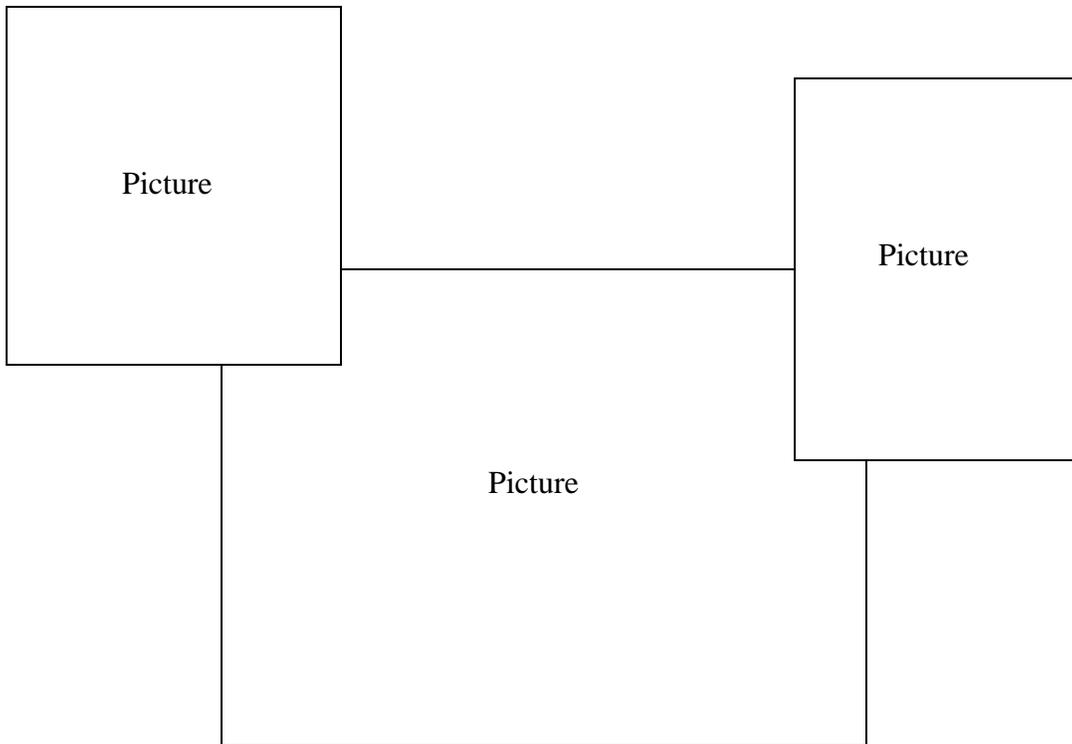

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Skagit County
Drainage and Irrigation Improvement District No. 19

**STORMWATER MANAGEMENT
PROGRAM**



Prepared By
Western Washington Agricultural Association
March 2008

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1.0 Introduction

1.1 Overview

This document presents the Drainage and Irrigation Improvement District No. 19 (District) Stormwater Management Program (SWMP). Preparation, implementation, and updating of this SWMP is required by the Washington State Department of Ecology (WDOE) as a condition of the federal NPDES Western Washington Phase II Municipal Stormwater Permit. Implementation, by the District, of the various permit conditions and requirements are addressed in the SWMP, and are phased over the five-year duration of the NPDES permit. The District seeks to implement its storm water management program in close cooperation with Skagit County and the cities of Mount Vernon and Burlington, with the goal of protecting the quality of surface waters by reducing the discharge of pollutants. An Interlocal Agreement between the District, county and cities may be executed to address a coordinated effort by these municipals.

1.2 Stormwater Quality

Stormwater is the leading contributor to water quality pollution in our waterways and is Washington's fastest growing water quality problem. Stormwater discharges are generated by runoff from land and impervious areas such as paved streets, parking lots, and building rooftops during rainfall and snow events that often contain pollutants. There are a number of "non-point" pollution sources that contaminate stormwater including land use activities, illicit discharges, spills, operation and maintenance activities, vehicles that travel our roads, and atmospheric transport and deposition. Common pollutants include oil, grease and metals from roadways, sediment from construction sites, organic toxins, pesticides, animal waste, and carelessly discarded trash. Polluted storm water runoff is transported to municipal separate storm sewer systems (MS4s) and ultimately discharged into local rivers and streams without treatment. Pollutants in stormwater can cause a wide range of impacts. These pollutants adversely affect water quality in the waterways, thereby discouraging recreational use of the resource, contaminating drinking water supplies, and interfering with habitat for fish, other aquatic organisms, and wildlife.

