i>What is the Industrial Stormwater General Permit?</i> .....	18
<i>What is the Construction Stormwater General Permit?</i> .....	19
VI. Contact Information and Additional Resources .....	20

## **I. Introduction**

The purpose of this guide is to assist developers, contractors, and current commercial building owners in understanding how to comply with the city's stormwater regulations and commercial permit process. Furthermore, this guide will outline the requirements of the Spokane Regional Stormwater Manual and explain the interplay between local municipal regulations and state regulations. Lastly, this guide will summarize the construction and industrial state general permit requirements.

### ***What is stormwater?***

Stormwater is runoff during and following precipitation and snowmelt events, which includes surface runoff, and interflow. Stormwater has great potential to transport many pollutants to the aquifer and surface waters in and around the City of Spokane. The City recognizes the threat stormwater poses to the health and safety of citizens and the environment. Because of this threat the City has enacted rules and regulations governing stormwater management.

## **II. Applicable Municipal Code Provisions**

This section of the guide will outline and explain the relevant provisions of the Spokane Municipal Code (hereinafter "SMC") that pertain to Stormwater. The main chapter in the SMC relating to stormwater is Chapter 17D.060. The other relevant chapter is SMC 17D.090, this chapter details the rules governing erosion and sediment control.

### **A. Chapter 17D.060-Stormwater Facilities**

#### ***What is the purpose of this Chapter?***

"The purpose of this chapter is to identify and to the extent it is practical and financially possible, manage the collection and treatment of stormwater flows within the City, reduce the incidence of flooding and erosion caused by development, and to reduce the amount of stormwater inflow to the wastewater system." SMC 17D.060.010(A).

#### ***What are the duties of an owner?***

Every owner and occupant must install, maintain and keep in good function any onsite stormwater facility in accordance with applicable requirements. Such requirements may be reflected as conditions of land use or property development in plats, building or special use permits, or other permits, or may be imposed as a consequence of other regulatory action, including code enforcement and nuisance abatement. See SMC 17D.060.050(A).

This chapter makes it a public nuisance for the “failure of an owner or occupant to install a required onsite stormwater facility, or maintain the same at a level of full function and efficiency tends to augment the discharge of stormwater, surface or groundwater flows onto the public right-of-way and other public or private property, as well as into public storm and sanitary sewers.” SMC 17D.060.020(A).

### ***What are stormwater facilities?***

Examples of onsite stormwater facilities include but are not limited to, catch basins, pipes, ponds, impoundments, inlets and drains, as well as biotic landscaping components such as grassy swales, drainage areas, easements, or other kinds of onsite drainage systems. See SMC 17A.020.150(D).

### ***Who determines the design standards of stormwater facilities?***

The Director of Wastewater Management controls the design standards and regulations of onsite stormwater facilities, and determines their applicability to particular areas of the City of Spokane. See SMC 17D.060.030(A).

The issuance of any permit or approval for commercial developments is conditioned upon acceptable documentation by a civil engineer licensed by the State of Washington. See SMC 17D.060.070(B).

### ***What documents must I submit to the City?***

Drainage plans shall be prepared and submitted for review and acceptance for all proposed plats and land disturbing activities prior to issuance of any permits for site disturbance, including but not limited to grading permits and building permits. See SMC 17D.060.140(C).

With respect to drainage plans, the volume and rate of surface water runoff after new development shall be no greater than the runoff volume and rate leaving the site prior to development. Drainage Plans submitted for development proposals shall comply with the Spokane Regional Stormwater Manual and the City of Spokane Design Standards. See SMC 17D.060.140(D)(1),(3).

### ***What is the penalty for violating this chapter?***

Violation of this Chapter is a public nuisance and each day of a continuing violation is a new and separate violation and subject to penalties provided in SMC 1.05.160.

## **B. Chapter 17D.090-Erosion and Sediment Control**

### ***What is the purpose of this Chapter?***

The purpose of this chapter is to establish a soil and erosion and sedimentation control (ESC) program for ground-disturbing activities. Spokane's ESC program is part of an overall stormwater management program implemented by the City and required by state and federal law. Many of the details of the City ESC program are specified in the referenced regulation manuals and materials listed in SMC 17D.090.030. See SMC 17D.090.010(A).

### ***When does this chapter apply?***

This chapter applies to all ground disturbing activities whether or not a permit is required, unless otherwise exempted. SMC 17D.090.040. Every owner and occupant must install, maintain, and keep in good function and order any erosion and sediment control measures established for ground disturbing activities on said property in accord with applicable requirements. SMC 17D.090.050(A).

### ***When must I submit and ESC plan?***

A responsible party must submit an ESC plan for permitted development projects to the director for review if the disturbance area is:

1. five thousand square feet or greater in area; or
2. in a special site per SMC 17D.090.080

An erosion and sediment control plan is not required for work that does not require a permit unless otherwise required by the terms of a compliance order or land use decision. When a plan is required, the responsible party shall not commence any construction before the director has accepted the proposed plan. See SMC 17D.090.070(A)-(C).

