



February 4, 2019

Mr. Foroozan Labib
Department of Ecology
Water Quality Program
PO Box 47696
Olympia, WA 98504-7696

Dear Mr. Labib:

WSDOT appreciates the opportunity to comment on the public review draft of the 2019 *Washington State Department of Transportation National Pollutant Discharge Elimination System and State Waste Discharge Municipal Stormwater General Permit (Permit) and Fact Sheet*. Our comments are attached and include one table with comments on the draft Permit and one table with comments on the Fact Sheet.

While several of the comments on the draft Permit address typographical or grammatical errors, WSDOT would like to highlight the following comments, described in more detail in the attached table, requesting important clarifications:

1. Additional wording is needed in S1.B.1. to clarify that the Permit coverage area is based on the Phase I and II Permit coverage areas on date that those permits are issued, and does not change over the permit term (except when the 2019 Phase I and II Permits are issued). This clarification is needed because the Phase I and II Permits coverage areas may change over time due to jurisdictions' annexations or Phase I and II Permit modifications during this Permit's term. Additionally, any references within the Permit to the coverage area should reference S1.B.1. instead of "Phase I and II Permit coverage areas."
2. Wording throughout the Permit must be consistent in stating the compliance expectations for TMDLs are fully described in Appendix 3. Additionally, any references to compliance expectations for TMDLs should reference Appendix 3 and/or S1.B.2. instead of "applicable TMDL areas."
3. Additional wording is needed to clarify that Appendix 1 describes Highway Runoff Manual equivalency, similar to Appendix 10 of the Phase I Permit, rather than incorporating the manual in the Permit. Also needed is wording that specifies which

Mr. Foroozan Labib

February 1, 2019

Page 2

sections of the Highway Runoff Manual are requirements making it functionally equivalent to the required portions of Ecology's Stormwater Management Manuals.

Our detailed comments with proposed resolutions are included in two attachments, a table with comments regarding the draft Permit and a table with comments regarding the Fact Sheet.

Please let me know if you have any questions or if you would like to discuss any of these comments.

Sincerely,



Megan White, P.E.

Acting Director, Development Division

State Design Engineer

MW:sp

Enclosure

2019 DRAFT MUNICIPAL PERMIT REVIEW FORM

No.	Document	Page #	Section #	Comment	Proposed Resolution
1	Draft Permit	1	S1.B.1.	Language in the permit needs to clearly define where the Permit needs to be implemented, and when, so that WSDOT can fully comply during the entire permit term. The Permit coverage area is based on the Phase I and II Municipal Stormwater Permit areas, which can change over time due to jurisdictions' annexations or those permits being reissued or modified during the course of this Permit's term. WSDOT urges Ecology to clarify that the Permit coverage area is based on the Phase I and II Permit coverage areas on date that those permits are issued, and does not change over the permit term (except when the 2019 Phase I and II Permits are issued) even though the Phase I and II Permits coverage areas may change. As currently written, it could be interpreted that the coverage area is the Phase I and II coverage area at any point during the five year permit term rather than just at one point in time.	Add the clarifying language in red: "This permit covers stormwater discharges from municipal separate storm sewer systems (MS4s) owned or operated by WSDOT in areas covered by the 2019 Phase I Municipal Stormwater Permit, the 2019 Eastern Washington Phase II Municipal Stormwater Permit, and the 2019 Western Washington Phase II Municipal Stormwater Permit (2019 Permits) on the date the 2019 Permits are issued. "
2		1	S1.B.1.	Permit coverage wording needs to be consistent between sections. Currently this section refers to "tribal lands as stated in S2.E" however, S2.E does not use the same wording.	Change "tribal lands" to " Indian Country " to be consistent with S2.E.
3		1	S1.B.2.	The Permit needs to be clear and consistent about where the requirements are supposed to be implemented. The Permit also needs to be consistent between sections. Currently this section states "For TMDL areas that are not within the areas described in S1.B.1 above WSDOT shall, at a minimum, be responsible for the TMDL implementation actions found in Appendix 3." The words "at a minimum" add confusion around the compliance expectations for TMDLs outside of Phase I and II Permit areas (described in S1.B.1.) that assign a WLA to WSDOT. The compliance expectations for TMDLs are fully described in Appendix 3, so the wording here needs to be consistent with that.	Remove "at a minimum" from the last sentence.
4		2	S2.B.3.	Grammatical error	In the sentence "The discharge is from another illicit or non-stormwater discharge that is managed by WSDOT as provided in the following sections S2.B.3.a <u>and</u> S2.B.3.b.," change the underlined "and" to " or. "
5		2	S.2.B.3.a.xii.	Reduce redundancy, this item is already stated in S2.B.1.	Remove this item.
6		3	S3.A.	The Permit needs to be clear and consistent about where the requirements are supposed to be implemented. The Permit also needs to be consistent between sections. The compliance expectations for TMDLs are fully described in Appendix 3, so the wording here needs to be consistent with that.	Add the language in red to clarify and be consistent with other sections: "WSDOT shall comply with all of the conditions of this permit for the regulated MS4s it owns or operates within the geographic area covered pursuant to S1.B.1. WSDOT shall comply with the implementation actions found in Appendix 3 within the geographic areas covered pursuant to S1.B.2. "
7		7, 8, 9, 11, 12, 13, 20, 21	S5.C.3.b., S5.C.3.c., S5.C.5.b., S5.C.7.b.i., S5.C.7.c.i., S5.C.7.d., S5.C.7.f., S8.F.16., and S8.F.18.	The Permit needs to be clear and consistent about where the requirements are supposed to be implemented. Currently, the wording in these sections describing where the requirements need to be implemented makes it unclear which actions need to be implemented in TMDL areas. The actions required in TMDL areas are fully described in Appendix 3, so the wording here needs to be consistent with that. These sections should point back to the description of the Phase I and II permit coverage area in S1.B.1.	In each section, replace "...within areas covered by the Phase I Municipal Stormwater Permit, the Eastern Washington Phase II Municipal Stormwater Permit, the Western Washington Phase II Municipal Stormwater Permit, and as applicable TMDL areas included in this permit" with " within areas described in S1.B.1. "
8		8	S5.C.3.c.	Typographical error	Add an "s" at the end of "year": "No later than three years s from the effective date..."

