



January 18, 2018

Municipal Stormwater Comments
WA Department of Ecology
Water Quality Program
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RE: Comments on the 2019 Western Washington Phase II Permit - Preliminary Draft Language

To Whom It May Concern:

Thank you for the opportunity to comment on the preliminary draft language for the Phase II NPDES Permit. The City of SeaTac's formal comments are below, organized by draft permit section.

Section S5.C.1 Education and Outreach

S5.C.1.a.ii.(a) - Behavior Change

1. The target audiences listed in this section are fairly limited and narrowly defined. Please add language allowing jurisdictions the flexibility to expand target audience to audiences that are not listed, such as the construction industry.

S5.C.1.b. Evaluation

1. The proposed language appears to limit new behavior change evaluation to ongoing programs. Please revise the language to allow for the evaluation of new or ongoing behavior change programs.
2. The 18 month deadline (2/1/21) is inadequate to develop an evaluation program, implement it, and to use the data from the evaluation to develop a strategy to update the program. Please revise the language to allow for a minimum of 24 months to meet this requirement, as well as update the subsequent deadlines in section c. and d. appropriately.

S5.C.1.e. Stewardship

1. The draft language narrowly identifies the target audience of stewardship programs as residents. Please broaden the language to give permittees the flexibility to include businesses and organizations in the target audience for stewardship programs.

Section S5.C.3 – Illicit Discharge Detection and Elimination (IDDE)

S5.C.3.f. Recordkeeping

1. The proposed new record keeping and reporting requirements were developed by a small group of individuals and were not vetted by the larger stormwater

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forums, such as Permit Coordinators Forum, APWA Stormwater Managers Group and ROADMAP. As a result, the City has identified several problems with the proposed language/requirements, which are:

- a. The proposed new tracking and reporting requirements, including the uploading of data, will provide little to no benefit to jurisdictions implementing the programs, because Ecology has inadequate staffing and funding to evaluate this raw data and find trends within this data. Further, even if Ecology has the funding and staff to evaluate this data any trends that may appear will be regional trends and not necessarily useful to local jurisdictions implementing IDDE programs. Based on our discussion with other jurisdictions through the Permit Coordinators Forum, SeaTac's primary types of illicit discharges, or IDDE trends are related to auto accidents and illicit discharges from commercial truck traffic, while other jurisdictions' primary illicit discharges are from restaurants, or illicit connects. The point being that regional IDDE trends should not be used to drive permit requirements and the need to evaluate this data at a regional level is not necessary.
- b. Several jurisdictions, including SeaTac, already have existing databases in place, which are used to track and report out on IDDE actions. The proposed additional reporting requirements including the conversion of said data and the uploading of data to the WQWebIDDE page is financially onerous for little to no benefit (as discussed above). The modification of existing database tracking and reporting systems, as well as the requirement to convert said data to upload to Ecology system will cost the City approximately \$15,000 to \$20,000.
- c. The City requests that the draft IDDE language be modified to remove the requirement to upload IDDE data to Ecology's web site and instead clearly identify specific parameters that must be tracked through the IDDE program. Further, if it is Ecology's goal that the IDDE data be used to identify trends, instead allow jurisdictions to evaluate their own data and identify strategies to address these trends through existing programs such as Education and Outreach once within the permit cycle.

S5.C.O - Mapping Requirements

1. City staff were unable to review the proposed mapping standards identified in page 2 of the Mapping Requirements document because the following links were broken: mapping standards required, and description of standards.

S5.C.4. - Long Term MS4 Planning

1. Please clarify in the beginning of this Long Term MS4 Planning section that jurisdictions can use existing watershed or basin planning efforts to meet the requirements of this section.
2. On page 3, line 42, item 3.a. requires that jurisdictions identify the percentage of the basin within the jurisdictions boundary. Jurisdictions may or may not have easy access to basin boundary data outside of their jurisdiction. Therefore, this requirement appears to depart from the criteria established in

the Objective section (page 3 item 10) that jurisdictions use existing data to create these basin plans. Please revise this section to clarify that this effort is limited to existing data.

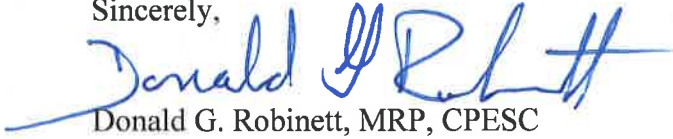
3. On page 4, line 1, item 3.c. requires jurisdictions to identify the total percent of impervious area in the basin. This impervious area data may or may not exist for each basin within a jurisdiction. Therefore, this requirement also appears to depart from the criteria established in the Objective section (page 3 item 10) that jurisdictions use existing data to create these basin plans. Please revise this section to clarify that this effort is limited to existing data.
4. On page 4, line 12, item 5 indicates that the delivery year for this requirement as to be determined. Given the breadth and detail of the requirements of this document, SeaTac has concerns about being able to meet these requirements in a single permit cycle. SeaTac requests that the requirements be reduced and made more flexible, or the timeline be extended into the next permit cycle.
5. On page 4, line 15 under Methods/procedures for prioritizing basins section it identifies that jurisdictions use a “process equivalent to” the Building Cities in the Rain guidance. Please revise this language to read a “process similar to” the Building Cities in the Rain guidance. This edit will give greater flexibility to jurisdictions implementing this section, especially if data identified in the guidance is not available.
6. On page 4, the section titled “Approach/methods for catchment area planning” are too detailed and onerous to be accomplished in a single permit cycle. Please revise this language to give greater flexibility to jurisdictions implementing this section. Also, please extend the deadline for this requirement into the next permit cycle.

S5.C.X – Source Control (New Section)

1. The City of SeaTac believes that the existing private and public system inspections programs combined with the IDDE program required under the current permit, are sufficient to meet goals of this section. Private and public stormwater facility inspection already occurs pursuant to section S5.C.4 & 5 of the existing permit and the IDDE program requires the identification and removal of illicit discharges or connections to the MS4. Further, the identification of operational or structural source control BMPs can be addressed through the above Long Term MS4 Planning section. Therefore, the City requests that this section be pulled from the draft permit language.
2. On page 4, item 0.a.ii requires inspection of pollutant generating sources at public and privately owned commercial and industrial properties, however Ecology identified at regional workshops that it is their intent that these inspections include review of practices carried out inside the buildings. The City of SeaTac has a strong property rights contingent within our community and suspects access to buildings and business operations will be denied, as jurisdictions do not have legal right of access beyond public access areas of the property. If Ecology includes this requirement in the next permit cycle, please include language stating that denial of access to private property counts towards implementation benchmarks identified on page 5, in item 0.b.iii.(b).

3. This section refers to appendix X several times, however appendix X was not available for review.

Sincerely,

A handwritten signature in blue ink, appearing to read "Donald G. Robinett". The signature is stylized and cursive.

Donald G. Robinett, MRP, CPESC
Stormwater Compliance Manager
Public Works Department

Cc: Will Appleton, Public Works Director
<http://ws.ecology.commentinput.com/?id=tkx29>