Many of the sources of pollution that contaminate our waterways are not under the direct control of the municipal entities that own or operate the stormwater conveyance systems. Yet, the municipalities have been assigned the primary responsibility of responding to this challenge. In response to the 1987 Amendments to the Clean Water Act (CWA), the U.S. Environmental Protection Agency (EPA) developed the Stormwater Program component to the National Pollutant Discharge Elimination System (NPDES) permit system. This program is focused on working with municipalities to improve the quality of our waterways by reducing the quantity of pollutants that stormwater inherits and carries into stormwater conveyances and drainage systems.

1.3 Regulatory Background

The National Pollutant Discharge Elimination System (NPDES) permit program is a requirement of the federal Clean Water Act, which is intended to protect and restore waters for “fishable, swimmable” uses. In Washington, the federal Environmental Protection Agency has delegated the NPDES permit authority to the WDOE. Under the NPDES permit program municipalities are required to obtain coverage through the Western Washington Phase II Municipal Stormwater Permit. The Western Washington NPDES Phase II Stormwater permit issued by the WDOE became effective on February 16, 2007 and expires on February 15, 2012. The permit will be reviewed, revised as appropriate and reissued at the end of this period.

Additionally, the WDOE administers Chapter 90.48 RCW, the Water Pollution Control Act. This state statute also regulates non-stormwater discharges into storm sewers and requires controls to reduce the discharge of pollutants.

The District is a designated under the NPDES Phase II stormwater permit as a “Secondary Permittee”, small MS4, since it serves an area with a population of greater than 10,000 persons and 1000 people per square mile as determined by the 2000 Decennial Census. “Secondary Permittees” are operators of regulated small MS4s such as diking and drainage districts, ports, and universities that are not a city, town or county. As such, the District submitted a Notice of Intent (NOI) to the WDOE and received coverage under the permit on August 31, 2007.

1.4 Drainage District Description and Regulated Area

The District is a public municipal special purpose district, and operates under authority of Chapter 85.06 RCW. The district is charged with maintaining a 8,541 acre agricultural drainage and irrigation improvement district, to protect prime agricultural land located in the Skagit River Delta floodplain. The general area of the district is defined by Bay View Ridge to the north, the Swinomish Channel and Padilla Bay to the west, the city limits of Burlington and Mount Vernon on the east, and The principal duties of the district are to operate and maintain the drainage and irrigation infrastructure facilities including a network of drainage and water conveyance ditches, tidegates, check dams and pumps. The district’s activities are managed by a Board of Drainage Commissioners, consisting of three elected commissioners. The district has no full or part-time employees. All operations are overseen by the commissioners, and maintenance activities are performed by qualified contractors.

While commercial agriculture in the delta floodplain is the predominate land use within the district, portions of the district along the fringes are characterized by residential development, including the Skagit Golf and County Club golf course community located in the northeastern area of the district on the edge slope of Bay View Ridge.

The District will illustrate the jurisdictional boundaries of the district and the coverage area within the district where the requirements of this permit are applicable. At a minimum, this area will be identified as the intersection of the land areas served by and under effective control of the district, the urban growth areas that are under the jurisdictional control of the county, and the urbanized areas associated with the cities of Mount Vernon and Burlington. The District will prepare a map and a description describing the coverage area included under the permit. It is understood that the area to be covered under this permit is limited to the portion of the District within this designated urban area.

1.5 SWMP Implementation Responsibilities

The District has begun to take actions necessary for compliance with Western Washington Phase II Municipal Stormwater Permit (Permit) requirements. This document provides Phase II permit information that the District is required to perform as well as a general description of coordinated activities with the county and cities. The overall objective of the District's SWMP is to protect water quality by reducing the discharge of pollutants to the maximum extent practicable through the effective implementation of the six (6) minimum requirements plus two (2) requirements, and to be in compliance with any approved total maximum daily load (TMDL) or equivalent analysis, where appropriate, and evaluation and assessment of program compliance.