No.	Document	Page #	Section #	Comment	Proposed Resolution
9		8	S5.C.4.c.i.	The Permit requirements related to notifications need to be consistent between sections. Currently the wording here is "Immediately take appropriate action for all illicit discharges, including spills, which <u>are determined to constitute</u> a threat to human health, welfare or the environment, consistent with requirements in General Condition G3." The underlined text is not consistent with G3.	Make this illicit discharge notification requirement consistent with G3 by changing "are determined to constitute" to "could constitute."
10		9	S5.C.5.a.	Grammatical error	Add "the" before "Washington": "WSDOT shall apply the minimum requirements, thresholds, adjustments, and definitions in the Washington State Highway Runoff Manual (HRM)..."
11		9	S5.C.5.b.	The Permit needs to be clear about which parts of the HRM are required. The Permit also needs to be consistent between sections. Currently the wording here is "WSDOT shall apply the <u>technical standards</u> in HRM or an Ecology approved alternative approach..." The underlined text is not consistent with S5.C.5.a. or the HRM.	Replace "technical standards" with the wording in red: "WSDOT shall apply the minimum requirements, thresholds, adjustments, and definitions in the HRM or an Ecology approved alternative approach demonstrating compliance with Washington State Water Quality Standards..."
12		10	S5.C.6.	Typographical error	Remove the extra "P" at the end of "SWMPP"
13		10	S5.C.6.b., and S5.C.6.c.	Grammatical errors	Add "the" before "HRM": "WSDOT shall retrofit (i.e. provide stormwater treatment or flow control to) existing highways if a project triggers runoff treatment or flow control requirements as defined in the HRM," and "For projects located within the Puget Sound Basin that trigger runoff treatment or flow control requirements as defined in the HRM..."
14		11	S5.C.7.a.	WSDOT proposes adding language consistent with the Phase I permit that states exceeding the maintenance standard between inspections and/of maintenance is not a permit violation.	Add the following language in red: " The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facility's required condition at all times between inspections. Exceeding the maintenance standard between inspections and/or maintenance is not a permit violation. "
15		12	S5.C.7.c.iii.	Typographical error	Change "and" to "an": "Unless there are circumstances beyond WSDOT's control, when an inspection..."
16		15	S6.	The Permit needs to be clear and consistent about where the requirements are supposed to be implemented. The Permit also needs to be consistent between sections. Currently the wording here states "WSDOT shall meet the timeframes identified in either the TMDL or associated implementation documents." This contradicts S6.1. just above. The actions required in TMDL areas are fully described in Appendix 3, so the wording here needs to be consistent with that.	Delete "WSDOT shall meet the timeframes identified in either the TMDL or associated implementation documents" from the end of S6. Add "and timeframes" to S6.1.: "WSDOT shall comply with implementation actions and timeframes listed in Appendix 3.
17		16	S7.B.	Typographical error	Add a space between the first and second sentences "WSDOT shall use EPA's 2009 or most recent version of the Urban Stormwater BMP Performance Monitoring as additional guidance for preparing the BMP evaluation. Monitoring... "
18		17	S7.D.	Grammatical errors	Add an "s" at the end of "submittal", add "both" and change "studies" to "study's": "Within one year following the submittals of both the facilities and highways study's final monitoring reports or no later than October 1, 2021..."
19		18	S7.F.3.	To allow for necessary flexibility in implementing monitoring requirements including QAPP revisions after implementation has already begun, WSDOT suggests changing the language to allow for Ecology approval outside of a formal letter. Based on experiences during the current permit cycle, WSDOT thinks this change would ensure compliance while negating potential paperwork lag time.	Delete the word "letters." Instead it would read "WSDOT shall obtain Ecology approval for each QAPP prior to implementation."
20		20	S8.F.2.	This information is required to be provided upon Ecology's request in S5.A.2. For consistency, it should be removed here.	Remove this item.

