October 20, 2025

Electronic Public Comments Submittal

RE: Comments on the Soos Creek Total Maximum Daily Load for Fine Sediment: Water Quality Improvement Report and Implementation Plan, Publication 25-10-072

The City of Maple Valley's Surface Water Management Program appreciates the opportunity to provide comments on the Soos Creek TMDL for fine sediments. The City of Maple Valley has been a committed partner in the improvement of water quality in the Soos Creek Watershed for our residents, downstream neighbors, and wildlife. While we remain driven to make meaningful improvements to our stormwater system to affect these improvements, we do have high level concerns on how this TMDL was developed, how it will be implemented, and the resulting impacts on growth management and costs to our residents.

Comments and Recommendations:

1. In reference to stressor IDs on page 30: There is a clear tie from high pulse counts to B-IBI based on the stressor identification process, however the link between B-IBI and fine sediment is only qualitative based on the referenced study. A TMDL cannot regulate management of the high pulse counts or habitat degradation, so Ecology has chosen to pursue TSS as the regulated pollutant, but this report does not provide sufficient justification to tie B-IBI impairment to TSS loading management.

2. In reference to Table 5: There does appear to be an improvement (albeit based on limited data) since 2010. 2010 would have been the time frame where the entirety of this watershed would have had to implement current stormwater management standards for flow control and treatment for new and redevelopment (with unincorporated King County having an earlier implementation period). This limited data may indicate that the current permit actions are effective and those actions, along with the added Stormwater Management for Existing Development requirements and street sweeping in the 2024 permit may provide the required lift to reach B-IBI targets. We recommend that additional B-IBI data be gathered with consistent locations and methodology in order to determine if B-IBI within the watershed is trending towards improvement with existing regulations prior to adding further regulations.

3. In reference to modeling discussed on page 35: Were any other conditions modeled to determine impact – i.e. 70%-90% forested conditions. A 100% forested is not supported by historic conditions in the region, has not been applied to new development/redevelopment even after 2010 (areas that don't meet thresholds for flow control or treatment, parks, non-forested open spaces etc.), and would be both technically, and economically infeasible. We would recommend, at minimum, modeling what percentage most likely meets outcome goals rather than setting WLAs based on a target that is infeasible.

4. In reference to target appropriateness on page 36: states that "In the absence of a numeric criterion for fine sediment or TSS, or data that specifically connect B-IBI to TSS concentrations, the model-estimated forested reference condition is the best scientifically defensible target." We consider it a leap to connect B-IBI to TSS without any specific data, and in addition a leap to model a 100% forested condition. There was not any reasoning provided within this report for this modeling decision.

5. In reference to the Stormwater Implementation Plan requirements on pages 56 and 57: The creation of a separate SIP would be a significant additional cost and level of effort for municipalities despite the actions required to come into compliance already being captured within the permit and therefore in our SWMP. As a small jurisdiction we cannot feasibly develop a 40-year plan including an implementation schedule, cost, and date for meeting WLAs. We do not develop plans that look this long-term because there are far too many variables for there to be any sort of accuracy. Additionally, this document specifically states that TSS monitoring does not accurately characterize TSS concentrations from rain events, which is why modeling was used. Estimating TSS reductions based on monitoring therefore shouldn't be considered applicable.

6. In reference to Table 33: Would recommend removing this table and section. These actions cannot be regulated by a TMDL as the in-stream system is not part of the regulated MS4.

7. Table 33 states that coarsening stream material should be considered as method for reducing sediment transport capacity, however from experience this would not be an allowable strategy from the viewpoint of WDFW or the Muckleshoot Tribe.

8. In reference to page 115: Monitoring requirements are included as a potential to be added to permits. Based on this document TSS concentration characterization is not accurate, therefore these monitoring requirements should not be considered.

9. In reference to Table 34: Projects eligible for SFAP grant funding as stormwater retrofits in the past have not been required to meet new and redevelopment requirements for flow control or treatment, but reach the highest performance feasible. If we consider that these completed projects have an equivalent area less than project area, in order for us to meet the 100% forested condition these projects would require additional retrofit in order to meet WLAs.

   Retrofit projects are challenging and expensive to implement under the flexible conditions of the SFAP grants, but considering the more stringent requirements of this TMDL costs would likely outpace other projects in the state resulting in less competitive grant applications. Additionally, we are completing stormwater planning within the larger context of the Growth Management Act (GMA) and the cities and counties within our state are required to increase density, increase affordable housing, and protect native habitat simultaneously. Allocating space for regional facilities to treat all areas to meet the fully forested condition would require expensive property acquisitions to construct treatment systems and provide access for long-term maintenance. We are concerned about how to prioritize these actions when we know they would result in loss of constructable lands and result in increased housing costs.

10. In reference to Adaptive Management on page 135: The City recommends adding clear targets and timelines for assessing progress towards goals. Since our waste load is not something we can directly measure, nor is its impact on B-IBI, we need to have clear points of evaluation to determine if our actions are having the desired impact. We are being asked to make significant investments – diverting funds from other projects and programs and increasing strain on taxpayers – so we should be able to justify that this effort is effective. We also have concern that if this work is not having the desired impact that there are no guardrails on the strategies that could be added to the TMDL as part of adaptive management.

11. In reference to determining WLAs on page 182: number 3 states that areas where permittees discharge to groundwater were removed from the calculation. We are wondering if Ecology has accurate data for this assumption, since it is not mapped within the document for municipalities to verify.

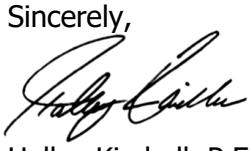
Maple Valley specific comments:

12. In City of Maple Valley, page 106: "Community Development Department" is now "Economic and Community Development Department."

13. Creeks in Maple Valley are still being incorrectly mapped throughout the document. The outlet from Lake Lucerne flows north to meet with Jenkins Creek. Cranmar Creek is spring fed and does not connect to any lake within City limits.

Thank you for considering these comments and for your partnership ahead of this TMDL release. We welcome further collaboration to ensure the final TMDL is practical and successful in improving watershed health.

Sincerely,



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