Under the secondary permittee designation, the District is required to provide the following six basic actions:

Public Education and Outreach Program – Mark/label all storm drains owned and operated by the district.

Public Involvement and Participation Program – Publish a public notice in the local newspaper and solicit public review of the SWMP and make the SWMP available to the public.

Illicit Discharge Detection and Elimination Program – Develop and implement a program to identify and eliminate illicit discharges to surface waters including develop of a storm sewer system map.

Construction Site Program – Obtain coverage under and comply with the terms of the Construction Stormwater General Permit, comply with the Minimum Technical Requirements, and provide training to educate relevant staff in erosion and sediment control BMPs and requirements or hire trained contractors to perform the work.

Post-Construction Program – Comply and coordinate all projects which discharge into the Secondary Permittee's MS4 with all relevant ordinances, rules and regulations of the local jurisdiction(s) in which the Secondary Permittee is located.

Pollution Prevention/Good Housekeeping Program – develop and implement a program for all District operations in Phase II jurisdictions to reduce the discharge of storm water pollutants from these facilities to the maximum extent practicable including staff training, annual facility inspections and the implementation of standardized spill response procedures.

Implementation of the various permit conditions and requirements by the District are each addressed in the SWMP, and are phased over the five-year duration of the NPDES permit. The District will insure the implementation of the aforementioned permit basic permit requirements together with the “plus two” and general permit conditions explained in detail in this document. The district intends to work in close cooperation with the county and cities in coordinating implementation of this permit with their interconnected stormwater program responsibilities and land use authorities.. The goal will be to create a seamless approach toward protecting water quality in the eyes of the community.

1.6 Document Organization

The contents and organization of this SWMP document are based on the requirements outlined in the permit document. Each section includes a summary of the relevant permit requirements and a description of current and planned compliance activities.

The document addresses background information and program administration activities required by the permit:

- Section 1.0 – Introduction
- Section 2.0 – Stormwater Management Program Administration, and Reporting

The document addresses the permit “**six plus two**” minimum requirements. The “**six**” minimum requirements are:

- Section 3.0 - Public education and outreach
- Section 4.0 - Public involvement and participation
- Section 5.0 - Illicit discharge detection and elimination
- Section 6.0 - Construction site stormwater runoff control
 - Post construction stormwater management in new development and re-development
- Section 7.0 - Pollution prevention/good housekeeping for municipal operations

The “**plus two**” requirements include:

- Section 8.0 - Compliance, where appropriate, with approved total maximum daily load (TMDL or water cleanup plan) or equivalent analysis
- Section 9.0 - Evaluation and assessment of SWMP program compliance

Additional components in the SWMP include:

- Section 10.0 - Compliance with general permit conditions

2.0 Stormwater Management Program Administration

2.1 Stormwater Program Development, Implementation and Updates

The Western Washington NPDES Phase II Stormwater permit issued by the WDOE became effective on February 16, 2007 and expires on February 2012. The permit, in section S6.A.2., requires the District to develop and implement a SWMP. The permit, in section S6.A.5, further directs that the written documentation of the program address the components listed in S6.D.1 thru S6.D.6, and any TMDL actions, if appropriate, pursuant to section S7. of the permit. The District will fully develop and maintain this Stormwater Management Program (SWMP). The SWMP documentation is organized, as required by the permit, according to the program components in section S6.D of the permit.

<u>Task</u>	<u>Reference</u>	<u>Due</u>
Prepare written documentation of the SWMP	S6.A.4.	3/31/08
Annually update SWMP	S6.A.4.	3/31 (each year)

2.2 Coverage Area Map

Additionally, as a part of the SWMP development and documentation, the District will prepare a map illustrating the Coverage Area of the permit within the service area of the District. A partial system map for the drainage watercourses has been developed for the district's Drainage Maintenance Plan (DMP). This watercourse systems map will be supplemented with an inventory and mapping of the storm sewer system components within the permit coverage area. It is understood that the area to be covered under this permit is limited to the portion of the District within this designated urban area.

