REGULATORY NOTE

CHECKLIST OF CRITERIA

Proposed No.: \_\_\_\_\_\_\_\_\_\_\_\_\_ Prepared By: Mark Wilgus\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_11/6/15\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Yes No N/A

[ X ] [ ] [ ] **NEED: Does the proposed regulation respond to a specific, identifiable need?**

To be consistent with requirements set forth by the Washington State Department of Ecology in its issuance of King County’s 2013-2018 Phase I National Pollutant Discharge Elimination System (NPDES) General Municipal Stormwater Permit, the proposed ordinance amends King County’s surface water and stormwater regulations for new development, redevelopment, and existing development in unincorporated King County and also makes minor amendments to related portions of the King County Road Standards and Critical Areas code. Specifically, the ordinance amends King County Code chapter 9.04, Surface Water Runoff Policy; 9.12, Water Quality; 9.20, Fertilizers; 14.42, King County Road Standards; 21A.06, Technical Terms and Land Use Definitions; 21A.16, Development Standards – Landscaping and Water Use; and 21A.24, Critical Areas.

[ X ] [ ] [ ] **If so, is county government the most appropriate organization to address this need?**

[ ] [ X ] [ ] **ECONOMY & JOB GROWTH: Has the economic impact of the proposed regulation been reviewed to ensure it will not have a long-term adverse impact on the economy and job growth in King County?**

[ X ] [ ] [ ] **PURPOSE: Is the purpose of the proposed ordinance clear?**

[ X ] [ ] [ ] **Are the steps for implementation clear?**

The revised stormwater code will be implemented by King County Department of Permitting and Environmental Review by applying the requirements of the revised King County Surface Water Design Manual to new and redevelopment projects. The King County Surface Water Design Manual, which contains detailed engineering requirements consistent with the stormwater code, will be adopted via public rule.

Yes No N/A

[X] [ ] [ ] **EVALUATION: Does the proposed ordinance identify specific measurable outcomes that the proposed regulation should achieve?**

Compliance with state mandated requirements is the primary measurable outcome. Measurable environmental outcomes are expected as well over time (improved stream conditions, for example), but are not specified as such in the ordinance.

[ ] [ ] [ X ] **Is an evaluation process identified?**

[ X ] [ ] [ ] **INTERESTED PARTIES: Has adequate collaboration occurred with all those affected by the proposed regulation (including the public, the regulated and the regulators)?**

A stakeholder group was formed to review draft documentation and provide comments-since incorporated into the documentation. The group included tribes, local municipalities, Master Builders Association representatives, environmental groups and King County departments. Ecology has reviewed for determination of equivalency and provided comments which are incorporated into the proposed ordinance. It is expected that Ecology will provide a letter of support when it has completed review of the revised ordinance and accompanying Surface Water Design Manual and Stormwater Pollution Prevention Manual.

[ X ] [ ] [ ] **COSTS & BENEFITS: Will the proposed regulation achieve the goal with the minimum cost and burden?**

King County has provided alternatives to Ecology’s manual and permit requirements that lower implementation costs while resulting in equivalent environmental protection.

[ ] [ X ] [ ] **Has the cost of not adopting the proposed regulation been considered?**

[ ] [ ] [ X ] **Do the benefits of the proposed regulations outweigh the costs?**

[ ] [ ] [ X ] **VOLUNTARY COMPLIANCE: Does the proposed ordinance inspire voluntary compliance?**

[ X ] [ ] [ ] **CLARITY: Is the proposed ordinance written clearly and concisely, without ambiguities?**

[ X ] [ ] [ ] **CONSISTENCY: Is the proposed regulation consistent with existing federal, state and local statutes?**