All erosion and sediment control plans shall comply with the minimum requirements for erosion and sediment control plan standards in this chapter and in the Spokane Regional Stormwater Manual. The director will review all ESC plans and may waive items required by the Spokane Regional Stormwater Manual where the director determines that certain items are not applicable to a specific application or project. See SMC 17D.090.090. Section 17D.090.110 lists the items that must be addressed in ESC plans.

### ***What further measures must I take?***

The responsible party shall maintain all ESC measures, temporary and permanent, in proper functioning order. Furthermore, the responsible party shall inspect, maintain, adjust, repair, and replace ESC control

measures within twenty-four hours following a storm even to ensure that the measures are functioning properly. During active ground-disturbing activity, the responsible party shall inspect and maintain ESC control measures daily between October 1 and April 30. See SMC 17D.090.170(A)-(C).

### ***Are there any exemptions from this Chapter?***

Yes, exempted from the requirements of SMC 17D.090 are:

- Commercial agriculture as regulated under chapter 84.34.020 RCW.
- Forest practices regulated under Title 222 WAC, except for Class IV General Forest Practices that are conversions from timber land to other uses.
- Issuance of permits and/or approvals for land divisions, interior improvements to an existing structure, or other approvals for which there is no ground disturbing activity.
- Installation of signs requiring only incidental ground disturbing activity.
- Emergencies-Actions by a public utility or governmental agency to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic, provided the responsible party exempted under this section cleans and/or removes any erosion and sedimentation after the thoroughfare is reopened, pursuant to the performance standards in SMC 17D.090.180. For all other emergencies, the director may excuse compliance in full or in part because of unavoidable emergency conditions where there is a substantial danger or risk of loss, upon a showing of good faith necessity by the responsible party.
- Planting of tree or other vegetation by hand held tool.

### **C. Chapter 17D.010-Concurrency Certification**

Stormwater facilities and all permit applications are subject to a concurrency test. Development applications that would result in a reduction of a level of service below the minimum level of service standard cannot be approved. For stormwater only available capacity will be used in the concurrency test. If the capacity of current facilities, either existing or as planned, is equal to or greater than the capacity required by the development permit to, the concurrency test is passed.

### **III. Commercial Permit Process**

This section will outline and explain the City of Spokane's commercial permit process. Most projects that require a permit will generally fall under one of two categories. The first category is remodels and tenant improvements. The second category is new construction, additions, and changes of use. Remodels and tenant improvements projects generally do not have to submit a drainage plan or an erosion and sediment control plan. The second category usually does have to submit a drainage plan and erosion and sediment control plan. Both categories require the applicant to fill out the Commercial Building Permit.

Under either permit category, a pre-development conference is usually conducted between the applicant and city officials. Furthermore, an intake meeting is required for all new construction,

additions, and changes-of-use. After the applicant has submitted his or her application, the City of Spokane will review the application and decide on whether to issue a permit.

### ***Why do I need a permit?***

Permits are a way for the City of Spokane to regulate construction. They provide the first measure of assurance that buildings in the City are safe and sustainable; and licensed and bonded contractors or eligible property owners are completing that work.

### ***When do I need a permit?***

The City of Spokane requires permits to “construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure; or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system.”

### ***What work is exempt from permits?***

Although permits are not generally required for the following types of projects, all building codes, zoning ordinances, and other regulations still apply:

- Single-Story Accessory Structures (i.e., storage sheds and playhouses) with floor areas that do not exceed 200 square feet;
- Retaining Walls that are not over 4 feet in height as measured from the bottom of the footing to the top of the wall; unless supporting a surcharge or impounding Class I, II, or IIIA liquids or if built within the City right-of-way;
- Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work;
- Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height;
- Swings and other playground equipment accessory to a single family residence;
- Prefabricated swimming pools that are less than 24 inches deep;
- Portable Appliances such as those that could be used for heating, cooling, ventilation, refrigeration, or lighting; and
- The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement/relocation/extension of valves, pipes, or fixtures.

### ***What is a predevelopment conference?***

This is an optional meeting, but recommended, between an applicant and representatives of City Departments and other governmental agencies involved in the plan review process. These meetings help applicants determine project feasibility and they provide an overview of requirements to prepare for the application submittal process.

### ***How will a predevelopment conference benefit me?***

Pre-development conferences are highly recommended as they identify early on in the process potential obstacles and proposed projects. This helps property owners, contractors and developers, and business owners determine the feasibility of projects before expending much money. Applicants are provided with a comprehensive set of notes after their meeting that detail the requirements, expectations, and code references to assist them with their project. These notes and the meeting help ensure complete and correct submittals when applying for building or land use permits which improve plan review approval times, reduce the need for resubmittals, and save applicants time and money.

### ***How do I schedule a predevelopment conference?***

To schedule a pre-development conference, submit a completed pre-development application with 7 copies of a site plan (plus 1 digital copy [pdf]) for the proposed project to the Permit Center on the 3<sup>rd</sup> Floor of City Hall. A Plans Examiner will screen the submittal to ensure the requirements identified on page 2 of the application have been sufficiently met. Qualifying submittals will then be scheduled for the next available time slot. The applicant will be informed of the set time and date at approved application submittal and again by email.