<u>Task</u>	<u>Reference</u>	<u>Due</u>
Prepare Coverage Area Map	S1. A.	8/19/11

2.3 Coordination of Activities With Other MS4s

The permit, in Section S6.B., requires the district to include mechanisms in the SWMP to encourage coordinated stormwater-related activities. The municipalities, Skagit County, the cities of Mount Vernon, Burlington and Sedro-Woolley and the District, together with the Skagit Conservation District, have established an ongoing dialogue to develop and implement a coordinated and shared approach to implementing their stormwater program responsibilities. The district's SWMP will illustrate these interconnected activities as they are further developed and defined.

2.4 Legal Authority

The district is authorized to operate under Chapter 85.06 RCW. This statute grants broad authority to the district to construct operate and maintain the necessary drainage and irrigation infrastructure including drainage ditches, water conveyances, dams, pumps, and related appurtenant structures for the purpose of insuring that prime commercial farmlands are protected from excessive ground water table heights, field-ponding and flooding so that they may be cultivated seasonally. The district is required to serve all parcels 40 acres or larger that are located within the district boundaries. Specific activities performed by the district are:

- Maintain, clean, straighten, widen, deepen, improve, or alter the course of, or discontinue the use and maintenance of, or abandon any existing drains or ditches in the district..
- Dig or construct any additional and auxiliary drains or ditches.
- Obtain, improve, or alter any existing reservoirs, spillways or outlets.
- Lease, acquire, build, or construct additional, new, or better reservoirs, spillways, and outlets.
- Lease, acquire, erect, build, or construct and operate any pumping plant and acquire equipment necessary therefor.
- Divert, dam, or carry off the waters of any stream or water endangering or damaging said district and protect against damage or flood from any waters.
- Implement the provisions of the Drainage Maintenance Plan (DMP) adopted by the district.

The district has sufficient legal authority under Chapter 85.06 RCW to implement appropriate controls and action related to these direct activities performed by the district that are regulated under the permit.

The district intends to enter into Interlocal Agreements with Skagit County and the cities of Burlington and Mount Vernon. Arrangements with these local government entities will be developed for coordinated and shared implementation of some permit task and subtask responsibilities. Additionally, the district intends to obtain direct assistance from the Skagit Conservation District for certain public education activities. These arrangements are intended to insure, within the district program, that: 1) necessary jurisdictional, land use and regulatory controls are applied as appropriate, and 2) that selected activities such as public education and outreach are accomplished to secure compliance with specific elements of the permit.

<u>Task</u>	<u>Reference</u>	<u>Due</u>
Demonstrate legal authority	S6.C	ongoing

2.5 Implementation Schedule

The SWMP shall include an implementation schedule (showing that the program will be fully implemented 180 days before expiration of permit). See permit section S6.A.3. The SWMP and schedule will be updated at least annually for submittal with the District's annual reports to the WDOE. The district's tentative schedule contemplates completing all permit implementation requirements within three years, well ahead of the schedule specified by permit requirements. A summarization of this accelerated schedule is included below:

