

July 15, 2024

Lucienne Banning
General Permit Unit Supervisor
Washington State Department of Ecology
PO Box 47696
Olympia, WA 98504-7696

Dear Ms. Banning,

The Port of Tacoma (Port) appreciates the opportunity to submit comments on the Draft 2025 Industrial Stormwater General Permit (ISGP). Managing stormwater discharges and protecting Washington's receiving waters is a critical goal for the Port and is reflected in our core values and mission statement. Stewardship is one of the Port's seven core values, and our mission statement states our commitment to protecting and enhancing our environment. The Port prides itself on the positive environmental impacts that we have for our region and being an environmental steward. Since 2016, we have spent over \$45 million on projects to protect and enhance environmental quality, including habitat restoration, innovative water quality improvements, and electrification of Port operations.

The Port is very concerned that Ecology is making numerous changes to the 2025 ISGP without explaining those changes or providing adequate justification. The ISGP already regulates over 1200 facilities in Washington. With the 2025 ISGP, Ecology is proposing to completely alter major definitions and requirements, which will greatly increase the number of businesses and public agencies subject to permit coverage. In addition, Ecology proposes to add numerous requirements to an already complex and rigorous permit. Ecology has often not provided data or science to explain the rationale for these significant changes. Compliance with these new requirements, which are unique to Washington, will add significant cost to Port operations, posing risks to our region's competitiveness without providing demonstrated commensurate environmental benefits.

Ecology has a duty to provide clear and implementable regulations that are based on sound science and demonstrate consideration of reasonable alternatives. Meanwhile, lack of clarity in permit requirements puts permittees, such as the Port and its industrial tenants, at risk of inadvertent noncompliance, and therefore vulnerable to costly and time-consuming third-party litigation. We recognize the value of clear and implementable regulations in safeguarding our natural environment. However, Ecology must have a data-driven, scientific basis for changing the ISGP as proposed.

Our attached comments provide input and recommendations to update the Draft ISGP permit in order to make it more implementable while maintaining the rigor necessary to protect and enhance Washington's surface waters. We urge Ecology to consider these comments as it finalizes the 2025 Industrial Stormwater General Permit.

Sincerely,

A handwritten signature in blue ink that reads 'Eric D. Johnson'.

Eric D. Johnson Executive Director
Port of Tacoma