Informal Comments on the PRELIMINARY DRAFT Municipal Stormwater Permits (Phase I, Eastern and Western Phase II) and Stormwater Management Manuals (Eastern and Western)

October 17 - December 2, 2022

PRELIMINARY DRAFT TOPIC (select from drop down)	Comment	Comment Made By
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	Redevelopment flowchart: Suggest modifying the 50 percent requirement. Current criteria references assessed value or replacement value. Suggest using only assessed value as replacement value could vary greatly depending on cost of materials and inflation.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	Redevelopment flowchart: Suggest defining "other" projects as it relates to the 50 percent trigger threshold. There are many types of projects where commercial\industrial status may not be clear. Examples include airports, drainage\dike districts, commercial agriculture processing facilities, etc.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	MR Requirement Flowcharts: Suggest adding a cubic yardage trigger threshold to minimum requirements. A lot of earthwork can occur onsite, and never meet the 7,000 square foot land disturbance or impervious hard surface thresholds. The earthwork may still have a significant impact on drainage patterns.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	MR Requirement Flowcharts: Suggest re-evaluating the impervious surface trigger threshold. Current threshold is 2,000 square feet of impervious area. Manufactured\modular\tiny homes can easily fall under this threshold, but still have a significant drainage impact especially from a cumulative impact scenario. This comment also applies to RV's that become permanent structures. Building code does not consider an RV a structure, so a building permit is typically never triggered.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	MR3 and MR6: Suggest a lower trigger threshold and\or identify specific items which may require review regardless of impervious area. Specific example I'm thinking of is a fuel station. Redevelopment of this project may be below the 2,000 and 5,000 square foot trigger threshold for review.	pdsstormwater@co.skagit.wa.us
	Suggest adding design criteria for non-stormwater ponds, even its just referencing design standards from another agency such as Forest Service, NCRS, USDA etc. As an example, we receive applications for fishing, fire, irrigation, manure ponds that are not stormwater related, and as such basic provisions such as emergency overflows or control structures are not typically included in the pond design.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	MR5: LID Performance Standard – Suggest eliminating this as the only option for parcels larger than 5 acres outside the UGA. The LID Performance Standard requires at least some level of infiltration and this is not always possible. Some parcels can't meet this due to geotechnical and\or hydrogeologist restrictions, and no other option within the DOE Storm Manual is provided for achieving MR5.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	MR5: The LID Performance Standard is a flow control type bmp. If the project site discharges to a flow control exempt waterbody, then the LID Performance Standard becomes null and void. Is anything else required for MR5 compliance under this scenario?	pdsstormwater@co.skagit.wa.us

MS4 Permit: Appendix 1 (Phase I and Western Phase II)	MR5: Suggest providing a broader range of acceptable bmp's for List 1, 2, and 3, and\or a flow path other acceptable bmps. There are many bmps in the storm manual that are not referenced in the list method, such as compost amended filter strips (BMP T7.40), parking lot infiltration trenches (BMP T7.20), vegetated roofs (BMP T5.17), etc. The List method also does not address scenarios such as plats with a regional stormwater system.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	MR5: Provide additional methods for addressing runoff on small parcels. Skagit County has numerous small lots which infiltration is not feasible due to high groundwater and\or clay type soils. Additionally the lots do not have sufficient space for dispersion, and due to the rural nature of the County public storm infrastructure does not exist in the street.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	BMP T5.30 Prohibiting Full Dispersion paths in critical areas buffers limits the opportunity to employ this BMP. This prohibition does not seem to align with the criteria for downspout dispersion, which prohibits the flow path from intersecting wetlands or streams but allows for dispersion to critical area buffers. Could prohibiting full dispersion to wetland buffers conflict with MR#8 requirements to maintain flows to wetlands?	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	Please provide guidance regarding stormwater requirements, if any for sites such as solar panel farms. While the actual land disturbance is minimal, the solar panels themselves still intercept rainfall. Additionally there could be the potential for containments from damaged panels, battery storage systems, etc.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Tree Retention	Please include guidance regarding how items such as tree retention and land disturbance may interact with the upcoming Wildland Urban Interface (WUI) requirements	pdsstormwater@co.skagit.wa.us
	BMP T5.10B: Please clarify the spacing requirement between dispersion trenches. Specifically note 2 on Figure V-4.5. Many project sites may not be able to achieve 50 foot spacing between trenches due to site constraints.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Mapping	Outfall mapping requirements were in included in the 2019 Permit and permittees have begun mapping using schema based on the permit language. Enforcing a strict statewide schema at this point could require extensive and expensive reworking of schema for those permittees that have already begun the mapping exercise.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	The understanding is that the List Method may be used to satisfy MR 1-5 projects without the need for engineering. However, the infeasibility criteria for infiltration appears to require engineering or geological expertise to provide soil data and infiltration testing. If the intent is to provide a path toward compliance without hiring an engineer for small projects please consider outlining that path more clearly in the SWMM.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	The List Method requires infiltration BMPs if feasible. For sites with soils that support infiltration, how much benefit is expected on residential sites from requiring infiltration BMPs, over dispersion. If soils are suitable for infiltration (typically those with high infiltration rates) wouldn't dispersion BMPs effectively result in infiltration minus evapotranspiration?	pdsstormwater@co.skagit.wa.us

MS4 Permit: Appendix 1 (Phase I and Western Phase II)	Figure V-4.5 Standard Dispersion Trenches with Notched Grade Board - Note 2. States "Trenches may be placed no closer than 50 feet to one another. (100 feet along the flowline)" . It is not clear what this means. It does not appear in the design criteria text. It is not aligned with design criteria for Typical Dispersion Trenches, Concentrated Sheet Flow Dispersion, and Full Dispersion Criteria. Could this note be removed? Depending on how is interpreted it could significantly reduce the feasibility of this BMP for roof runoff on residential sites.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Appendix 1 (Phase I and Western Phase II)	BMP T5.30 Full Dispersion - The current language is confusing on whether using cleared areas for dispersion require replanting to a forested or native vegetation condition. Suggestion - revise for clarity.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Tree Retention	If there will be forthcoming schema for this data, please ensure that the schema are developed before the compliance deadline so permittees that begin working on this exercise do not waste efforts building databases that will not meet the permit requirement.	pdsstormwater@co.skagit.wa.us
MS4 Permit: Tree Retention	How will tree retention data be used? Is to determine current compliance? Determine future permit requirements? Please provide more specificity on the nexus between this requirement and the current permit minimum requirements. Currently written it could be interpreted as a disjointed exercise in data gathering.	pdsstormwater@co.skagit.wa.us