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March 6, 2009
WP55829

Kurt Fremont
Department of Ecology
Southwest Regional Office
P. O. Box 47775
Olympia, WA 98504-7775

SUBJECT: Pierce County Technical Equivalence

Dear Mr. Fremont:

The goal of this letter is to close out the latest round of review of the Pierce County 2008 Stormwater Management and Site Development Manual - PCSMSDM for technical equivalency under the 2007 Phase I NPDES permit. We submitted our proposed manual originally to Ecology in February, 2008 and after many rounds of questions, answers and revisions the Pierce County Council adopted a revised manual and ordinance in September 2008 with an effective date of March 1, 2009. The County submitted the adopted manual and ordinance for review and Ecology responded in November, 2008 with four recommendations and eight comments on Low Impact Development BMP's which needed an adequate response for permit compliance. In the ensuing communications I believe we have reached consensus on all the outstanding issues.

That we have reached consensus doesn't mean there are not some necessary changes to the Pierce County SWM Manual. We agree with Ecology's conclusion that the Bioretention BMP needs to have a soil standard specific to that BMP and not be joined with the lawn and landscape soil BMP. We would like to accept Ed O'Brien's offer to provide the County with the standard design proposed by Seattle and Tacoma that he has found compliant with the permit and use this standard for bioretention soils. Our plan for enacting these changes will be to send a letter to industry notifying them of the revised soil standard which will remain our policy until it is adopted by Council. By using this course of action we will be able to enforce this policy immediately once the letter is sent. Our legislative adoption process could take up to 8 months.



We also intend to update our Rain Garden sizing guidance table for facilities serving less than 2000 square feet. This is because we have determined our current table's safety factor is overstated to the point that it may discourage the use of the BMP. We will submit our revised table and supporting data to Ecology once it has been updated and prior to use.

Sincerely,



Dennis J. Dixon
SWM Engineer

Enclosure

cc: Harold P. Smelt, PE, P.C. Surface Water Management Manager
Mitch Brells, PE, P.C. Development Engineering Manager
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