

City of Renton

The City of Renton appreciates the opportunity to provide comments on the preliminary draft sections of the proposed 2019 Western Washington Phase II Municipal Stormwater Permit. Please find our comments attached.

2019 Preliminary Draft Western Washington Phase II Municipal Stormwater Permit
City of Renton Surface Water Utility Comments

Permit Area	Permit Section	Page	Permit summary	Comment	Recommendation
Public Education and Outreach	S5.C.1.a.i.(a)	5	Strike "Impacts of illicit discharges and how to report them"	The subject area "Impacts of illicit discharges and how to report them" should be kept in this section as a reminder that educating the public and businesses on this topic is part of the permit for public outreach staff and non-profit partners. It is easier to send a copy of this section of the permit to others to explain the required education and outreach program components rather than locating each section with an educational component and providing them in a piecemeal fashion.	Keep the subject area "Impacts of illicit discharges and how to report them".
Public Education and Outreach	S5.C.1.a.ii.(a)	6	Strike "General public" as a target audience and replace with specific target audiences.	The target audiences are too specific. For example, automobile drivers are not specified as a target audience, but the BMPs include carwash soaps and automotive chemicals. The Don't Drip and Drive campaign targets the general public by advertising throughout the State. The people who attend the Don't Drip and Drive workshops may not be residents of the jurisdiction in which the event is held, so limits the opportunity for non-workshop jurisdictions to claim "residents" as a target audience. Jurisdictions may opt out of advertising for the campaign if the target audience is not the general public.	Keep "General public" as a target audience.
Public Education and Outreach	S5.C.1.a.ii.(a)	7	"(Audience specific) Source Control BMPs (refer to S5.C.X)"	It is unclear what is meant by "(audience specific) source control BMPs" and audiences are not specified in the Source Control for Existing Development program component S5.C.X.	Clarify the term "(Audience specific)"
Public Education and Outreach	S5.C.1.b	7	"...each Permittee shall use community-based social marketing methods, including the development of a program evaluation plan"	Community-based social marketing (CBSM) was founded by one person. It requires focus groups or surveys which may not be practically acquired, thereby limiting its use and efficacy. Also, many jurisdictions don't have the specialized knowledge and skill to implement this method, so will likely have to hire the creator of CBSM for training, at a minimum, or consultation and implementation of this section of the permit, which creates a monopoly. It is unclear what is required in a program evaluation plan, and this lack of specificity reduces the efficacy of the permit. The permittee should have greater flexibility in how to evaluate their programs, so CBSM methods should not be required. There are other methods to improve efficacy of a behavior change program and one method should not be dictated by the permit.	Clearly specify the requirements for evaluating effectiveness such as the program evaluation plan. Remove the requirement to use community-based social marketing methods to provide greater flexibility.
Public Education and Outreach	S5.C.1.b and S5C.1.c	7	"Based on this evaluation, by February 1, 2021, each Permittee shall...develop a strategy" and "no later than April 1, 2021, begin to implement the strategy developed in S5.C.1.b."	There should be at least three months between the development of a strategy and implementation to allow time for contracting, if necessary.	Provide at least three months between the deadlines for developing a strategy and implementation of the strategy.

Illicit Discharge Detection and Elimination	S5.C.3.f	1	"The summary shall include the information and formatting specified in WQWebIDDE. Final submittal must follow the schema described in WQWebIDDE."	At the Permit Coordinator's Meeting on 10/19/17, Ecology stated that the purpose of the annual data submission in the required format is to analyze all the incidents throughout the state. At the ROADMAP meeting on 3/29/17, Dan Smith with Pierce County presented a 5 year study of IDDE data and found that this type of data is most useful at the local level. When analyzed from a state perspective, data becomes watered-down and adaptive management cannot be derived from state studies. The state is asking for more data without proof that it needs the data and that the data will be useful. The City of Renton uses IDDE data at the local level to inform future outreach and education program actions. It doesn't see a need to invest more resources in providing data to Ecology using the proposed schema format requirements.	Remove the proposed language. Explain the purpose of analyzing IDDE records at the state level.
Mapping	S5.C.0.a.iii	3	"Permanent stormwater facilities owned or operated by the Permittee"	The term "permanent stormwater facilities" needs to be clearly defined. It should include of list of what should be mapped (e.g. all facilities required by Minimum Requirements 5, 6 and 7).	Include a clear definition with a list of required facilities. Provide the definition in the permit rather than in a guidance document.
Mapping	S5.C.0.b.	3	"For all known MS4 outfalls, the following attributes shall be mapped: size and material, where known."	If the outfall is known, the second reference to "known" is redundant. It is difficult to evaluate outfalls that are inudated at all times, so achieving this requirement is overly burdensome. It is unclear if data must be collected all at once or when the system is cleaned. It is preferable to collect the information as part of the operations and maintenance program on the cleaning frequency of once during the permit term. Ecology's intent is unclear as to why pipe material data is needed. How is pipe material related to water quality?	Clarify the intent and timing of this requirement. Renton prefers obtaining the size and material information when cleaning the MS4 system over the 5-year permit term. If the deadline of August 1, 2021 is imposed, it will cost more to obtain this information.
Mapping	S5.C.0.c	4	"...the required format for mapping is electronic with fully described mapping standards. An example description is available on Ecology's website."	The mapping standards should be included as an appendix to the permit or the standards should be described in this section for easy reference.	Include the mapping standards in the permit rather than on "Ecology's website".
Controlling Runoff from New Development, Redevelopment, and Construction Sites		2	The proposed deadlines for Phase I and II Permittees to adopt the SWMMWW or equivalent manual are December 31, 2020 and August 31, 2021.	The deadline for Phase II Permittees should be extended until December 31, 2021 to ensure that corrections from the Phase I Manual equivalent are incorporated along with the corrections and updates from the 2019 SWMMWW.	Extend the deadline for Phase II Permittees Manual adoption to December 31, 2021.
Monitoring	S8.A.3.	1	"...per section S5.C.8"	This references the Phase I Permit, but not the Phase II Permit.	Include references for both permits.
Monitoring	S8.A, S8.B.1, S8.B.2a Note to Reviewers	1-2	Note to Reviewers	The City agrees with the proposed approaches.	No recommendations.
Monitoring	S8.B.2.b.iii Note to Reviewers	3	Note to Reviewers: Update Appendix 9	Additional changes to Appendix 9 increases the cost of monitoring. It's important to understand the cost-benefit for jurisdictions that have previously chosen to monitor with option S8.B.2.b. Allowing these jurisdictions to continue monitoring rather than paying into the collective fund will provide long-term trends which is useful information when examined in the context of the watershed.	Consult jurisdictions that currently monitor to ensure they can continue to do so given the proposed additional work.