No.	Document	Page #	Section #	Comment	Proposed Resolution
21		23	G3.	Grammatical error	Add the words in red "For spills which might cause bacterial contamination of shellfish, such as those which might result from broken sewer lines..."
22		26	G9.F.	Grammatical error	Add comma between "install" and "calibrate": WSDOT shall install, calibrate and maintain..."
23		26	G9.F.	The Permit needs to be consistent between sections. S8.D. and G9.B. both state records must be kept for the life of the permit plus five years. This section currently says three years.	Change "three" to "five": "WSDOT shall retain calibration records for the life of this permit plus five years."
24		26	G10.	Currently this section references Ecology's 2012 Stormwater Management Manual for Western Washington, Volume IV, Appendix IV-G. This needs to be updated.	Update reference to Ecology's SWMMWW.
25		26	G10.	Clarify that solid waste is regulated by local Health Departments. Current language states "Solids generated from maintenance of the MS4 may be reclaimed, recycled, or reused when allowed by local codes and ordinances." Since these actions may not be allowed, WSDOT suggests simplifying and clarifying language.	Replace "Solids generated from maintenance of the MS4 may be reclaimed, recycled, or reused when allowed by local codes and ordinances" with " solid waste is regulated by local Health Departments. "
26		29	G19.B.	Typographical error	Add a space between "overall" and "development": "... is no longer accurate because a different individual or position has responsibility for the overall development and implementation..."
27		31	Definition: Component	Currently this definition states WSDOT's Stormwater Management Program Plan appears in Appendix 5 of this permit. This is inaccurate.	Remove the language "appearing in Appendix 5 of this permit."
28		34	Definition: Receiving waterbody	Typographical error	Remove the "ed" from "discharged."
29		34	Definition: Regional Stormwater Monitoring Program	The second paragraph in this definition states "for this permit term, RSMP status and trends monitoring will be conducted in the Puget Sound basin only." This is inaccurate.	Either remove "for this permit term, RSMP status and trends monitoring will be conducted in the Puget Sound basin only," or add the Lower Columbia River basin: "for this permit term, RSMP status and trends monitoring will be conducted in the Puget Sound basin and the Lower Columbia River basin. "
30		35	Definitions: Stormwater Management Manuals	Both the definitions for the Stormwater Management Manual for Western Washington and the Stormwater Management Manual for Eastern Washington refer to published dates that are in the future. Since these dates may or may not be accurate, WSDOT recommends removing them.	Remove "published by Ecology in August 2019" and "published by Ecology in September 2019."
31		36	Definition: VFS	Typographical error	Add the "V" at the beginning: " VFS "