SWMP Implementation Schedule	
A. Permit Coverage Area	
1. Conduct Inventory of Stormwater Sources	9/30/08
2. Prepare Map for the Coverage Area.(8/19/11)	9/30/08
B. Six Minimum Measures	
1. Public Education and Outreach (S6.D.1)	
a. Stencil 50% of storm drain inlets (2/16/10)	12/31/08
b. Complete all storm drain inlets stenciling (8/19/11)	6/30/09
2. Public Involvement and Participation (S6.D.2)	
a. Copies of SWMP for public distribution	12/31/08
b. Prepare and Publish a Public Notice (8/11/11)	1/31/09
c. Schedule and Conduct SWMP Public Meeting in Drainage District # 19 Area	3/31/09
3. Illicit Discharge, Detection and Elimination (S6.D.3)	
a. Develop and Implement Spill Response Plan for DMP SWMP Supplement) (8/19/11)	12/31/08
b. Staff Training	3/31/09
c. Prepare Storm Sewer System Map	12/31/08
d. Develop Interlocal Agreements with Skagit County and Cities for administration of illicit discharge activities	3/31/09
e. Develop and adopt policy and enforcement mechanism	6/30/08
4. Construction Site Stormwater Runoff Control (S6.D.4)	
a. Develop Interlocal Agreements with Skagit County and cities for administration of these permit activities	3/31/09
5. Post Construction Stormwater Management (S6.D.5)	
a. Develop Interlocal Agreements with Skagit County and cities for administration of these permit activities	3/31/09
6. Pollution Prevention and Good Housekeeping (S6.D.6)	
a. Develop O&M Plan (8/31/10)	6/30/08
b. Employee Training	9/30/08
C. Plus Two Measures	
1. Total Maximum Daily Load Allocations (S7)	
a. TMDL Conditions - NOT CURRENTLY REQUIRED	
b. Develop future TMDL provisional language	12/31/08
2. Monitoring (S8)	
a. Monitoring Program – NOT REQUIRED	
b. Prepare summary and submit with Annual Report	3/31 each year
D. Secondary Permittee Reporting (S9.F)	
1. Prepare and submit Annual Report Form to WDOE	3/31 each year
E. Comply with General Conditions (G1 thru G21)	
	ongoing

2.6 Annual Reporting

The district is required to track, evaluate and document the actions associated with the SWMP required by the permit. An Annual Report, pursuant to S9.A. and F. of the permit, is to be submitted to the WDOE by March 31st of each year. The District will submit to the WDOE two printed copies and an electronic copy (PDF) of the required Annual Report Form for Secondary Permittees provided in Appendix 4 of the Permit. The purpose of the report is to document and summarize the status of the SWMP development and implementation, and provide information for assessment of program progress. The permit requirements also direct the District to submit documentation that describes the proposed SWMP activities for the coming year. The SWMP is to be updated annually and reports submitted each March 31st of the following year for the duration of the permit.

The District will make the annual reports available to any individual or entity requesting them. The district will make all records related to this permit and their SWMP available to the public. Permittees are required to keep all records related to this permit and the SWMP for at least five years.

<u>Task</u>	<u>Reference</u>	<u>Due</u>
First Annual Compliance Report (2007 Calendar Year)	S9.A & S9.F.	3/31/08
Second Annual Compliance Report (2008 Calendar Year)	S9.A & S9.F.	3/31/09
Third Annual Compliance Report (2009 Calendar Year)	S9.A & S9.F.	3/31/10
Fourth Annual Compliance Report (2010 Calendar Year)	S9.A & S9.F.	3/31/11
Fifth Annual Compliance Report (2011 Calendar Year)	S9.A & S9.F.	3/31/12

3.0 Public Education and Outreach

3.1 Permit Requirements

The permit, in Section S6.D.1., requires the district to conduct specific education and outreach activities. The district will need to mark storm drain inlets that they own or operate. Maintenance of storm drain inlet labeling is required to insure that they remain clearly visible.

3.2 Current Compliance Activities

Because the resident population within the District is served most effectively by the county and cities for direct public education and outreach activities the district will rely on their efforts. The Skagit Conservation District (SCD) has also received a WDOE grant to assist the local jurisdictions with these education and outreach activities, and the district is participating with this coordinated effort. The SCD program components include assistance with development and distribution of resource materials, brochures and fact sheets on various topics related to municipal stormwater management and protection of water quality.

3.3 Planned 2008 Compliance Activities

To supplement these direct education an education and outreach efforts the district intends to contract with the Skagit Conservation District (SCD) to label the storm drain inlets as specifically required under the permit.

<u>Task</u>	<u>Reference</u>	<u>Due</u>
Label 50% of storm drain inlets.	S6.D.1.a.	2/16/10
Complete labeling (100%) of storm drains	S6.D.1.a	8/19/11

4.0 Public Involvement

4.1 Permit Requirements

The permit, in Section S6.D.2., requires that the district publicize the SWMP to the public, and involve them in the development of the document.

