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Title: Amendment to Surface Water Design Manual

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Authorities: King County Code

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Sponsoring Agency: Department of Natural Resources and Parks/Water and Land Resources Division/Stormwater Services Section



King County

Signature:

Signed by: John Taylor

Date signed:

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I. Purpose

To amend the 2021 edition of the *Surface Water Design Manual (SWDM)*, adding bioretention using WA Ecology approved High Performance Bioretention Soil Mixes (HPBSM) as an approved water quality treatment facility and as an allowable flow control best management practice (FCBMP). Amendments will be incorporated into the current 2021 edition of the *Surface Water Design Manual*.

Applicability and Audience This rule applies to: landowners and residents of unincorporated King County, applicants, the Department of Natural Resources and Parks (DNRP), and its Water and Land Resources Division (WLRD), or their successor agencies; and the Department of Local Services, Permitting Division (DLS-Permitting).

II. Definitions

"Applicant" means a property owner or a public agency or public or private utility that owns a right-of-way or other easement or has been adjudicated the right to such an easement under RCW 8.12.090, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit or approval.

"Development" means any activity that requires a permit or approval, including, but not limited to, a building permit, grading permit, shoreline substantial development permit, conditional use permit, special use permit, zoning variance or reclassification, subdivision, short subdivision, urban planned development, binding site plan, site development permit or right-of-way use permit. "Development" does not include forest management activities, as defined in K.C.C. chapter 21A.06.

"Drainage" means the collection, conveyance, containment or discharge, or any combination thereof, of surface water or stormwater runoff.

"Drainage review" means an evaluation by King County staff of a proposed project's compliance with the drainage requirements in the Surface Water Design Manual.

"Stormwater" means the water produced during precipitation or snowmelt, which runs off, soaks into the ground, or is dissipated through evapotranspiration.

"Surface Water Design Manual" means the manual, and supporting documentation referenced or incorporated in the manual, describing surface water and stormwater design and analysis requirements, procedures, and guidance. The "Surface Water Design Manual" is formally adopted by rule under the procedures in K.C.C. chapter 2.98 and is available from the Department of Local Services, Permitting Division or

the Department of Natural Resources and Parks, Water and Land Resources Division, or their successor agencies.

III. Policy

A. General

The *Surface Water Design Manual* contains the King County surface water and stormwater design and analysis requirements, procedures, and guidance for development applications in unincorporated King County.

B. Availability

The 2024 amendment to the 2021 edition of the *Surface Water Design Manual* will be available for reading at:

<https://kingcounty.gov/en/dept/dnrp/nature-recreation/environment-ecology-conservation/stormwater-surface-water-management/surface-water-design-manual/surface-water-design-manual-2021/revision-2024>

C. Severability

If any provision of this Public Rule or its application to any person or property is held invalid, the remainder of the Public Rule or the application of the provision to other persons or property shall not be affected.

D. Liberal Construction

This Public Rule is exempt from the rule of strict construction and shall be liberally construed to give full effect to the objectives and purposes for which it was adopted.

E. Procedures

<u>Action By</u>	<u>Action</u>
DNRP Director	1. Reviews the <i>Surface Water Design Manual (Manual)</i> and revises it when necessary.
DLS-Permitting	2. Determines if a development application is subject to drainage review and thus required to comply with the <i>Manual</i> .
Applicant	3. Prepares drainage plans in compliance with the <i>Manual</i> and submits those drainage plans to the department or division performing drainage review as specified in K.C.C. 9.04.070.

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| DLS- Permitting or WLRD | <ol style="list-style-type: none"> 4. Performs drainage review of the plans submitted by the applicant in Step 3. <ol style="list-style-type: none"> a. Works with the applicant to address any <i>Manual</i> compliance issues. b. Approves the drainage plans as compliant with the Manual. |
| Applicant | <ol style="list-style-type: none"> 5. Constructs the drainage improvements required by the approved plans and the <i>Manual</i> and maintains them in accordance with <i>Manual</i> until provisions are made for made for transfer of maintenance responsibility to another entity as specified in the <i>Manual</i>. |

F. Responsibilities

1. The Department of Natural Resources & Parks, Water and Land Resources Division is responsible for:
 - a. Issuing revisions to the *Surface Water Design Manual* when necessary.
 - b. Providing training on the Manual to the general public, developers, and employees of the Department of Local Services, Permitting Division.
 - c. Performing drainage review of WLRD surface water and stormwater projects and other government agency linear projects as specified in K.C.C. 9.04.070.
2. The Department of Local Services, Permitting Division is responsible for:
 - a. Determining if a development application is subject to drainage review and must comply with the Manual.
 - b. Performing drainage review of all development projects, except WLRD surface water and stormwater projects and other government agency linear projects as specified in K.C.C. 9.04.070.
 - c. Inspecting development construction and sites for compliance with approved drainage plans and the Manual.
3. The applicant is responsible, at a minimum, for:
 - a. Demonstrating that the development application complies with the Manual.
 - b. Constructing the drainage improvements required by the approved plans and the Manual.

- c. Maintaining the drainage improvements required by the approved plans and the Manual until such time as provisions are made for transfer of maintenance responsibility to another entity in accordance with the Manual.

IV. Implementation Plan

- A. This rule becomes effective 30 days after filing with King County Archives, Records Management and Mail Services. Proposed amendments will be reflected in the *2021 Amended Surface Water Design Manual* at that time.

V. Maintenance

- A. This rule will be maintained by WLRD, or its successor agency.

VI. Consequences for Noncompliance

King County Department of Local Services, Permitting Division and Department of Natural Resources and Parks, Water and Land Resource Division are responsible for enforcing compliance with King County Code chapter 9.04 and this rule. Pursuant to King County Code (KCC) section 9.04.180, failure to comply with this rule is subject to the enforcement and penalty provisions of KCC Title 23, **Code Compliance**.

Appendices:

- A. 2024 Amendment to the 2021 *Surface Water Design Manual* Chapters 1, 5, and 6; and Appendix C.
- B. Amended Definitions
- C. Amended Reference 8-M
- D. Amended Reference 11-C
- E. Amended Reference 14-B