No.	Document	Page #	Section #	Comment	Proposed Resolution
32		37	Appendix 1	WSDOT suggests Ecology revises this appendix title to clarify that the Highway Runoff Manual itself is not an appendix in this Permit and thus not an expansion of permit requirements under S3.C. which states “unless otherwise noted, all appendices to this permit are incorporated by this reference as if set forth fully within this permit.” Rather, Ecology should clarify that instead this appendix describes HRM equivalency similar to Appendix 10 of the Phase I Permit.	Change Appendix 1 title to include the word equivalency: “Appendix 1: Highway Runoff Manual (HRM) Equivalency ”
33		37	Appendix 1	WSDOT suggests Ecology clarifies that the Highway Runoff Manual in its entirety is not an appendix in this Permit and that instead this appendix describes HRM equivalency similar to Appendix 10 of the Phase I Permit. S5.C.5.a. references the HRM “as specified in Appendix 1.” WSDOT recommends adding wording that specifies which sections of the HRM are requirements making it functionally equivalent to the required portions of Ecology’s Stormwater Management Manuals.	Add the language in red: The Washington State Department of Ecology determined that the following sections of WSDOT’s 2019 Highway Runoff Manual are functionally equivalent to the required portions of Ecology’s 2019 Stormwater Management Manuals: HRM Chapter 3 Minimum Requirements HRM Chapter 5 Stormwater Best Management Practices Design Criteria HRM Maintenance Standards Tables 5-12 through 5-24 HRM Chapter 6 Temporary Erosion and Sediment Control Manual HRM Glossary Definitions
34		37	Appendix 1	WSDOT suggests Ecology revises this appendix to clarify that the Highway Runoff Manual itself is not an appendix in this Permit and that instead this appendix describes HRM equivalency similar to Appendix 10 of the Phase I Permit. WSDOT suggests removing the website to the HRM from the Permit to make this separation more clear and allow the flexibility of WSDOT moving the HRM in its websites or changing the URL in the future.	Remove web address and link to the HRM and add wording in red: “ A link to WSDOT’s 2019 HRM can be found on Ecology’s website. ”
35		79	Appendix 3, Part 2, #12	Henderson Inlet Watershed Fecal Coliform TMDL was move from Part 1 to Part 2 because WSDOT completed the specific action item (retrofit) required under the current permit. The Permit needs to be clear and consistent about where the requirements are supposed to be implemented. Henderson Inlet is only partially covered by the Phase I permit so expectations need to be clarified similar to the other TMDLs in this part which are partly within Phase I and II areas.	Under the Henderson Inlet Watershed Fecal Coliform TMDL, add a bullet point stating “ WSDOT’s obligations apply to Phase II municipal permit areas only ”
36		79	Appendix 3, Part 2	Adding the Henderson Inlet Watershed Fecal Coliform TMDL to the end of the list is inconsistent with the alphabetical organization of the existing list.	Move Henderson Inlet Watershed Fecal Coliform TMDL in between the Green River Temperature TMDL and Liberty Bay Watershed Fecal Coliform Bacteria TMDL.
37		96	Appendix 6, Recordkeeping and Reporting, Annual Monitoring Reports	The last sentence states “For the Annual Stormwater Discharge Monitoring Report to be considered on time, the EIM data submission process must be initiated before April 1 of each relevant year, and completed by June 15 of each relevant year.” This wording is consistent with the Phase I Permit language as well as their required annual report timelines. WSDOT suggests changing the dates to be in line with the annual report requirements in this Permit.	Change “April 1” to “November 1” and “June 15” to “the following January 15”: “For the Annual Stormwater Discharge Monitoring Report to be considered on time, the EIM data submission process must be initiated before November 1 of each relevant year, and completed by the following January 15 of each relevant year.