4.2 Current Compliance Activities

Copies of this draft document are available at:

Western Washington Agriculture Association
2017 Continental Place, Suite #6
Mount Vernon, Washington, 98273

4.3 Planned 2008 Compliance Activities

The District will complete the draft SWMP and publish a public notice in the local newspaper and solicit public review of the document. Additionally, the district will utilize the coordinated process, to be provided by the Skagit Conservation District to the local jurisdictions, to further enhance public involvement and participation in the District's SWMP. The SCD public involvement and assistance components to their coordinated program for the local jurisdictions will include public workshops, training, and storm drain labeling activities.

<u>Task</u>	<u>Reference</u>	<u>Due</u>
Make latest version of SWMP available to the public	S6.D.2.b.	ongoing
Publish Public Notice	S6.D.2.a.	8/19/11

5.0 Illicit Discharge, Detection and Elimination (IDDE)

5.1 Permit Requirements

The permit in section S6.D.3., directs the district to comply with a number of specific performance requirements regarding the detection and elimination of illicit discharges to the districts system:

- Comply with relevant local jurisdiction rules, ordinances and regulations governing non-stormwater discharges.
- Develop and adopt policies prohibiting illicit discharges and illegal dumping.
- Identify possible enforcement mechanisms and implement an enforcement plan.
- Develop a comprehensive storm sewer system map.
- Inspect for illicit discharges (one-third of system in each year) and keep records of inspections.
- Develop and implement a Spill Response Plan
- Provide staff (Drainage District Commissioners) training.

5.2 Current Compliance Activities

The district is currently in compliance with all relevant ordinances, rules and regulations of the local jurisdiction(s) that govern non-stormwater discharges.

The district has met with the county and cities of Burlington and Mount Vernon to develop a coordinated approach to identifying illicit discharges and taking appropriate enforcement response to documented situations.

5.3 Planned 2008 Compliance Activities

The district intends to begin development of appropriate policies prohibiting illicit discharges and illegal dumping for adoption by the district commissioners. The district will continue to coordinate with the county and cities to identify possible enforcement mechanisms and develop a coordinated Enforcement Plan for implementation of those policies.

The district intends to continue conducting system inspections and visually inspect for illicit discharges (with a new target of one-third of the system annually), and begin record keeping for these activities. Water quality monitoring currently performed by the

county in the district area will be continued. The district commissioners will participate in scheduled training, as soon as available, on proper best management practices for preventing spills and illicit discharges. Additionally, the district intends to utilize the WDOE 401 Certification Order and associated WQ General Supplement provisions to implement a Spill Response Plan.

The district intends, with assistance from the county, to begin development of a storm sewer system inventory and preparation of a map showing the locations of all known storm drain outfalls, labeled receiving waters and delineated areas contributing runoff to each outfall which are tributary to the district managed and operated drainage ditches and watercourses. The district will develop this task as a part of the proposed Interlocal Agreement with the county.

<u>Task</u>	<u>Reference</u>	<u>Due</u>
Develop IDDE policies	S6.D.3.b.	1/16/08
Adopt IDDE Policies	S6.D.3.b.	1/16/08
Develop Enforcement Plan	S6.D.3.b.	8/16/08
Conduct inventory of storm sewer system (Requirement not specified in permit but necessary to develop map)		
Develop storm sewer system map	S6.D.3.c.	8/19/11
Establish Field Inspection Program	S6.D.3.d.	2/16/09
Develop and implement a Spill Response Plan	S6.D.3.e.	8/19/11
Staff IDDE Training	S6.D.3.f.	ongoing

6.0 Controlling New Development, Redevelopment and Construction Sites

6.1 Permit Requirements

The permit, in Sections S6.D.4 and S6.D.5., prescribe requirements for the district related to new construction work performed directly by the district ,as well as, for others engaged in construction activities within the district..

District Construction Activities - The district will need to obtain coverage under, and comply with, the Construction Stormwater General Permit administered by WDOE for construction projects undertaken by the district. The district must also comply with all relevant ordinances, rules and regulations of the local jurisdiction(s) in which the district is located that govern post construction stormwater pollution prevention measures for the completed construction project.

