

Thank you for the opportunity to comment on Ecology's proposed modification to Appendix 10 of the Phase I Municipal Stormwater Permit. Snohomish County comments as follows.

The adoption dates for the Snohomish County Code chapters listed in Appendix 10, Part 3, Section G for Snohomish County are not correct. Those chapters were amended by adoption of Amended Ordinance 21-025 on June 16, 2021, and became effective on July 1, 2021. In addition, Appendix 10, Part 3, Section G does not reference the County's Engineering Design and Development Standards (EDDS). Consistent with the introductory language in Appendix 10, Part 3, which acknowledges the continuing approval by Ecology of the codes, ordinances, director's rules, public rules and/or manuals listed in Appendix 10, Part 1, please add the following to Part 3, Section G for Snohomish County: "4. Snohomish County Engineering Design and Development Standards, as adopted January 22, 2016, Chapters 1, 5, and 11." To implement these comments, the County recommends Appendix 10, Part 3, Section G be modified as follows (strikethrough for deletions, underline for additions):

Snohomish County is meeting permit requirements S5.C.5.b.i and S5.C.5.b.ii, and achieves equivalency with Ecology's *2019 Stormwater Management Manual for Western Washington* by adopting and implementing the regulations and rules listed below.

1. Snohomish County Code Chapter 30.63A, as amended by Amended Ordinance No. 21-025, adopted on June ~~28~~ 16, 2021.
2. Snohomish County Code Chapter 30.63B, as amended by Amended Ordinance No. 21-025, adopted on June ~~28~~ 16, 2021.
3. *The 2021 Snohomish County Drainage Manual*, as adopted on June 28, 2021.
4. *Snohomish County Engineering Design and Development Standards*, as adopted January 22, 2016, Chapters 1, 5, and 11.

Concerning Appendix 10, Part 3, Section F regarding the WSDOT Highway Runoff Manual (2019 HRM), the second paragraph proposed by Ecology lacks clarity and could lead to confusion as to which aspects of the 2019 HRM may be used by Phase I permittees for public road projects. We assume Ecology's draft comment regarding certain thresholds and other provisions (exemptions) in the 2019 HRM that apply solely to WSDOT and are not appropriate for use by other permittees was in reference to provisions like Section 3-2.2 which contain specific language stating that the exemption is applicable only to WSDOT. (See Section 3-2.2, footnotes 1 and 2). Accordingly, the County recommends Appendix 10, Part 3, Section F be modified as follows (strikethrough for deletions, underline for additions):

The Department of Ecology completed its review of the 2019 Washington State Department of Transportation Highway Runoff Manual (2019 HRM), and found that it meets design requirements and best management practices for public road projects, equivalent to Ecology's 2019 Stormwater Management Manual for Western Washington and 2019 Stormwater Management Manual for Eastern Washington.

Ecology has determined the HRM to be equivalent to both Ecology's Western and Eastern Stormwater Management Manuals for minimum design requirements and best management practices for public road projects. Permittees may adopt and employ ~~these equivalent sections (only) for use~~ the 2019 HRM for public road projects within their jurisdictions. ~~It should be noted that there are some~~ except to the extent that different thresholds, additional provisions (or exemptions) are identified in the HRM ~~that apply as applying~~ only to Washington State Department of Transportation and ~~are~~ as not appropriate for local governments to follow and implement.