### ***What is an intake meeting?***

An intake meeting is the first step in the actual plan review process for all full route projects. They provide the means for representatives from appropriate City departments to meet with applicants and to review application submittals to determine if they are “counter complete.” In addition to verifying that all requirements have been submitted, City staff also perform a high level review to identify major errors and deficiencies with the proposed project.

### ***When are intake meetings required?***

Intake meetings are mandatory for application submittals that require a full complement of plans to be submitted for review. These “full route” projects include all:

- New commercial and multi-family construction;
- Additions to commercial and multi-family buildings;



- Changes of use or occupancy classification;
- Parking Lots and site development; and
- Commercial and multi-family remodels that include site work.

### ***How will an intake meeting benefit me?***

Intake meetings provide several benefits that lead to better project planning, reduced costs, and time saved. By assuring that only complete plan submittals without any major deficiencies are accepted, the plan review process is sped up as the number of correction letters and re-submittals required are reduced. Moreover, depending on the scope and complexity of the project, applicants may be provided with an approximate date that they can expect to receive their first set of comprehensive review comments.

### ***How do I schedule an intake meeting?***

Intake meetings are available Monday through Thursday by appointment only. After completing and compiling all materials listed as required on the Commercial Permit Application, call the Department of Building Services at (509) 625-6300 to make the necessary arrangements.

### ***What should I bring to the intake meeting?***

You must provide a completed application packet to include the submittal requirements checklist and all plan sets, reports, analyses, and calculations required.

### ***What is the Over-the-Counter (OTC) plan review process?***

The City of Spokane offers a formal Over-the-Counter (OTC) plan review process for commercial tenant improvements. OTC reviews are meant specifically for minor exterior remodels, alterations, or new tenants in existing spaces. In general, projects requiring erosion and sediment control or drainage plans are not eligible for OTC review. At the conclusion of a successful OTC plan review, a building permit may be purchased. Projects needing a change-of-use or change-of-occupancy, or involving exterior work are not eligible.

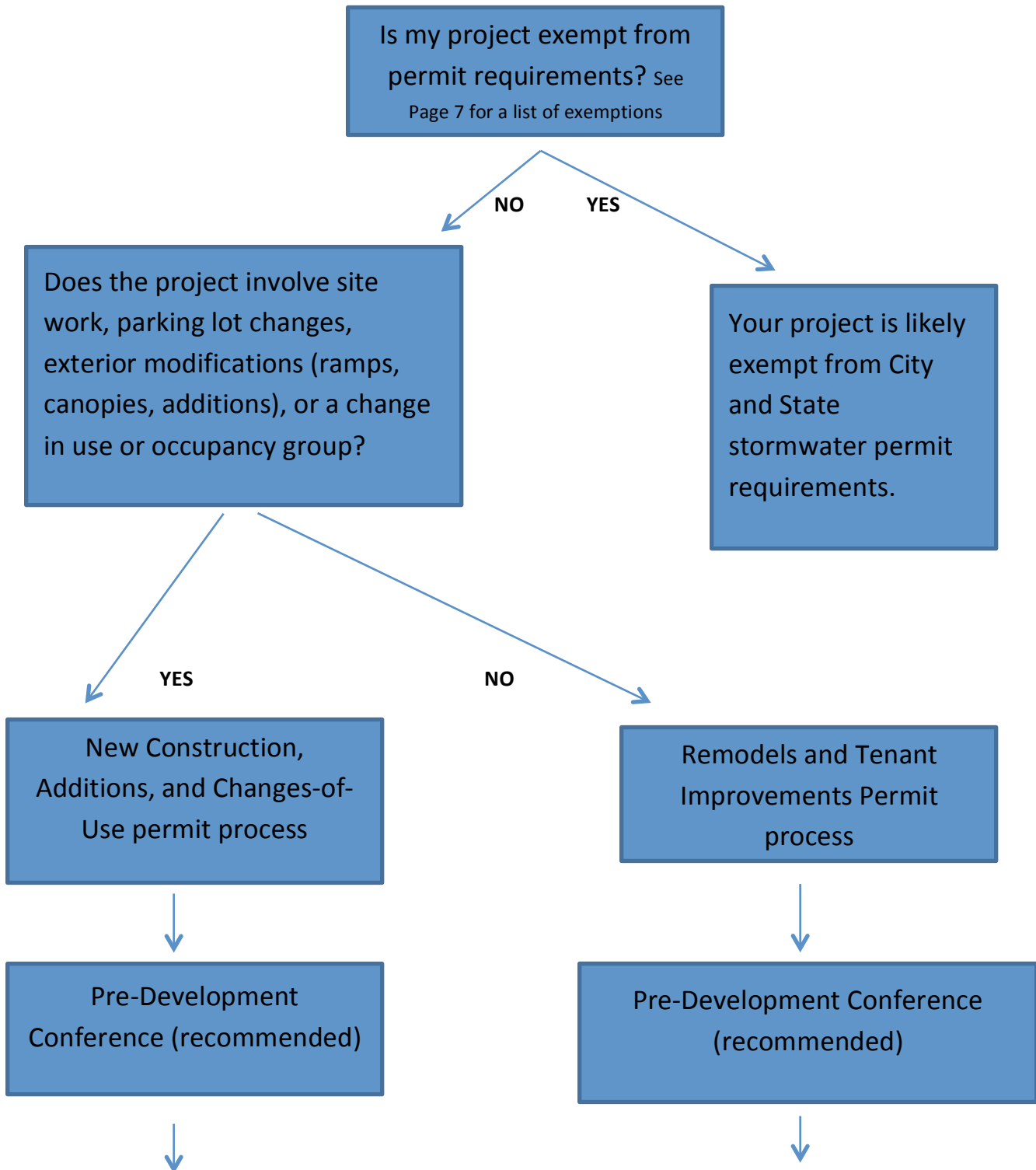
### ***When am I eligible to use the OTC process?***

