

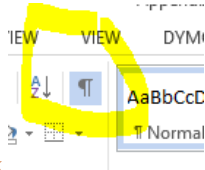
**Phase I, WW Phase II, and EWA PH II Formal Draft Comments**

Name	Document	Section	Page	Comment
Bellingham	WWA Phase II	Education and Outreach		Many municipalities, such as the City of Bellingham, use biennium budgets with annual appropriations. The proposed 9 months may make financial support for the revised requirement difficult. One year is more appropriate for the new evaluation. The proposed 18 month period from effective date to use community based social marketing methods should be changed to two years for the same reason.
Bellingham	WWA Phase II	Education and Outreach		Why not specifically say in the permit what was explained in the fact sheet? "...begin to implement the strategy developed in S5.C.1.b, which may include the start of audience research or other early tasks that inform the behavior change program, but does not necessarily mean the program must roll out to the target audience." The proposed Permit language is vague without the expanded explanation from the fact sheet.
Bellingham	WWA Phase II	Education and Outreach		This language is unclear to me. Does the last sentence stand alone or is it qualifying the sentence about regional collaboration? Specifically, is each permittee required to develop regional programs at the local jurisdiction? I'm assuming not, since that would be in opposition to the first sentence in that paragraph saying requirements can be met individually or as a member of the regional group. Maybe there's some way to clarify that the last sentence or make it part of the second sentence, such as, "If collaborating in a regional effort on general awareness or behavior change programs, or both, each Permittee shall implement what is developed regionally at the local jurisdiction, including developing a consistent message, determining best methods for communicating the message, and when appropriate, creating strategies to affect behavior change."
Bellingham	WWA Phase II	Education and Outreach		Can an evaluation of a regional program we participate in work for this? If so, how specific would the evaluation need to be of our local jurisdiction? Would it just need to include some audience members in our jurisdiction? Does this mean we conduct a new evaluation on the same program we evaluated in the 2013-18 permit? If not, maybe it should say; "Conduct a new evaluation of the effectiveness of an ongoing behavior change program."
Bellingham	WWA Phase II	Education and Outreach		Why is this under the behavior change section? It seems like the three prongs of raising awareness, behavior change, and stewardship are meant to be called out more independently in this permit revision. Should this be S5.C.1.iii instead?
Bellingham	WWA Phase II	IDDE		Ecology will need to provide training and support to Permittees on the WQWebIDDE portal with the reissuance of the Permit and prior to the Annual Report.
Bellingham	WWA Phase II	IDDE		We agree with the narrowed focus of the submittal requirements so long as sufficient detail and supportive Focus Sheets are provided by Ecology. Just clearly say what Ecology wants and avoid the continued use of ambiguous language within the Permit.

