

Phase I, WW Phase II, and EWA PH II Formal Draft Comments				
Name	Document	Section	Page	Comment
Mukilteo	WWA Phase II	Comprehensive Stormwater Planning (W	16	Provide location in the 2013-2018 permit that required "water quality and watershed protection" to be addressed in updates to the Comprehensive Plan, or other long range plans. If there was no requirement to do so, then please respond with that fact, and remove the requirement to describe how it was done, as found in S5.C.1.a.i.(a) of the 2019 draft. Alternatively, provide reasoning on how work that was not required under the previous permit, can be covered retroactively, and/or confirm that if a jurisdiction reports that they did not address any water quality and watershed protection, it would not be a violation of the Permit.
Mukilteo	WWA Phase II	Comprehensive Stormwater Planning (W	18	S5.C.1.c.i. In workshops, Ecology has indicated that IDDE reports, field information, maintenance, and stormwater infrastructure, may be used as "existing information" and that instream water quality data is not necessarily required for this exercise. If this is Ecology's intent, please modify Permit language to reflect that intent. Identify the minimum required data, or types of information that would qualify. Otherwise indicate how Permittees will know "where significant gaps in the state of knowledge exist." How does Ecology propose a Permittee evaluate what the gaps are, if there is no metric by which to evaluate the gaps?
Mukilteo	WWA Phase II	Comprehensive Stormwater Planning (W	19	S5.C.1.c.iii. Short term and long term plans require flexibility (as Ecology acknowledges with the Permit intent to have ability for the plan to have future feedback). Clarify within the Permit that the SMAP is a planning document, and the individual retrofits, short-term and long-term planning actions identified within the SMAP, will not be considered permit requirements.
Mukilteo	WWA Phase II	Comprehensive Stormwater Planning (W	19	Mukilteo encourages Ecology and the State to consider projects identified in the SMAP as eligible for a suite of funding. These projects should not be considered permit requirements for the purposes of grant application purposes, for example.
Mukilteo	WWA Phase II	Comprehensive Stormwater Planning (W	19	The date by which to have watershed plan done is only 6 months from the initial evaluation. Please allow 1 year.
Mukilteo	WWA Phase II	Education and Outreach	21	The 2013 Permit required Permittees to "measure the understanding and adoption of the targeted behaviors for at least one target audience in at least one subject area," to provide an evaluation on or before February 2, 2016, and to "use the resulting measurements to direct education and outreach resources most effectively, as well as to evaluate changes in adoption of the targeted behaviors."  S5.C2.a.ii.(b) The above does not require an "ongoing behavior change program" as it states in the draft 2019 Permit. It simply required that a topic be chosen, an evaluation be completed, and resources be aligned appropriately. Please remove or modify the language referencing an "ongoing behavior change program."
Mukilteo	WWA Phase II	Education and Outreach	21	The behavior change section of the Permit requires implementation and evaluation of "at a minimum, one target audience and one BMP." The Permit references a "behavior change program." Is it Ecology's intent that the one BMP and one target audience equates to a "behavior change program"? The requirements that follow seem to be specifically about one campaign, and not an entire program. Please clarify that items under S5.C.2.a.ii refer to a campaign level, and not a program level (which may have many different components or campaigns.) Consider modifying language to reflect the "campaign level" effort and not an overall program level effort.
Mukilteo	WWA Phase II	Education and Outreach	21-22	S5.C2.a.ii.(a-f) The draft permit outlines a continuation of the previous behavior change "program" with further evaluation. The implementation is a linear, structured path, allowing for a narrow set of possibilities that may lead to unintentional permit compliance issues. Please address how these scenarios would be managed under the permit; or revise the Permit to address them:  S5.C2.a.ii.(c)3. The Permittee may have found that the campaign worked well and proposes to continue as is, with a simple expansion of the program to reach a wider, but not different, audience. If subsection S5.C2.ii.(c)3. were the path taken, there is potential that there is no need for the March 31, 2024 re-evaluation. Please revise permit language to accommodate this option.  S5.C2.a.ii.(b). If the campaign did not move forward (e.g. the evaluation found that the original campaign was not worthwhile, or an original regional partnership did not continue with the campaign), a new campaign is possibly not part of the "ongoing program." Please revise permit language to accommodate this option.
