

My name is Brian Derdowski and I'm the founder of Public Interest Associates and a former King County councilman. And the comment I want to make to you is this, it's not typically a part of the package that you pull together for the NPDES permits or for the stormwater manual for that matter. But I believe that you need to have some explanatory text that's designed for policymakers and for the general public. As you go through this process, it's a give-and-take. It's a compromise. And we all recognize that what comes out of this is not the final word. It's not fully sufficient to handle the issue. But it's the best we can do given the constraints that we have.

That is not fully understood by most public policymakers. They believe, and I have some experience in this in working around the state and working with different jurisdictions, they think that if you just have the compliance with the manual, that you're good to go and there's no problem, there's no further problem. If you comply with the NPDES permit, compliance is black and white and easy to figure out and you don't need to do anything else.

But we know that that's not the case. We know that there are -- there's a lot of judgment calls. We know that there are things that local governments can do to go beyond what those requirements are and probably should. And we also know that in a perfect world where you have full compliance, where everybody is complying, everything goes exactly the way it's designed, and people are taking care of exceedances immediately, that in a perfect world, that doesn't exist.

And so policymakers, however, can impose and require conditions under their authority under SEPA or under their other authorities to act as a backstop to compensate for the difference between the world -- this regulatory world and the real world and how things actually go down on the ground. And so one way to do that is to do the following, one, to identify when you create a new document like this, to create a definition of changes that you've included. And what the options were.

Did you choose a conservative option? Did you choose an option that was just barely good enough? Right?

Emerging issues. In other words, issues that are not addressed or problems such as Bill Lighter suggested, the aerial deposition isn't fully covered the way it should be. When you're doing a permit and you're doing a land use plan, you may want to take that into account when you're talking about requiring vegetative roofs, for example. And you might consider doing that if you know that those issues are not really fully addressed.

So identifying areas that aren't addressed. Right?

And also, areas that are emerging that you're looking at that you just don't know about. In other words, identify what you don't know. Identify emerging issues. Identify compromises that you made. And all of those sorts of inputs then flow into the policy-making sphere where the elected officials and the public can augment the work that you do through other regulatory schema. Because as it is right now, the vast majority of elected officials, and for that matter the public, believes that that's the end-all and be-all, that's all you need. Everything is cool. We're all happy in Legoland if we follow that. And the reality is that isn't true.

So you might consider that in the form of an addendum to the document. Or as an expanded executive summary for policymakers. That may be a technique you could use.

And thank you for the good work that you're doing and for serving the public.