Construction Activity By Others - The district should encourage other entities to obtain and comply with the appropriate permits from the county or cities during the construction phase of their new projects. The District should also assist the local jurisdictions (county and cities) with achieving compliance with all relevant ordinances, rules, and regulations of their jurisdictions regarding projects owned and operated by others that discharge into the district's watercourses.

The Minimum Technical Requirements in the permit (Appendix 1) provide a basis for selecting and implementing appropriate best management practices (BMPs) for all construction and post construction activities in the district through design approaches, structural treatment technologies, and operation and maintenance practices.

6.2 Current Compliance Activities

The district is currently working with the county and cities to outline and implement a coordinated stormwater management approach. These discussions include developing mechanisms for insuring that other entities within the district will be obtaining appropriate stormwater permits and working in compliance with those permits for their construction projects.

6.3 Planned 2008 Compliance Activities

The district has no current plans for activities that will involve new construction.

The district intends to will rely on Interlocal Agreements with Skagit County and the cities of Mount Vernon and Burlington to secure the required coordination and local permit assurance compliance mechanisms for construction projects conducted by others within the district.

<u>Task (District Construction Activities)</u>	<u>Reference</u>	<u>Due</u>
Obtain permits for district construction projects.	S6.D.4.b.	as needed
Post-construction stormwater management	S6.D.5.a.	as needed
Staff BMPs Training	S6.D.4.d.	ongoing
<u>Task (Construction By Others)</u>	<u>Reference</u>	<u>Due</u>
Assist county and cities with compliance for construction projects by others located in the district.	S6.D.4.c.	ongoing

7.0 Pollution Prevention, Good Housekeeping, and Drainage Maintenance Operations

7.1 Permit Requirements

The permit, in Section S6.D.6, requires the District to develop and implement a municipal operation and maintenance (O&M) plan to minimize stormwater pollution no later than three (3) years from date of permit coverage. From date of coverage Secondary Permittees shall have permit coverage for all facilities' owned, or operated that are required to be covered by the General NPDES Permit for Stormwater Discharges Associated with Industrial Activities. The permit provisions in this section of the permit also require employee training, i.e., the "Drainage District Commissioners" on implementation of the permit and SWMP.

7.2 Current Compliance Activities

The District is completing an Agreement and a specific Drainage Maintenance Plan (DMP) with the Washington Department of Fish and Wildlife (WDFW) This plan has evaluated activities with regards to fish protection and the maintenance of drainage infrastructure. The DMP identifies and prescribes appropriate BMPs for drainage maintenance activities, Emergency Drainage Maintenance Measure protocols, Activity Reporting, and includes activity descriptions, habitat improvement projects, and a system map. The WDFW will issue a five-year Programmatic HPA authorizing the activities covered by the DMP.

7.3 Planned 2008 Compliance Activities

The district will, with WDFW, complete the DMP document. The completed DMP will be adopted by the Drainage District Commissioners and implemented. The District will also apply for an Army Corps of Engineers Section 10 and 404 Permit. This permit will incorporate a WQ 401 Certification Order issued by the WDOE. The District will include a WQ BMPs General Supplement to the DMP document to meet requirements of the order. Collectively these documents will address all required elements identified in Section S6.D.6.a.thru c. of the permit, and will constitute the O&M Plan.

<u>Task</u>	<u>Reference</u>	<u>Due</u>
Develop O&M Plan	S6.D.6.a. thru c.	2/17/10
Train all employees	S6.D.6.d.	ongoing

8.0 Total Maximum Daily Load (TMDL) Compliance

Stormwater discharges are required to implement actions necessary to achieve the pollutant reductions called for in applicable Total Maximum Daily Loads (TMDLs) and the implementing Water Quality Action Plans as provided for in Section S7. of the NPDES permit. TMDL requirements apply to the stormwater discharges from MS4s owned or operated by the permittee if an applicable TMDL has been approved on or before the date permit coverage is granted. There are no TMDLs that have been completed which establish requirements for stormwater discharges in the District's coverage area under this program. While the District has no current TMDL's requirements there are water quality impairments, 303(d) listings, within the district that may instigate the development of TMDLs in the future.

