

City of Kirkland Comments on Preliminary Draft MS4 Permit Language

Long-Term Stormwater Planning

1. We are a bit unclear about how Characterization and Prioritization will work. For example,
 - A. One of the Objectives listed on page 3 is that jurisdictions use “existing information to complete a prioritization of basins, and assess data gaps.” The Characterization (Step 4a.) may be read to suggest that jurisdictions must collect all of the data described under BCitR. Please clarify that the Characterization is to be based on existing data, only. While we fully recognize the value of collecting additional additional data (e.g., flow data helps with model calibration), we are not sure that we should be spending this permit cycle installing flow monitoring equipment.
 - B. How does the assessment in Characterization Step 4.b differ from the Prioritization exercise that follows? Both discuss relying on the BCitR prioritization process.
 - C. Both Step 4 and the following steps direct permittees to follow the prioritization process in the BCitR guidance. Will we have discretion re: how to weight the various “local data” sources or will Ecology prepare additional guidance? Does Ecology want us to prioritize basins/catchment areas that show low to moderate levels of impairment? Please clarify.
2. Will Ecology be providing directions (or setting expectations) re: how catchment areas are to be selected for planning?
3. The proposed catchment area planning work represents a significant lift for communities, akin to or perhaps even greater than the LID Code Integration project. This work should be delayed until the following permit cycle and limited, perhaps, to a small number of catchments areas within a jurisdiction’s highest priority basin. If the selected basin (and catchment areas) are representative of other basins within the jurisdiction’s boundaries, then the lessons learned through this exercise may be applicable elsewhere within the jurisdiction.
4. How does Ecology propose to assess whether BMPs/approaches selected through catchment area planning are “defensible”? Please describe, possibly through guidance. The hydrologic or water quality impacts of several of the BMPs offered (e.g., education and outreach, conservation easements, zoning code adjustments) are not well quantified. This is especially true of the non-engineered solutions. While we appreciate the flexible approach provided, we are concerned that “defensibility” could be a moving target.
5. We remind Ecology that locations where retrofit projects actually get built are usually determined by opportunities more than by habitat priority – there is a redevelopment happening, the city is focusing efforts on an area hoping to see economic development, or there is a large transportation project that represents an opportunity for partnership, for examples. It’s fine to do a high-level prioritization, it will be equally important to allow jurisdictions to take advantage of such opportunities, rather than sticking to a rigid habitat-priority system.