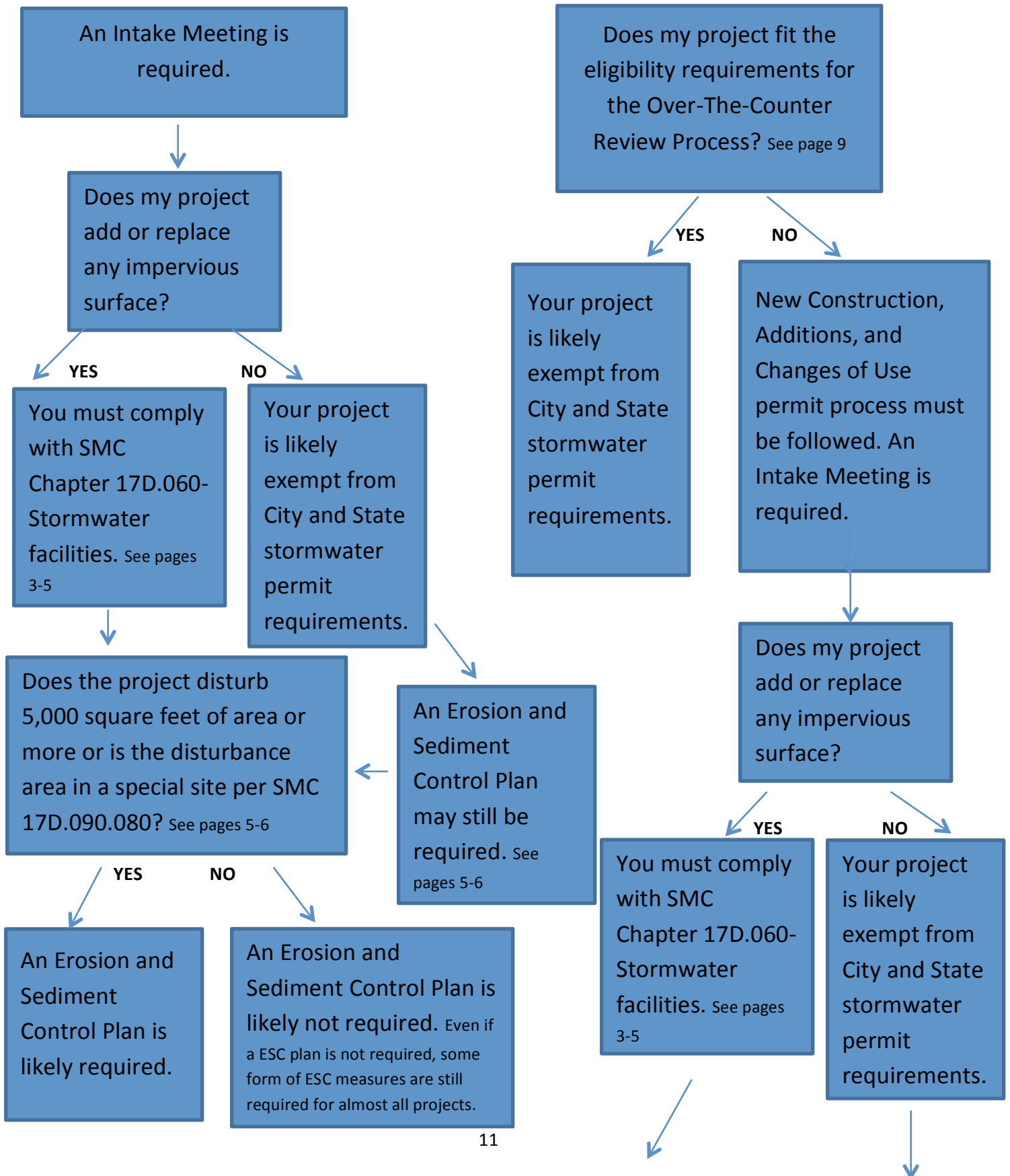
To be eligible, a project must meet the following conditions:

