

# Comments on Ecology Structural Stormwater Controls Guidance

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King County recommends that elements of the guidance be clarified and included as either permit language in S5.C.7 or Appendix 12 and/or as fact sheet. This document provides suggestions on where the various elements of the draft guidance document should go.

## Permit Context

- Elements of the guidance should be clarified and included as either permit language and/or as fact sheet language.
- Examples of permit language include: defining project types, describing point system method in appendix 12
- Fact sheet information should support the use of the incentive point system as a permit requirement.

## Questions that could be asked when the permit and factsheet are published include:

- How is the incentive point system supported by science and water quality law as a basis for being a permit requirement?
- How does the incentive point system support the goals described on guidance page 1?
- Was the incentive system tested to ensure it fosters the goals on page 1?

## General comments:

- Suggest using the term “flow control” instead of “hydrologic”.
- In project descriptions – please provide project descriptions rather than giving examples of what does or does not meet the project definition.
- On the non-infrastructure projects such as 5, 7, 8 and 9 note that these projects purpose is to protect and restore designated and existing beneficial uses degraded by stormwater runoff associated with MS4s.

## Project types and points:

- Consider allowing wetland restoration as a project type. These wetlands would be waters of the state as forested wetlands and marshlands rather than stormwater control facilities or mitigation under regulatory requirements of GMA and/or the CWA.
- Treatment for roads should allow greater points for WSDOT-defined collectors and arterials under 25,000 ADT.

## Attachment 1

### **Things to consider in the future:**

- King County believes that from both the technical and policy perspective this requirement deserves the level of input that a facilitated scientific and stakeholder process undertaken during the 2019 permit would provide.
- The system will need a means of scaling the amount of required points to permittee capacity.
- Scaling points to project benefit within the project type is important. This considers both watershed benefits due to project location in the watershed and the project benefit by problem it treats (e.g. low, moderate or high ADT)