Mukilteo	WWA Phase II	IDDE	28	S5.C.5.g. Remove the reporting requirement to report IDDE that is "reported to, or investigated by the Permittee..." in WQWebIDDE. There is nothing gained in uploading "effort" data to WQWebIDDE; it is an extra administrative process. Especially consider that Ecology requires tracking of all efforts related to implementing the SWMP under S5.A.3, which makes this a duplicative tracking.
Mukilteo	WWA Phase II	Controlling Runoff (WWA)	29	S5.C.6.a.i Please make the application date be on or after January 1, 2022 for ease of administration and tracking to calendar years.
Mukilteo	WWA Phase II	Operations and Maintenance	32	S5.C.7.e The requirement to "document all practices..." is new. Please allow a minimum of 1 year prior to implementation of the new requirement.

Mukilteo	WWA Phase II	Operations and Maintenance	33	S5.C.7.b.ii This sentence is missing something "Compliance during this permit term shall be determined by achieving at least 80% of all sites." Should it be "by achieving inspections of a least 80%..?"
Mukilteo	WWA Phase II	Source Control Program (WWA)	37	S5.C.8.b.i. The requirement references the SWMMWW. Please clarify that you intend these to be the source control BMPs found in Volume IV of the SWMMWW.
Mukilteo	WWA Phase II	Source Control Program (WWA)	37	Some of these options may be quite costly for retrofit. Request that Ecology outline an option for the required code update to have an Exception which specifies criteria, including but not limited to, prohibitive capital costs associated with such retrofits.
Mukilteo	WWA Phase II	Source Control Program (WWA)	37	Mukilteo recommends Ecology identify, or make available, funds to assist property owners with retrofits that may be identified under the Source Control Program to assist with properties with aged infrastructure.
Mukilteo	WWA Phase II	Source Control Program (WWA)	37	S5.C.8 Mukilteo strongly objects to being required to inspect businesses with NPDES Industrial Permits (or ones that should have coverage). Because those businesses have requirements specific to their Permit, it should not be the local jurisdiction's role to enforce that Permit. Additional inspections are laborious and disruptive for the business, confusing to the property owner, and not a good use of the agency's resources. Please remove those properties from the required inventory.
Mukilteo	WWA Phase II	Appendix 1	38	S6. This section states that the Permittee may grant an exception to the Minimum Requirements if such application imposes a severe and unexpected economic hardship. Please consider adding language that the Permittee may also grant an exception if the resulting design creates an environmental benefit. An example would be diverting runoff from a ravine or stream that is experiencing significant erosion, to a different drainage basin that is capable of receiving the additional runoff without creating a significant adverse impact.
Mukilteo	WWA Phase II	Source Control Program (WWA)	39	S5.C.8 What are the minimum training requirements? A generic training requirement with no available classes, identified certifications, or other resources limits ability to comply. Please identify the training resources that will qualify a Source Control inspector.
Mukilteo	WWA Phase II	Monitoring and Assessment	48	The draft Permit anticipates 2 rounds of behavior change evaluation. Evaluation is costly, and there is no sustainable funding source for outreach in the region. Mukilteo strongly encourages Ecology to provide a regional funding source for Education and Outreach.  One possible mechanism is through the SAM funding. Behavior change studies are an effectiveness evaluation for the Outreach and Education portion of the SWMP. Please clarify that Funds under S8.B "Stormwater Management Program (SWMP) effectiveness" monies would be eligible for behavior change evaluation. If Ecology finds that it would not be eligible for SAM funding, explain the reasoning.
Mukilteo	Phase I	Source Control Program (WWA)		Please require Phase I Permittees to provide the following information to Ecology related to their Source Control programs. The intent is that Ecology could then provide these as references to Phase II Permittees. The deadline should be December 31, 2019. The intent is to share information from Phase I's current programs into one clearinghouse location, so Phase IIs aren't re-creating every wheel. 1. Cite Code sections that meet the Source Control requirement 2. Provide outreach materials used in the program 3. Provide field inspection sheet templates 4. Provide copies of "progressive enforcement policy" 5. Provide training program information they use to train their staff