			<p>The City of Bellingham has been a participant of the Ecology Local Source Control program since its beginning. The funding support pays for one full time equivalent (FTE) employee and has helped the City by providing supportive services for our local businesses in regards to waste and stormwater management. Though the LSC program does not have an enforcement component, the definition for Illicit Discharge and the Illicit Discharge and Detection Program required by our existing Phase II Municipal Stormwater Permit makes enforcement possible if a business is found to be polluting. Ecologies position that the "LSC Program does not include an enforcement component, and therefore does not fully meet this permit requirement" does not seem look at existing Phase II Permit requirements. If the LSC Program does not meet the Permit requirement, the City will have to cancel its participation and will lose the \$89,000 of annual funding. Ecology must provide a cost analysis of this program. How much will it cost a Municipality and how much will it cost businesses. This appears to be another unsupportive mandate from Ecology without consideration of the total cost. Based on Appendix 8 - Businesses and Activities that are Potential Sources of Pollutants, from the existing Phase I Municipal Stormwater Permit, there are ~2,650 businesses in Bellingham that would be included in the inventory list. The proposed requirement of 20% of businesses on the inventory list must be inspected annually will result in ~530 inspections per year. Based on our past experience with the Local Source Control Program, the time necessary to perform one source control inspection is ~4 hours. This time includes research, development of forms and mailings, database and records, outreach, scheduling, etc. Inspecting 530 businesses will take ~2120 hours. Usually, a work day is eight hours and an employee can expect to work 52 weeks. Multiply eight hours by five days a week to get a 40 hour work week, then 40 hours times 52 weeks equals 2,080 hours a year. In order to meet this requirement the City will need ~1.5 FTEs at a general cost of ~\$150,000 annually. Our existing Stormwater Utility Rate structure was not developed to include the necessary resources to implement the program. The additional costs of this program will need to be absorbed by the stormwater utility rate payers and local businesses. As Ecology and the State are fully aware the cost of living index in Western Washington communities is high and this requirement will only make it higher. The City of Bellingham and other communities are battling homelessness and continuing to increase the cost of living is only making the issue more difficult to address. Also, the City of Bellingham and other Municipalities have Stormwater Utilities to fund the Stormwater Management Program and other requirements of the NPDE Municipal Stormwater Permits. This additional program will either require municipalities to undertake Stormwater Utility Rate Studies and justify a utility rate increase to our elected officials and community members or to cut other stormwater program activities in order to maintain a viable utility rate structure.</p>
Bellingham	WWA Phase II	Source Control Program (WWA)	
Bellingham	WWA Phase II	Appendix 2	<p>The City of Bellingham wants to provide comments on our proposed appendix 2, the Lake Whatcom TMDL implementation plan. See additional attached document.</p>

<b>Name of TMDL</b>	<b>Lake Whatcom Watershed Total Phosphorus and Bacteria Total Maximum Daily Loads</b>
<b>EPA Approved Document(s) for TMDL</b>	Lake Whatcom Watershed Total Phosphorus and Bacteria Total Maximum Daily Loads. Volumes 1 (Water Quality Study Findings) and 2 (Water Quality Improvement Report) November 2008, and November 2014
<b>Location of Original 303(d) Listings</b>	Whatcom Lake 5846 and 8621 (WA-01-9170) Austin Creek 9719 Anderson Creek 39036 Brannian Creek 45603 Smith Creek 39145 Olsen Creek 45589 (WA-01-3150) Carpenter Creek 45604 Euclid Creek 45618 Silver Beach Creek 45633 (WA-01-3120) Mill Wheel Creek 45652 Euclid Creek 48035
<b>Area Where TMDL Requirements Apply</b>	These requirements apply to areas served by MS4s within the city of Bellingham, and Whatcom County
<b>Parameter(s)</b>	Total Phosphorus ,Fecal Coliform Bacteria
<b>EPA Approval Date</b>	April 7, 2016
<b>MS4 Permittee:</b>	City of Bellingham WAR04-5550 Whatcom County WAR04-5557

**Actions Required :** This draft contains brown text that is marked font effect “hidden” Toggle



the paragraph mark that is used to show formatting to see the hidden text.

The city of Bellingham will take the following actions that enhance or focus the stormwater management plan to meet their total phosphorus and fecal coliform wasteload allocations.

*Public Education, Outreach, and Engagement*

With each annual report, report on progress developing and after development, results from, a repeatable survey to measure watershed residents’ beliefs, behaviors and attitudes over time related to Lake Whatcom water quality problems and solutions to inform the development of Lake Whatcom Watershed outreach programs.

With each annual report, provide to Ecology the informational packet distributed to all watershed resident, and report annually on how many new watershed property owners received copies

With the March 2020 annual report, provide Lake Whatcom Cooperative Management Program Five Year work plan, Program Area 9 updates.

*Stormwater Management*

With each annual report, provide prioritized list of new treatment and flow control Capital Improvement Projects. The submittal will track all relevant steps of the project(s) including but not limited to:

- b) Design
- c) Construction
- d) Estimated Cost
- e) Drainage Area
- f) Treated Acres

With March 2024 annual report, provide list of retrofit opportunities with applicable timelines to incorporate new technology and or new strategies into existing stormwater facilities.