The SWMP recognizes the TMDL process and the role of Water Quality Action Plans developed by the WDOE to address improvement of water quality impaired waters. The mechanism for the SWMP to address these issues is through the scheduled permit renewal cycle and program update process. At these established periods, the program provisions will be reviewed and evaluated for meeting the management objectives identified in the TMDL document. Also at this time, any requested actions identified in the Water Quality Action Plan would be considered, and incorporated as appropriate during the updating and revision of the program.

9.0 Monitoring

As a Secondary Permittee under the current NPDES permit, Section S8.A.1., the District is not required perform regular routine water quality sampling or other testing during the term of this permit. However, it is desirable to have such provisions for the detection and elimination of illicit discharges, and to evaluate program compliance, appropriateness of BMPs, and progress toward achieving measurable goals.

9.1 Monitoring by District

There are specific provisions in the SWMP applicable to monitoring of O&M activities, such as seasonal ditch cleaning maintenance work performed by the District. See Appendix A-3 for the specific inspection, monitoring and reporting provisions.

9.2 Monitoring by Others

The District voluntarily cooperates with regular water quality monitoring activities conducted by Skagit County for water quality within the district boundaries. While this monitoring is not done on behalf of the district, it provides useful information to the district regarding storm water discharges. The samples analysis are not provided to the district but are available by request.

The Skagit County Water Quality Monitoring Program regularly tracks surface water quality at 40 sites throughout western Skagit County. Among those sites are two in Drainage District 19: Big Indian Slough at the Highway 20 truck scales (Site 40 in the program), and Swinomish Channel at the County boat ramp (Site 47 in the program). Dissolved oxygen, temperature, conductivity, salinity, pH, and turbidity are measured on-site once every two weeks, and samples are obtained for fecal coliform. Nutrient samples are obtained every other visit, or every four weeks.

In addition, the County has obtained occasional stormwater event samples at two additional locations in Drainage District 19: The ditch next to Higgins Airport Way just south of Ovenell Road (Site BV-2), and the storm drain outlet into Higgins Slough at the corner of Petersen Road and Avon-Allen Road (Site BV-3). These locations were sampled on eight occasions between January 2003 and September 2006. Parameters were identical to those listed above. Both of these locations drain to Big Indian Slough.

9.3 Monitoring Reporting

- The permit, in Section S8.B.1., requires that a summary of any stormwater monitoring done by or on behalf of the permittee be submitted to the WDOE in each annual report.
- The annual report must also include as required in Section S8.B.2. of the permit, an assessment of the appropriateness of the BMPs identified by the Permittee for each component of the SWMP.

10.0 General Conditions

In addition to the “six plus two” requirements, the Phase II permit contains 21 general conditions that the District must also comply with. The General Conditions are based directly on state and federal laws and regulations, and have been standardized for all municipal stormwater NPDES permits issued by the WDOE. These General Conditions are listed below:

NPDES Stormwater Phase II Permit General Conditions
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| G1. | Discharge Violations |
| G2. | Proper Operation and Maintenance |
| G3. | Notification of Spill |
| G4. | Bypass Prohibited |
| G5. | Right of Entry |
| G6. | Duty to Mitigate |
| G7. | Property Rights |
| G8. | Compliance with Other Laws and Statutes |
| G9. | Monitoring |
| G10. | Removed Substances |
| G11. | Severability |
| G12. | Revocation of Coverage |
| G13. | Transfer of coverage |
| G14. | General Permit Modification and Revocation |
| G15. | Reporting a Cause for Modification or Revocation |
| G16. | Appeals |
| G17. | Penalties |
| G18. | Duty to Reapply |
| G19. | Certification and Signature |
| G20. | Non-compliance Notification |
| G21. | Upsets |

The full text of these general conditions is available in the General Conditions section of the permit provided in the SWMP Appendix A-1.

Appendices

- A-1 NPDES Phase II Municipal Stormwater Permit
- A-2 Drainage Maintenance Plan (DMP)
- A-3 DMP General Supplement-Water Quality BMPs
- A-4 Skagit County Interlocal Agreement
- A-5 City of Burlington Interlocal Agreement
- A-6 City of Mount Vernon Interlocal Agreement