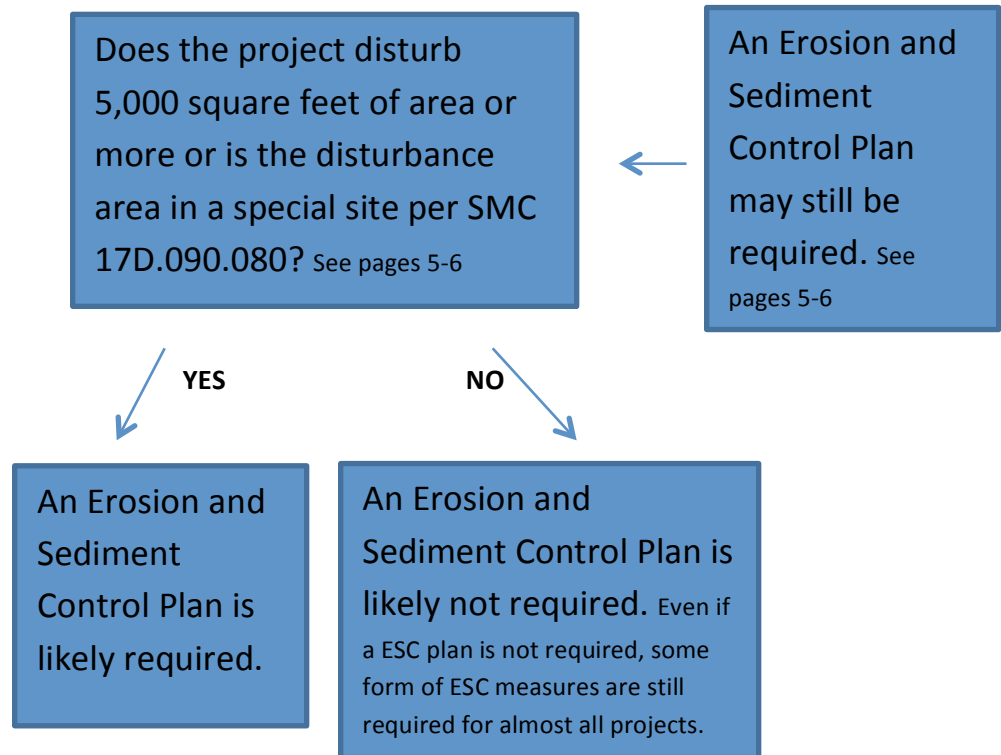
- Affect no more than 100 linear feet of interior walls;
- Remodeled area be less than 4,000 square feet;
- Be an Occupancy Group as B (office), M (retail and wholesale), or R (residential);
- For electrical, affect 3 or fewer circuits;
- For mechanical, reconfiguring existing ductwork with 6 or fewer diffusers;
- For plumbing, affect 4 fixtures maximum in restroom remodels;

- Affect only a single floor; and
- Additional criteria at the discretion of the Plan Reviewer.

### *City of Spokane Stormwater Permit Process Flowchart*







#### IV. Spokane Regional Stormwater Manual

The Spokane Regional Stormwater Manual (hereinafter called “SRSM”) establishes standards for stormwater design and management to protect water quality, natural drainage systems and down-gradient properties as urban development occurs. The purpose of the SRSM is to help communities in the Spokane region to protect water quality, prevent adverse impacts from flooding, and control stormwater runoff to levels equivalent to those that occurred prior to development.

This section will outline the basic requirements that an owner or project developer must follow in order to be in compliance with the SRSM.

#### *What are the general requirements of the SRSM?*

The owner or project proponent and his agent are responsible for the following:

- General project management.
- Coordinating project consultants
- Providing complete drainage submittals
- Ensuring adherence to:
  - The standards and criteria presented in this Manual
  - The Administrative Conditions of Approval, if applicable
  - Any conditions established by local jurisdiction staff

The owner or project proponent and his agent are required to obtain acceptance of the drainage submittal from the local jurisdiction prior to any of the following:

- Final plat approval
- Final short plat approval
- Binding site plan approval
- Issuance of a building permit
- Issuance of a road approach permit
- Any other land use action as defined by code, regulation, or resolution of the local jurisdiction.

### ***What is the regulatory threshold?***

The regulatory threshold is the “trigger” for requiring compliance with the Basic Requirements of the SRSM. In the City of Spokane, the threshold is defined as the addition or replacement of any impervious surfaces. The regulatory threshold applies to the total impervious area replaced or added at full build-out. Refer to common plan of development or sale definition to determine whether your project will trigger the regulatory threshold.

### ***What are the basic requirements of the SRSM?***

Basic Requirement No. 1-Drainage Submittal;

Basic Requirement No. 2-Geotechnical Site characterization;

Basic Requirement No. 3-Water Quality Treatment;

Basic Requirement No. 4-Flow Control;

Basic Requirement No. 5- Natural and Constructed Conveyance Systems;

Basic Requirement No. 6-Erosion and Sediment Control;

Basic Requirement No. 7- Source Control; and,

Basic Requirement No. 8-Operation and Maintenance.

