

Phase I, WW Phase II, and EWA PH II Formal Draft Comments				
Name	Document	Section	Page	Comment
WSDOT	All Three Permits	Authorized Discharges		S2.E doesn't appear to have the updated language consistent with EPA for describing "Indian Country." Suggest updating this language.
WSDOT	Phase I	Structural Stormwater Controls (PH I)		WSDOT is interested in the development of this new performance metric as the requirements in our Municipal Stormwater Permit are closely tied to the Phase I permits. We think that there are ways this metric could be improved in the future and would be interested in providing feedback in a process that engages stakeholders to improve the approach.
WSDOT	All Three Permits	Controlling Runoff (WWA)		Based on discussions with Ecology staff, it has come to WSDOT's attention that Ecology's current manual equivalency process does not mean manuals contain equivalent requirements. Instead, that the minimum requirements in Ecology's manual have been met. This makes it difficult for an agency like WSDOT, who must interact with many Phase I and Phase II jurisdictions due to the nature of our infrastructure. It is difficult for us to know if the local jurisdiction requirements are based on just meeting, or exceeding, Ecology's minimum requirements (i.e., more stringent requirements). The current proposed language will not address these issues of inequity between our HRM, Ecology's SWMMWW/EW, and local jurisdiction manuals. WSDOT suggests clearly identifying requirements versus guidance in the Phase I and Phase II permits, defining the process for manual equivalency, and including a description of what manual equivalency means.
WSDOT	All Three Permits	General		The definitions for "outfall," "discharge point," and "receiving waters" are not consistent with those in the WSDOT Municipal Stormwater Permit, or the 2014 settlement agreement (Stipulation and Agreed Order of Dismissal) resolving the appeal of the 2013 Phase II Municipal Permit for Western Washington. Although WSDOT does not object to the continued use of the existing permit definitions of "outfall," "discharge point," and "receiving waters," in the Phase I, Phase II Western Washington, or Phase II Eastern Washington stormwater permits, WSDOT does not waive its right to later enforce the original settlement agreement (Stipulation and Agreed Order of Dismissal), if appropriate and as WSDOT deems necessary.