

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

| Name        | Document     | Section                                 | Page | Comment   |
|-------------|--------------|---|------|---|
| LakeStevens | WWA Phase II | Comprehensive Stormwater Planning (WWA) | 17   | S5.C.1.b.i - Low-Impact Development Code-Related Requirements - Jurisdictions have already been required to make LID the "preferred and commonly used approach" to stormwater management as part of the previous permit. As part of this process, the DOE required a gap-analysis to identify barriers to LID implementation. This section seems to imply that jurisdictions continue an on-going gap analysis process each year. Please clarify if Ecology is requiring a yearly gap analysis. If so, this is redundant as most jurisdictions, including Lake Stevens, have already adopted the 2014 SWMMWW.   |
| LakeStevens | WWA Phase II | Comprehensive Stormwater Planning (WWA) | 19   | S5.C.1.c.i - Stormwater Management Action Planning - Define what "existing information relating to receiving waters" consists of? This is a very vague and broadly interpreted. The City recommends this section be clarified with wording related to water quality or planning, i.e. "water quality parameters," "land use," etc. Please also define what "local" and "regional" mean. Also define what "gaps in the state of knowledge" means. Does this also apply locally and regionally?   |
| LakeStevens | WWA Phase II | Comprehensive Stormwater Planning (WWA) | 19   | S5.C.1.c.ii - Stormwater Management Action Planning - Requiring an inventory of SW facilities and perceived benefits from "retrofitting" them (does Ecology mean retrofitting with LID? Updated engineering for new standards?) seems like it could run into legal issues with vesting. At the time of review, the stormwater facilities are designed according to the Stormwater Management Manual standards they were built under. This would apply for both flow control and/or treatment. This is an extremely costly and burdensome (unfunded) mandate for existing facilities that were legally built under Ecology's previous standards. Properly constructed and maintained stormwater facilities should function as designed and not need to be retrofitted to current standards. The City suggests removing this reference with respect to existing structures, and refocusing on new stormwater structure's functionality and impact. Further, a greater emphasis on enforcing maintenance on existing structures would better suit the needs of receiving water bodies. |
| LakeStevens | WWA Phase II | Comprehensive Stormwater Planning (WWA) | 20   | S5.C.1.c.iii - Stormwater Management Action Planning - Will permittees be held to the timelines to retrofit these facilities? Are the facilities referenced only public facilities? Or will jurisdictions need to enforce the retrofit of private facilities as well? Again, this is an unfunded mandate that will overburden small jurisdictions to the point that meaningful and (legitimately) useful stormwater programs are sidelined because of the cost associated with this section. Even with a \$50,000 capacity grant, a jurisdiction would be unable to fund even a single retrofit if the facility was a large vault or pond. Further, a small jurisdiction does not have the in-house staff to create this kind of report, and would therefore need to hire a consultant to do so. This would (again) draw resources away from useful stormwater programs to restate what a jurisdiction already knows. The City recommends that Ecology remove this section entirely, or at the very least remove the reference to facility retrofits.                               |
| LakeStevens | WWA Phase II | Education and Outreach                  | N/A  | The City of Lake Stevens would like to add its support to the comments made under the STORM Group's STORM Phase II Permit Collective Response. The City believes that the Department of Ecology is overreaching it's scope in what it is requiring of municipalities (especially small ones) to perform social marketing outreach and collaboration with no additional funding to offset the costs of the mandate.  |