Washington State Department of Transportation

Memorandum

November 9, 2026

TO: Region Project Development Engineers
Deputy Administrators for Mega Programs Region
Hydraulics Engineers and supervisors
Region Utility Managers and supervisors
Region Illicit Discharge Detection and Elimination Contacts

FROM: Mark Gaines, Development Division Director & State Design Engineer MG

THRU: Julie Heilman, State Hydraulics Director
Ahmer Nizam, Environmental Services Director
Erik Jonson, Technical Services Director

SUBJECT: Roles & Responsibilities for Stormwater Connection Utility Permitting During Project Delivery.

Purpose

This memorandum clarifies the roles and responsibilities for Region Hydraulic Offices, Region Utility Offices, Project Engineering Offices (PEO), and Region Illicit Discharge Detection and Elimination contacts for permitting a stormwater connection identified during a highway project. This aligns with Agency Policy 1103 and RCW 47.44. The policies referenced are contained in the following Manuals:

- Design Manual – 800.03 Hydraulic Design Process
- Utilities Manual – 120.05 Stormwater Drainage and Hydraulics
- Hydraulic Manual – 1-3.4 Developers and Utility Agreements
- Highway Runoff Manual – 2-2 Developer Projects and Third-party Stormwater Connections to WSDOT Right-of-Way

Roles, Responsibilities, & Permitting Process

Project Engineering Office

- Identify all connections to WSDOT ROW during project development phase (when developing the hydraulic discharge point inventory as a part of the preliminary hydraulic report)
- Verify if any connections discovered (above) have an existing utility permit (through Region Utility Office).
    - For connections without a permit, follow additional steps in process below to begin coordinating with Region Hydraulics Office and Region Utilities Office to issue permit to property owner.

Region Hydraulics Office

- Determine whether a new permit should be allowed, or if an existing permit needs to be modified; and what actions/documentation are needed to review and approve.
- Develop initial letter to contact property owner on next steps.
    - Follow additional steps in process below to begin coordinating with Region Utilities Office and PEO to issue permit to property owner for connections without a permit.

Region Utilities Office

- Complete portions of the permit application (if needed) after Region Hydraulics Office determination (above).
- Distribute initial letter to contact property owner on next steps.
    - Follow additional steps in process below to begin coordinating with Region Hydraulics Office and PEO to issue permit to property owner for connections without a permit.

The process below attempts to address long-standing unpermitted stormwater connections on Washington State Department of Transportation (WSDOT) right-of-way (ROW) only, that are discovered during a highway project by a PEO. The purpose of this process is to assign roles to WSDOT staff to identify the stormwater discharge connection to WSDOT ROW, to identify the property owner, and to permit the stormwater discharge connection under the Stormwater Connection Utility Permit (SCUP).

*Project Engineering Office (PEO) is defined as:

1. for Design-Bid-Build; the design office during project development
2. for Design-Bid-Build; the construction engineer during construction phase of project
3. for Design-Build projects; the design office producing the Request for Proposal (RFP)
4. for Design-Build projects; WSDOT Engineer after RFP advertisement

1. Stormwater Connection Identification & Verification Process		
#	**Action:**	**Primary Actor:**
1.1	**Identification**	**PEO:** for Design-Bid-Build identifies all connections to WSDOT ROW during project development phase (when developing the hydraulic discharge point inventory as a part of the preliminary hydraulic report) of project or during routine work activities during construction. For Design-Build projects, the PEO identifies all connections to WSDOT ROW during RFP development phase (when developing the hydraulic discharge point inventory as a part of the conceptual hydraulic report) of project. Connections discovered after ad/award still need to be permitted and remain the responsibility of the **PEO**.
1.2	**Initial Assessment**	**PEO:** Completes the hydraulic discharge point inventory spreadsheet from the Preliminary Hydraulic Report (Conceptual Hydraulic Report for Design-Build projects) submittal and documents existing site conditions. If the connection has signs of an illicit discharge (non-stormwater discharge) it must be reported through the **Illicit Discharge Detection and Elimination Program** (IDDE) Web app, or by contacting the Region IDDE Contact directly for entry into the system (photos are very beneficial). Once the connection is resolved and/or reassessed as licit by Region IDDE contact, the resolution of the illicit discharge is communicated, and the connection is returned to the PEO to continue the permitting process.
1.3	**Confirmation/ Reporting**	**PEO:** Verifies the existing connection and information provided. Request verification of existing Utility Permit from **Region Utility Office** (Step 1.4).
1.4	**Verifies Existing Utility Permit**	**Region Utilities Office or Delegate:** Verifies if reported connection has an existing permit and if the permit has any additional requirements for water quantity/quality.
1.5	**Has an Existing Permit**	**PEO:** Verifies if the conditions of the permit are being met. If applicable permit conditions are met and no modifications are needed for the project, no further action is required. If permit conditions are not met or project site conditions require modifications to the existing permit, continue to step 1.6.