2019 FACT SHEET REVIEW FORM

No.	Document	Page #	Section #	Comment	Proposed Resolution
1	Fact Sheet	N/A	General Comment	Many citations are provided throughout the document but there is not a complete documentation of the references (i.e. bibliography). Without complete documentation of citations, it is difficult for readers to verify the information presented. Further, given the purpose of the Fact Sheet, WSDOT thinks more (and more up-to-date) documentation and citations are needed to support the information and conclusions contained in the document.	Create a <i>References</i> section or bibliography
2		4	I. Introduction, last paragraph	Grammatical error	Add the words in red: "WSDOT will annually update their SWMP and make it available to the public for review and comment."
3		7	Characterization of Stormwater, last paragraph	Currently this section reads "Many pollution sources contaminate stormwater including land use activities, operation and maintenance activities, illicit discharges and spills..." This paragraph appears to identify "operations and maintenance activities" as a pollution source. While maintenance facilities are covered under the permit, WSDOT thinks this category would fit into the "land use activities." Operations and maintenance activities are an important part of achieving compliance with the Permit and one of our tools to implement MEP and AKART. We recommend removing it from this description.	Remove "operations and maintenance activities" from the sentence "Many pollution sources contaminate stormwater including land use activities, operation and maintenance activities, illicit discharges and spills, atmospheric deposition, and vehicular traffic conditions."
4		9	First bullet point, second sentence	Grammatical error	Remove "because" from the sentence: "The because National Urban Runoff Program (NURP) findings show no significant differences..."
5		16	EPA Rules, first paragraph, last sentence	Repetitive/redundant language from previous sentence.	Remove "state highway systems" from the sentence: "Other examples of other publicly-owned storm sewer systems include state highway systems, ports, drainage districts..."
6		16	Second bullet point	Grammatical error	Remove "to" from the sentence: "Permits must to cover a large geographic area..."
7		18	Construction Stormwater...	The Construction Stormwater General Permit is issued to many parties, not just WSDOT. We suggest revising the first sentence to clarify this.	Replace "Under this permit, WSDOT" with "Permittees": " Permittees must adopt and implement measures..."
8		19	Large and Medium...Permits, last paragraph (first paragraph on p. 19)	The last sentence inaccurately references "proposed requirements for watershed-based stormwater planning for western Washington Permittees." This may be a carry-over from the 2014 Permit Fact Sheet but should be deleted as this is no longer applicable/accurate.	Remove "proposed requirements for watershed-based stormwater planning for western Washington Permittees" from the sentence "Ecology has established expectations in this permit for regional coordination in monitoring efforts..."
9		19	Wester and Eastern...second paragraph	Grammatical errors	Add or change to the language in red: "Many of the Phase II Permittees in western Washington are located in counties regulated by the Phase I permit. WSDOT shares basins with Phase I and Phase II permittees, has interconnected conveyance systems..."
10		22	First paragraph	The last two sentences of the section should be amended to include the planned status and trends monitoring studies in the Lower Columbia River basin. The last sentence should also be revised to include the option WSDOT has to perform outfall monitoring.	Add the language in red: "The proposal for monitoring status and trends in Puget Sound receiving waters as well as the Lower Columbia River basin would provide information to evaluate water quality changes in urban areas where programs are being implemented. The proposed permit requires WSDOT participation in the planned status and trends monitoring studies in Puget Sound basin and the Lower Columbia River basin, or WSDOT could choose to do outfall monitoring as defined in S7. "