### ***What is new development?***

New Development is the conversion of previously undeveloped or permeable surfaces to impervious surfaces and managed landscape areas. New development occurs on vacant land or through expansion of partially developed sites.

### ***What basic requirements must new development projects comply with?***

In the City of Spokane, all new development projects must comply with all of the Basic Requirements.

### ***What is redevelopment?***

Redevelopment is the replacement of impervious surfaces on a developed site. Redevelopment occurs when existing facilities are demolished and rebuilt or substantially improved through reconstruction.

### ***What basic requirements must redevelopment projects must comply with?***

In the City of Spokane, all redevelopment projects must comply with all of the Basic Requirements.

### ***When may a redevelopment project deviate from the Basic Requirements?***

A project may be granted a design deviation when site conditions prevent full compliance with the Basic Requirements of the SRSM; however, every effort should still be made to find creative ways to meet the intent of the Basic Requirements of the SRSM. Design deviations will generally not be granted waiving stormwater requirements for new impervious surfaces. The local jurisdiction may allow the Basic Requirements to be met for an area with equivalent flow and pollution characteristics within the same site.

Special conditions may apply to the Moran Prairie and Five-Mile Prairie Special Drainage Districts. See SMC Section 17D.060.130 and consult the City of Spokane for details.

### ***What projects are exempt from the Basic Requirements of the SRSM?***

- Commercial agriculture as regulated under RCW Chapter 84.34.020, except for the construction of impervious surfaces related to commercial agriculture;
- Forest practices regulated under WAC title 222, except for Class IV General Forest Practices that are conversions from timberland to other uses;
- Oil and gas field activities or operations, including construction of drilling sites, waste management pits, access roads, and transportation and treatment infrastructure such as pipelines, natural gas treatment plants, natural gas pipeline compressor stations and crude oil pumping stations;
- Actions by a public utility or any other governmental agency to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic;
- Records of survey, boundary line adjustments, and property aggregations, unless the action affects drainage tracts and easements;
- Projects that, when completed, will not have physically disturbed the land;
- Operation and maintenance or repair of existing facilities; and,

- Road and parking area preservation/maintenance projects such as:
  - Pothole and square cut patching;
  - Crack sealing;
  - Shoulder grading;
  - Reshaping or regarding of drainage systems;
  - Vegetation maintenance.

### ***What is a Drainage Submittal?***

Projects are expected to demonstrate compliance with all applicable Basic Requirements through the preparation of a Drainage Submittal. The Drainage Submittal shall include road and drainage construction plans, a drainage report that describes the proposed measures to dispose of stormwater, and other supporting documentation as needed. The contents of the Drainage Submittal will vary with the type, size and location of the project, individual site characteristics, and requirements of the local jurisdiction.

### ***What is Geotechnical Site Characterization?***

A geotechnical site characterization (GSC) is required to demonstrate suitability for stormwater disposal and to determine sub-level structure construction feasibility. A geotechnical engineer shall perform the study.

### ***What is Water Quality Treatment?***

Water quality treatment is required to reduce pollutant loads and concentrations in stormwater and can be achieved using physical, biological, and chemical removal. An analysis of the proposed land use at the project site is used to determine the pollutants of concern and the appropriate treatment methods to apply.

### ***What is Flow Control?***

Standard flow control facilities are detention/retention ponds, drywells, and evaporation ponds. Any other facility is considered a non-standard system, and shall be evaluated individually by the local jurisdiction. Flow control facilities are necessary to protect stream morphology and habitat and to mitigate potential adverse impacts on down gradient properties and floodplains due to the increase in stormwater runoff caused by land development.

### ***What is a conveyance system?***

A conveyance system includes all natural or constructed components that collect stormwater runoff and convey it away from structures in a manner that adequately drains sites and roadways, minimizing the potential for flooding and erosion.

Conveyance facilities consist of curbs and gutters, inlets, storm drains, catch basins, channels, ditches, pipes and culverts.

Engineered conveyance elements for proposed projects shall be analyzed, designed, and constructed to provide a minimum level of protection against damage to property and improvements from uncontrolled or diverted flows, flooding and erosion.

### ***What is an erosion and sediment control plan?***

Controlling erosion and preventing sediment and other pollutants from leaving the project site during construction can be achieved by implementing the best management practices(BMPs) identified in the SRSM. The ESC plan shall outline specific construction BMPs for a project site to avoid adverse stormwater impacts from construction activities on water resources, roads, drainage facilities, surrounding properties and other improvements.

### ***When is an ESC plan required?***

Land-disturbing activities are activities that result in a change in existing soil cover (vegetative or non-vegetative) or site topography. Land-disturbing activities include, but are not limited to, demolition, construction, clearing and grubbing, grading and logging. The following land-disturbing activities require an ESC plan:

- five thousand square feet or greater in area; or
- in a special site per SMC 17D.090.080

An ESC plan, when required, must be submitted with either the road and drainage plans or the permit application, prior to any land-disturbing activity.