Monitoring	S8.C.1 Note to Reviewers	5	Note to Reviewers: Submittal requirement for requests for information by SAM contracts	Submitting records of requested information should not be required, but voluntary. Records have been requested in formats that are not readily available and it takes up too much staff time for jurisdictions to reformat per the request and provide the information. If required, the study proponents should take the data as recorded and extract the information they need.	Do not require Permittees to submit to requests for information unless the project proponent requests the data as recorded by the Permittee.
Source Control Program for Existing Development	IV. Why include this program in the Permit?	2	"Others were hesitant to endorse adding the program due to: lack of resources...overlap with other inspection programs...preference for adding this program to Education and Outreach or relying on technical assistance only"	Renton achieves voluntary compliance with businesses by sending a nonprofit partner to businesses to provide free (to the business) technical assistance and education. Less than 1% of the businesses served since the program started in 2013 have declined these services. This approach improves the City's relationship with the business community and achieves the intent of source control.	Do not require Permittees to implement the source control program. The goals of the program can be achieved with education and technical assistance.
Source Control Program for Existing Development	None	None	In a document titled "Ecology's Preliminary Thinking for Reissuance of the Municipal Stormwater Permits" dated July 30, 2010, Ecology answered questions posed by external stakeholders. An excerpt from this document reads "Should the phase II permit(s) include a business source control inspection program (a requirement in the current phase I permit)? Answer: No, the phase II permits will not include a stand-alone source control program, which can be complex and costly. We will, however, look at ways the program elements in the current permit can better address source control - for example under public education and outreach and the illicit discharge detection and elimination (IDD&E) program."	Ecology should consider the fact that a stand-alone source control program is still complex and costly for Phase II Permittees. The City would have to hire a source control inspector funded by the taxpayer. The cost for one new employee is at least 12 times the cost of the current program using a nonprofit partner which achieves the intent of the source control program. As our current approach using education and technical assistance to prevent illicit discharges from businesses has been shown to be effective, the source control program is not necessary.	Do not require Permittees to implement the source control program. The goals of the program can be achieved with education and outreach and illicit discharge detection and elimination programs.
Source Control Program for Existing Development	S5.C.X.b.iii.(a)	5	"Identified sites must be provided information about activities that may generate pollutants and the source control requirements applicable to those activities".	It isn't realistic to give information to property owners without conducting a field visit first to determine the activities on site. Then best management practices may be recommended once the activities are known through inspection.	Do not require Permittees to implement the source control program. The goals of the program can be achieved with education and outreach and illicit discharge detection and elimination programs. If source control will be required, improve permit language. Conduct site visits to determine the activities prior to providing information of best management practices requirements.

<p>Mapping; Controlling Runoff from New Development, Redevelopment and Construction Sites; Source Control Program for Existing Development</p>	<p>S5.C.0.b.; Manual Adoption; S5.C.0.b.i and ii</p>	<p>3,4; 2; 4</p>	<p>Mapping: "Each Permittee shall complete the following mapping no later than August 1, 2021" and "Beginning August 1, 2021, the required format for mapping is electronic with fully described mapping standards". Controlling Runoff: "The proposed deadline is August 31, 2021 to make effective one of the options listed above". Source Control: "No later than August 1, 2021, Permittees shall adopt and begin enforcement of an ordinance...requiring the application of source control BMPs..." and "No later than August 1, 2021, the Permittees shall establish an inventory that identifies...properties that have the potential to generate pollutants..."</p>	<p>There are five permit deadlines in August of 2021, all of which require resources. The mapping deadlines should be pushed back at least year and staggered to allow time to survey and implement standards to meet the mapping permit requirements. The deadline in the controlling runoff sections should be extended until December 31, 2021 to ensure corrections from the Phase I Manual equivalent are incorporated along with the corrections and updates from the 2019 SWMMWW.</p>	<p>Extend the deadlines for three of five permit requirements, specifically in the mapping and controlling runoff programs, so they are not due in the same month.</p>
<p>All</p>	<p>None</p>	<p>None</p>	<p>Example - Mapping Guidance</p>	<p>Ecology sometimes refers to guidance or other references that are not included in the Permit. If Ecology expects Permittees to use these references, it should include them as an appendix in the Permit, so the requirements are fixed and known instead of evolving.</p>	<p>Include all references in the permit or its appendices.</p>