No.	Document	Page #	Section #	Comment	Proposed Resolution
11		22	S1, last paragraph on p. 22	This comment is consistent with comment #1 on the Draft Permit Comment Form. Language in the Permit and Fact Sheet need to clearly define where the Permit needs to be implemented, and when, so that WSDOT can fully comply during the entire permit term. The Permit coverage area is based on the Phase I and II Municipal Stormwater Permit areas, which can change over time due to jurisdictions' annexations or those permits being reissued or modified during the course of this Permit's term. WSDOT urges Ecology to clarify that the Permit coverage area is based on the Phase I and II Permit coverage areas on date that those permits are issued, and does not change over the permit term (except when the 2019 Phase I and II Permits are issued) even though the Phase I and II Permits coverage areas may change. As currently written, it could be interpreted that the coverage area is the Phase I and II coverage area at any point during the five year permit term rather than just at one point in time.	Add the clarifying language in red: "The permit covers discharges from WSDOT's Municipal Separate Storm Sewer Systems (MS4s), as defined by EPA at 40 CFR 122.26(b)(4) and (7), in all municipal stormwater 2019 Phase I and Phase II areas on the date the 2019 Permits are issued. Prior to the effective dates of 2019 Permits, the coverage areas are the same as in WSDOT 2014 permit."
12		22	S1, last paragraph on p. 22	This comment is consistent with comment #3 on the Draft Permit Comment Form. The Permit needs to be clear and consistent about where the requirements are supposed to be implemented. The Permit also needs to be consistent between sections. Currently this section states "For TMDL areas that are not within the Phase I and Phase II areas, WSDOT shall, at a minimum, be responsible for the TMDL implementation actions found in Appendix 3 of the permit." The words "at a minimum" add confusion around the compliance expectations for TMDLs outside of Phase I and II Permit areas (described in S1.B.1.) that assign a WLA to WSDOT. The compliance expectations for TMDLs are fully described in Appendix 3, so the wording here needs to be consistent with that.	Remove "at a minimum" from the last sentence in the Permit wording as well as here.
13		24	S2.B.3	Grammatical errors	Remove "are" from the sentence: "This permit requires all other non-stormwater discharges are to be addressed..." Change "These languages were" to "This language was" and add "WSDOT's" for clarification: "This language was moved from Appendix 5 of WSDOT's 2014 permit and placed under S2.B.3 for clarity."
14		24	S2.C	The reference to Appendix 5 is not accurate.	Replace "Appendix 5" with "S5.C": "...stormwater management program required under S5.C. of this permit."
15		24	S2.E	Grammatical errors	Add "the" in two places: "The language in the 2019 permit has been modified from that in the 2014 permit for clarity."
16		25	S4, last sentence	The reference to Appendix 5 is not accurate.	Replace "in Appendix 5" with "required under S5.C": "...MEP standard by implementing the SWMP required under S5.C..."
17		28	S5.A.1, last sentence	Suggest adding clarification	Add "each" to the sentence: "The updated SWMP must be submitted to Ecology with each annual report."
18		28-29	S5.B	Performance indicators and Appendix 2: Table of performance indicators no longer exist as all requirements and timelines were incorporated into the body of the permit.	Add the language in red: "During the initial SWMP development process in 2009, WSDOT identified key activities and performance indicators associated with each minimum required activity. Those performance indicators were incorporated into the body of the 2019 permit as appropriate."
19		29	Legal Authority	Grammatical error	Add "an": "As an operator of an MS4, WSDOT receives..."
20		29	Coordination	Grammatical error	Add "to": "Internal coordination requires WSDOT to establish communication..."
21		30	Municipal Separate Storm Sewer...	Revise section title to be consistent with S5.	Change "Municipal Separate Storm Sewer System Mapping and Documentation" to "MS4 Asset Mapping"

No.	Document	Page #	Section #	Comment	Proposed Resolution
22		30	Municipal Separate Storm Sewer...	After the first sentence, the language is all regarding IDDE/spills, not mapping. WSDOT suggests moving this to the IDDE section.	Move everything after "The SWMP contains the procedures and protocols related to responding..." into the IDDE section.
23		30	Controlling Runoff..., second paragraph	The HRM is not appended to the permit. WSDOT recommends revising wording to clarify.	Either delete "The HRM will be appended to this permit for public review and comment" or revise with language in red: "The HRM will be available for review during the Permit public review and comment period. "
24		30	Controlling Runoff from New Development, Redevelopment, and Construction Sites, last paragraph	Suggest adding the list of required sections of the HRM (see comment #34 on the Draft Permit Comment Form) to clarify that these are the sections that contain the requirements of the HRM that make it functionally equivalent to the required portions of Ecology's Stormwater Management Manuals.	Add the following language in red to the last paragraph: "HRM Chapter 3 Minimum Requirements HRM Chapter 5 Stormwater Best Management Practices Design Criteria HRM Maintenance Standards Tables 5-12 through 5-24 HRM Chapter 6 Temporary Erosion and Sediment Control Manual HRM Glossary Definitions"
25		31	4 th paragraph	This paragraph references "Appendix 1 (HRM)" and "Appendix 1" inaccurately. WSDOT suggests Ecology clarifies that the HRM in its entirety is not an appendix in the Permit and that instead Appendix 1 describes HRM equivalency. As currently worded, that is unclear	Change "Appendix 1 (HRM)" to "the HRM" in the sentence "...demonstrating compliance with the state water quality standards on site and project specific basis as compared to those in the HRM , if they have been approved..." and change "Appendix 1" to "the HRM" in the sentence "...equal protection of receiving waters and equal levels of pollutant control when compared to the provisions in the HRM. "
26		32	2 nd paragraph, 2 nd sentence	WSDOT is unclear which permit requirement the sentence "Those measures include review of all stormwater site plans submitted prior to construction records of performance of 95% of the required pre-project, active project, and completed project inspections," is referring to.	Revise this sentence to make it more clear and add a reference to the specific permit requirement that it points to.
27		32	2 nd paragraph, 3 rd sentence	This sentence references "...Chapter 6 of the HRM, Appendix 1 to the permit." WSDOT suggests Ecology clarifies that the HRM in its entirety is not an appendix in the Permit and that instead Appendix 1 describes HRM equivalency. As currently worded, that is unclear.	Delete "Appendix 1 to the permit."
28		32	Structural Stormwater Controls	Revise section title to be consistent with S5.	Change "Structural Stormwater Controls" to " Stormwater Retrofit for Existing Highways "
29		32	Structural Stormwater Controls	Grammatical error	Move "WSDOT's" to the beginning of the sentence and add "their": " WSDOT's SWMP describes their stormwater BMP retrofit program..."
30		32	Structural Stormwater Controls	Suggest deleting the last two sentences in the last paragraph of this section related to TMDLs as the TMDL retrofits are handled under our I-4 Stand-alone Stormwater Retrofits.	Delete the rest of the paragraph after "WSDOT's retrofit program includes the "Cleanup Plan-triggered" element..."
31		32-33	Source Control Program...	WSDOT suggests moving wording in this section to the IDDE section.	Move wording in this section to the IDDE section.
32		33-34	Illicit Connections...	Revise section title to be consistent with S5. Additionally, to make the organization of the Fact Sheet consistent with how the requirements are organized in S5, WSDOT suggests moving the Source Control, IDDE, and Proposed changes to the tracking and reporting of IDDEs sections to page 30 in the Fact Sheet between Mapping information and Controlling Runoff.	Change "Illicit Connections and Illicit Discharges Detection and Elimination" to "Traffic Collision Related Spills, Illicit Discharges, and Illicit Connections" and move this section (along with the Source Control section (see comment #31 above) and the Proposed changes to the tracking and reporting of IDDEs section) to page 30 in the Fact Sheet between Mapping information and Controlling Runoff.
33		33	Proposed changes...	Typographical error	Add "r" in "tacking": "Proposed changes to the tracking and reporting of IDDEs"