### ***What projects are exempt from an ESC plan?***

An ESC plan is typically not required for the following activities:

- Commercial agriculture as regulated under RCW Chapter 84.34.020;
- Forest practices regulated under WAC Title 222, except for Class IV General Forest Practices that are conversions from timberland to other uses;
- Actions by a public utility or any other government agency to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic;
- Land divisions, interior improvements to an existing structure, and other activities requiring permits or approvals for which there is no physical disturbance to the surface of the land; and,
- Minor land-disturbing activities that do not require a permit.

Although an ESC plan may not be required for the situations noted above, that does not relieve the proponent from the responsibility of controlling erosion and sediment during construction nor the liability of damage claims associated with adverse impacts on off-site properties.



### ***What is source control?***

Source control consists of measures taken to prevent pollutants from entering stormwater and thus affecting the water quality of surface water and groundwater. Source control measures are typically in the form of BMPs to keep the common pollutants generated in an urban environment from contacting stormwater, either through physical separation of areas or through careful management of activities that generate pollutants. Typical stormwater pollutants include chemicals (metals, nutrients, pesticides, etc.), trash, yard waste, and debris collected when flowing over impervious surfaces. Construction sites, pet waste, and excess fertilizer from lawns also can be potential sources of stormwater contamination.

### ***What is the purpose of source control?***

The main purpose of source control BMPs is to prevent pollutants from coming into contact with stormwater through physical separation and/or management of activities that produce pollutants.

### ***Why is maintenance important?***

Insufficient maintenance of stormwater control facilities can lead to poor performance, shortened life, increased maintenance and replacement costs, and property damage.

### ***Who is responsible for maintenance?***

The local jurisdiction maintains the stormwater system structures located within the public road right of way and structures located within border easements that serve public road runoff, unless a separate agreement exists whereby the homeowner, property owner or other independent entity is responsible for the maintenance. Drainage tracts created by public projects will be maintained by the local jurisdiction.

The project proponent is to provide for the perpetual maintenance of all elements of the stormwater system located outside the public right of way. The high-frequency maintenance of vegetated cover, turf grass and other landscaping within the public right of way and within border easements that accommodate public runoff is the responsibility of the adjacent property owner. When applicable, the following maintenance related items shall be submitted with the Drainage Submittal for all projects:

- A copy of the conditions, covenants and restrictions (CC&Rs) for the homeowners' association (HOA) in charge of operating and maintaining all elements of the stormwater system;
- A financial plan outlining the funding mechanism for the operation, maintenance, repair, and replacement of the private stormwater system, including contingencies; and,
- An Operations and Maintenance Manual.

### ***What is an operations and maintenance manual?***

The O&M Manual summarizes the tasks required to ensure the proper operation of all facilities associated with the stormwater system and must include, as a minimum:

- Description of the entity responsible for the perpetual maintenance of all facilities associated with the stormwater system, including legal means of successorship;
- Description of maintenance tasks to be performed and their frequency;
- A list of the expected design life and replacement schedule of each component of the stormwater system;
- A general site plan (drawn to scale) showing the overall layout of the site and all the facilities associated with the stormwater system; and,
- A description of the source control BMPs.

### ***What is a financial plan?***

A Financial Plan is required in order to provide the entity responsible for maintenance with guidance with regard to financial planning for maintenance and replacement costs. The Financial Plan shall include the following items:

- A list of all stormwater-related facilities and their expected date of replacement and associated costs;
- Sinking fund calculations that take into consideration probably inflation over the life of the infrastructure and estimates the funds that need to be set aside annually; and,
- A mechanism for initiating and sustaining the sinking fund account demonstrating that perpetual maintenance of all facilities associated with the stormwater system will be sustained.

## **V. State Permit Requirements**

The Washington State Department of Ecology implements the Federal Clean Water Act. Because of this federal law, the Department of Ecology issues two general permits relating to stormwater. The first general permit is the Industrial Stormwater General Permit. This permit is required for certain industrial activities that cause stormwater runoff which could adversely impact the surface waters of the State. The second permit is the Construction Stormwater General Permit. The goal of the this permit is to reduce or eliminate stormwater pollution and other impacts to surface water from construction sites.

### ***What is the Industrial Stormwater General Permit?***

The state requires industrial facilities to obtain stormwater permit coverage in an effort to reduce or eliminate stormwater pollution and other impacts to the surface waters of the state.

Industrial facilities must obtain permit coverage if the facility conducts any activities listed in the permit and the facility discharges stormwater to a surface water body; if the facility's existing NPDES permit

does not address all of the stormwater discharges; or when an inactive facility has significant materials that remain on-site and are exposed to stormwater.