With each annual report, the county will provide an updated Capital Improvement Project list and identify those that have been funded by competitive grants and other sources.

*Stormwater Management*

With each annual report, the city will report on phosphorus in the following categories:

- a. Phosphorus treatment and flow control capital projects;
- b. Homeowner improvements through the Homeowner Incentive Program (HIP)
- c. Land use regulations; and
- d. Operations and maintenance activities.

Reductions will be expressed as reduction in Effective Developed Acres, and may also be expressed as mass per unit time.

With each annual report the city will report on success implementing Stormwater Management actions identified in the current version of the Lake Whatcom Work Plan. |

With each annual report, the city will provide an estimate of total phosphorus removed from roads with enhanced street sweeping and estimate the equivalent reduced effective developed acres.

*Operational Best Practices and Good Housekeeping*

With each annual report the city will provide the pounds of hazardous material and pounds of phosphorus in chemicals collected from watershed participants, though their participation in the Lake Whatcom Management Program.

In the annual report, following the completion of the watershed-specific appendix to the city's operational plan (no later than March 2024) the city will submit the appendix with the annual

*Water Quality Monitoring and Effectiveness Evaluation*

With each annual report, the city will provide a list of the activities that they supported that focuses on monitoring and documenting water quality parameters on behalf of the Lake Whatcom Management Program. |

With the March 2021 annual report the city shall provide an evaluation of the effectiveness of built stormwater treatment and flow control facilities and an assessment of overall performance in reducing phosphorus and fecal coliform.

In August 2018, the city (in coordination with the County) will submit a list of studies designed to narrow uncertainty in the lake response and watershed loading models.

With the March 2019 annual report, submit Quality Assurance Project Plan (QAPP), jointly with Lake Whatcom Cooperative Management Program for approval by Ecology for updates to models used to assess pollutant loading and lake response.

Starting in March 2020 annual report, provide status of the timelines in the QAPPs approved by Ecology.

*Administration*

By August 1, 2023, the city, in coordination with the county, will submit Lake Whatcom Implementation tasks for 2024-2029. (Admin city and county A, Milestone D)

**Comment [PJK1]:** Why does this section only apply to the City?

**Comment [PJK3]:** What about other measurements such as mass per unit of time?

**Comment [PJK4]:** The implementation plan states that the City will support efforts to acquire and dispose of waste. The intent was for the City to support the County in their hazardous waste collection and disposal. Ex. Advertise and promote pick-up events, advertise and promote the Whatcom County Hazardous Waste Disposal and Pick-up program/location, etc.

plan to meet their total phosphorus and fecal coliform wasteload allocations.

*Public Education, Outreach, and Engagement*

With the March 2020 annual report, provide Lake Whatcom Cooperative Management Program Five Year work plan, Program Area 9 updates.

With each annual report Whatcom County will provide an evaluation of annual workshops on private stormwater facility maintenance (for residential and commercial developments), and provide/coordinate facility inspections and technical reports with maintenance guidelines and recommendations to the development. The document will include the extent to which the workshops are reaching target audiences including residents, homeowners/condominium associations, and property managers/owners and any alterations needed to more effectively reach the target audiences.

With each annual report, the county will provide the pounds of hazardous material and pounds of phosphorus in chemicals collected from watershed participants. The totals will not exclude any totals submitted by the city..

Stormwater Management

With each annual report, provide prioritized list of new treatment and flow control Capital Improvement Projects. The submittal will track all relevant steps of the project(s) including but not limited to:

- a) Land acquisition
- b) Design
- c) Construction
- d) Estimated Cost
- e) Drainage Area
- f) Treated Acres

With March 2024 annual report, provide list of retrofit opportunities with applicable timelines to incorporate new technology and or new strategies into existing stormwater facilities.

Water Quality Monitoring and Effectiveness Evaluation

With the March 2021 annual report the County shall provide an evaluation of the effectiveness of built stormwater treatment and flow control facilities and an assessment of overall performance in reducing phosphorus and fecal coliform.

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