No.	Document	Page #	Section #	Comment	Proposed Resolution
34		37	Public Involvement, last sentence	The word "likely" adds confusion and is unnecessary.	Delete "likely" from the sentence "Ecology expects that existing public involvement and participation opportunities conducted by WSDOT are likely sufficient to satisfy this requirement."
35		37	Stormwater Management for...	This section doesn't make sense here. WSDOT suggests moving this section to page 32 under the renamed (per comment #28 above) Stormwater Retrofit for Existing Highways section.	Move this section to page 32 under the renamed (per comment #13 above) Stormwater Retrofit for Existing Highways section.
36		37	S6, second paragraph (last paragraph on p. 37)	The Permit needs to be clear and consistent about where the requirements are supposed to be implemented. The compliance expectations for TMDLs are fully described in Appendix 3, so the wording here needs to be consistent with that.	Add the language in red to the second sentence in the paragraph: "Section S6 and Appendix 3 of the permit have the TMDL requirements applicable..."
37		39	First paragraph	The sentence "WSDOT was not included in the cost allocations for the 2013 permit but WSDOT is included in the cost allocations for regional receiving water monitoring in the 2019 permit," does not acknowledge that WSDOT contributed to Puget Sound status and trends monitoring under the 2014 permit.	Add the language in red: "WSDOT was not included in the cost allocations for the 2013 Phase I and II permits but contributed funds to Puget Sound status and trends monitoring as required under WSDOT's 2014 permit. WSDOT is included in the cost allocations..."
38		39	Specific Parameters of Interest	The date for the proposed permit is inaccurate:	Add "and 2014" to the sentence after "2009" and change the existing "2014" to "2019": "...for monitoring under the 2009 and 2014 permits and will continue in the proposed 2019 permit, where applicable"
39		45	General Conditions, G3	G3 inaccurately states that "G3 is revised in the proposed permit to include notification and response procedures for traffic-related spills." This may be a carry-over from the 2014 Permit Fact Sheet but should be deleted as this is no longer applicable/accurate.	Suggest deleting the last sentence under G3: "G3 is revised in the proposed permit to include notification and response procedures for traffic-related spills."
40		45	General Conditions, G9	G9 should be revised to say that records shall be retained for the life of the permit plus five years, which is consistent with S7.	Change "three years" to "five years."