Unpermitted facilities that meet the above criteria must obtain permit coverage through the Department of Ecology. Ecology could also require additional facilities to seek permit coverage if it finds that the facility is a significant contributor of pollutants or if it finds that the facility is reasonably expected to violate any water quality standard. The facility owner/operator must develop and implement a stormwater pollution prevention plan (SWPPP) that includes the best management practices necessary to prevent or reduce the pollution of waters of the state as well as comply with the permit's applicable sampling guidelines. The SWPPP should include a site map, detailed assessment of the facility, description of the best management practices, a spill prevention and emergency cleanup plan, and the facility's sampling plan. Generally, facilities must conduct quarterly samples of discharges and submit the results to the Department of Ecology within 45 days of the end of the reporting period. The facility must submit reports even if no sample was collected whether it is because there was no discharge or collection was not possible within the first twelve hours of the discharge. If a facility exceeds a sampling benchmark that is outlined in the permit, the facility must complete the appropriate level of corrective action and update the SWPPP as necessary. Additional sampling requirements and corrective action guidelines are available in the permit.

### ***What is the Construction Stormwater General Permit?***

Construction sites must obtain permit coverage, from the state, when construction activities disturb one or more acres of land (through activities such as clearing, grading, excavating, and/or demolition) or construction activities are part of a larger common plan of development or sale that will ultimately disturb one or more acres and the site discharges stormwater into state surface waters. Construction sites must also develop and utilize a stormwater pollution prevention plan (SWPPP) and include in the SWPPP best management practices or the practices and physical structures used on-site to prevent pollution of stormwater runoff. Best management practices must be installed prior to the start of construction and continue throughout the life of the construction project.

The SWPPP must be designed to address the following elements: preserve vegetation and mark clearing limits, establish construction access, control flow rates, install sediment controls, stabilize soils, protect slopes, protect drain inlets, stabilize channels and outlets, control pollutants, control de-watering, maintain best management practices, and manage the project.

The operator of the construction site must also comply with weekly sampling guidelines and visual site inspections. The sampling results must be reported monthly to the Department of Ecology through discharge monitoring reports even if no discharges occurred during the month. See the Construction Stormwater General Permit for additional information about sampling requirements and best management practices.

## VI. Contact Information and Additional Resources

### Web Resources

*Spokane Municipal Code*

<http://www.spokanecity.org/services/documents/smc/>

*Spokane Regional Stormwater Manual*

[http://www.spokanecounty.org/data/engineers/srsm\\_apr08final/SRSM\\_April2008Final.pdf](http://www.spokanecounty.org/data/engineers/srsm_apr08final/SRSM_April2008Final.pdf)

*Engineering Services*

<http://www.spokaneengineering.org/>

*Department of Wastewater Management*

<http://www.spokanewastewater.org/>

*Building Services Department*

<http://www.buildingspokane.org/>

*Engineering Plan Review Application*

<http://www.spokaneengineering.org/wp-content/uploads/2011/10/Engineering-Plan-Review-Application-Web.pdf>

*Stormwater Intake Checklist*

<http://www.spokaneengineering.org/wp-content/uploads/2011/10/Engineering-Stormwater-Intake-Checklist.pdf>

*Spokane Commercial Application Packet*

<http://www.buildingspokane.org/wp-content/uploads/2012/02/Commercial-Application-Packet.pdf>

*Over-the-Counter Commercial Building Plan Review (& Building Permit) Process*

<http://www.buildingspokane.org/wp-content/uploads/2011/03/Over-the-Counter-Review-Process.pdf>

*Pre-Development Conference Application*

<http://www.buildingspokane.org/wp-content/uploads/2012/03/Pre-Dev-Application.pdf>

*Washington State Department of Ecology-Stormwater Information*

<http://www.ecy.wa.gov/programs/wq/stormwater/index.html>

*Washington State Department of Ecology-Construction Stormwater General Permit*

<http://www.ecy.wa.gov/programs/wq/stormwater/construction/permitdocs/cswgpppermit120110.pdf>

*Washington State Department of Ecology-Industrial Stormwater General Permit*

<http://www.ecy.wa.gov/programs/wq/stormwater/industrial/permitdocs/iswgppfinal051612.pdf>

## **Contact Information**

### *Sewer Maintenance*

909 East Sprague Avenue 99202  
Phone: (509) 625-7900  
Fax: (509) 625-7940

### *Department of Building Services*

City Hall-3<sup>rd</sup> Floor  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201  
Phone: (509) 625-6300  
Office Hours: 8:00am-5:00pm, Monday-Friday (excluding most holidays)

### *Engineering Services*

Phone: (509) 625-6700

### *Engineering Services Contact List*

Mike Taylor-Director  
Phone: 509-625-6700

Ken Brown-Construction Engineer

Phone: 509-625-7722

Eldon Brown-Principal Engineer

Phone: 509-625-6305

### *Washington State Department of Ecology Environmental Permitting Assistance*

Phone: 1-800-917-0043

### *Washington State Department of Ecology Wastewater Operator Certification Information/ Water Quality Permit Fees*

Phone: 1-800-633-6193

### *Washington State Department of Ecology Water Resources Hotline*

Phone: 1-800-468-0261