

## Washington State Plan Review Training Q&A

The following questions were asked during the training sessions. The questions were sent to the Washington State Department of Ecology. The questions and Ecology's responses are as follows:

- 1) Under MR #7 it says that the pre-developed condition shall be forested land cover unless:

Reasonable, historic information is provided that indicates the site was prairie prior to settlement.

Does Ecology have guidance or requirements for reasonable historic information?

Does Ecology have to approve the reasonable historic information?

Ecology does not have any guidance on what would be considered "reasonable historic information". Reasonable historic information may be different for different sites. It is up to the jurisdiction to determine if the information provided is enough to persuade them to allow prairie rather than forested for the pre-developed condition. Ecology does not review site-by-site "reasonable historic information".

- 2) Volume 1, Chapter 3, Page 93 of the 2019 SWMMWW

"For purposes of applying the above thresholds to a proposed single family residential subdivision (i.e., a plat or short plat project), assume 4,000 sq. ft. of hard surface (8,000 sq. ft. on lots of 5 acres or more) for each newly created lot, unless the project proponent has otherwise formally declared other values for each lot in the corresponding complete land division application."

Question: Imagine a parcel of land with an existing home. The parcel of land will become 8 newly created lots. 1 of those 8 lots already has a home (and other associated impervious surfaces on it) – is the intent to assume 4,000 sq. ft. for that lot as well even though it may not have that amount on it – what if it has 8,000 sf on it – should the other lots then have to assume less or vice versa?

The guidance you quote is intended for situations where the project proponent doesn't know the exact final dimensions of the improvements. The lot that is already built should use the impervious values that are already there, or are planned to be there. It would not be appropriate to assume less impervious on the other lots, just because it is known that the one lot will have more impervious.

If the amount of proposed impervious is known for each lot, use the known values. If the amount is not known, use the assumptions Ecology provides.

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### 3) Minimum Requirement #5 – List Approach

Question: If you don't use a BMP from the List are you automatically required to use the LID Performance Standard?

Example: A project required to comply with List #3 that elects to use infiltration for their other hard surfaces.

If you are discharging directly to a Flow Control Exempt water body, thus using List 3, there is no reason to use any other BMP to meet MR 5. You may use any BMP that is appropriate such as infiltration (if existing soils are adequate) to meet MR 6 but you don't need to do anything more to meet MR 5 (You don't need to meet MR 7, Flow control exempt). For Example: A project required to comply with List #1 or List #2 but instead of Permeable Pavement elect to utilize another form of infiltration like a trench.

If the project proponent "elects" to use a BMP that is not in the list, they are no longer using the list approach, and must show compliance by using the LID Performance Standard.

### 4) Runoff Treatment

Volume 1, Chapter 3, Page 123 states that Runoff Treatment BMPs shall be selected in accordance with the process identified in III-1.2 Choosing Your Runoff Treatment BMPs.

Step 3 of that process then goes on to just recommend that applicant evaluate if it is practicable to provide runoff treatment by infiltrating into the site's native soil.

Question: Because the words recommended are used if this really a requirement to check to see if infiltration is feasible?

Ecology does not require use of specific Runoff Treatment BMPs, as long as whichever Runoff Treatment BMP chosen meets the appropriate treatment level/performance goal. Ecology recommends treatment via infiltration as a first choice, due to the multiple additional benefits of infiltration, but it is not a requirement.

- 5) If the project discharges to a flow control exempt waterbody and they want to use the LID Performance Criteria what pre-developed condition should they assume. The SWMMWW tells you to look at MR#7 but MR#7 does not have a pre-developed condition for flow control exempt waterbodies.



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The pre-developed condition is based on the site, not the waterbody the site discharges to. Use whatever pre-developed condition is appropriate for the site.

Typically, the pre-developed condition is forested for both MR 5 and MR 7. If the site is within the “Basins with 40% Total Impervious Areas as of 1985” map, the pre-developed condition is the existing condition. If there is reasonable, historic information that shows the site was historically prairie, use prairie.

- 6) Does Ecology have a specific definition for fresh waterbody as it applies to the Dec. 2014 SWMMWW? I'm trying to figure out how MR#7 would apply to an estuary condition in the 2014 Ecology SWMMWW.

Ecology does not have a definition for fresh water bodies vs estuaries. If the discharge is to an estuary, which would be the most downstream point of the stream, you may want to see if that stream is on the “Flow Control Exempt Receiving Waters” list. If it is, then then estuary would be included in the Flow Control exempt area. If it is not, then it's going to be an exercise to determine the ordinary high water mark of the salt waterbody to determine if the discharge is to the (Flow Control exempt) salt water body, or to the (Flow Control required) stream.

- 7) Does Ecology have to approve if an area is 40% impervious before 1985?

Yes, Ecology must approve the change to the flow control requirement. It usually takes an analysis of aerial photos from before 1985 showing the area in question and an analysis of the photo to show the impervious percentage. For more information, see “**How Did Ecology Determine Which Areas Meet the 40% TIA Since 1985 Criterion?**” subheading in [I-3.4.7 MR7: Flow Control](#) in the 2019 SWMMWW.

If you have questions on the SWMMWW contact:

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