1.6	**Does Not have an Existing Permit OR Needs Modification**	**PEO:** Coordinates with: • **Region Hydraulics:** Determines if a new SCUP should be allowed, or if an existing SCUP needs to be modified; and what actions/documentation are needed to review and approve. This includes development of Letter #1 (below) with instructions to property owner on next steps. ○ Verifies with **Region Maintenance** any impacts of the existing connection to WSDOT ROW (or any other SME if needed) • **Region Utilities:** Completes portions of the SCUP Application (if needed) Sends Letter #1 (certified mail) to property owner communicating the need for a SCUP and the actions/documentation determined by **Region Hydraulics** for approval. This communication includes instructions for the property owner.

2. The Cooperative Property Owner		
#	**Action:**	**Primary Actor:**
2.1	**Application Review**	**Region Utilities** receives permit application package from entity and creates a reimbursable account (if needed) to begin application review. Updates **PEO** that application package has been received.
2.2	**Application Review**	**Region Utilities** distributes application package to: • **Region Hydraulics** staff to assist review of application for compliance with Hydraulics Manual (HM) & Highway Runoff Manual (HRM). • **Region Maintenance** staff to assist in review of proposed or existing installation for impacts to WSDOT ROW. **Region Utilities** determines if any other specialty groups (Geo-Tech, Bridge, Materials, etc.) require further information or review and distributes the package accordingly.
2.3	**Application Review**	**Region Hydraulics** contacts either **Region Utilities** or property owner (as determined by region staff) to gather more information to complete review of permit application (if needed).
2.4	**Compliance Determination**	**Region Hydraulics** determines if application meets WSDOT standards (within HRM & HM, and additional manuals as required).
2.5	**Compliance Determination**	**Region Utilities** determines if application meets WSDOT standards (Utilities Accommodation Policy).
2.6	**Application Review Collaboration**	**Region Utilities and Region Hydraulics** communicate internally on any remaining concerns (if needed) regarding facility information before issuing permit.
2.7	**Permit Issuance**	**Region Utilities** issues Stormwater Connection Utility Permit to entity, provided all standards are met.
3. The Uncooperative Property Owner		
#	**Action:**	**Primary Actor:**
3.1	**Inaction by the Property Owner and determination by WSDOT**	At this point, the property owner has not responded in a timely manner (or has failed to take action based on instructions in Letter #1). **PEO/Region Utilities/Region Hydraulics** confer to determine sending Letter #2.
3.2	**Elevated communication to Property Owner**	**Region Utilities** distributes Letter #2 (non-compliance letter – application, certified mail) to property owner. If property owner responds in 45 days go to next step. If property owner does NOT respond go to Step #3.4. **Region Utilities** notifies (as a courtesy) HQ Utilities if Letter #2 is ever distributed to a property owner.
3.3	**Property Owner responds**	**Property Owner** submits SCUP application (Move to Step #2.1 in above process) or **Property Owner** removes connection. **PEO** inspects for removal of connection.
3.4	**Continued inaction by the Property Owner and determination by WSDOT**	At this point, the property owner has not responded in a timely manner (or has failed to take action based on instructions in Letter #2). **PEO/Region Utilities/Region Hydraulics** confer to determine sending Letter #3.

3.5	**Communicates Removal or Penalties**	**Region Utilities** distributes Letter #3 (non-compliance letter – removal, certified mail) to property owner. 45-day timeline for penalties begins. **PEO/Region Utilities/Region Hydraulics** shall consult with **HQ Utilities** on this step.
3.6	**Enforce Removal or Penalties**	**PEO/Region Utilities/Region Hydraulics** shall consult **HQ Utilities** who will contact the **Attorney General's Office** on this activity.

We appreciate the multiple disciplines coming together to permit or resolve all stormwater connections within our state right-of-way. Your leadership and diligence in fulfilling these responsibilities are critical to the success of our statewide programs and to project delivery.

Please direct any questions regarding this memo to the HQ Utilities Office.

MG: gg