

Muckleshoot Indian Tribe (Tammie Wilson)

1. Appendix 3 - Applicable TMDL Requirements

Ensure TMDL's are implemented during the WSDOT permit renewal process. The Lower White River (LWR) pH TMDL did not describe WSDOT to implement controls for nutrients "as needed" in the next permit renewal. The TMDL includes Waste Load Allocations (WLA's) in Table 9 for WSDOT that do not appear to be included in this draft permit. Include the LWR TMDL WLA's in the renewed permit per the TMDL, including critical periods. See Sections 1-5, Other Load Limits and Requirements, for additional permit requirements included in the LWR TMDL.

2. There is no language regarding 6PPD-Q included in this draft permit. At a minimum, include requirements for screening of 6PPD-Q at priority outfall locations.

3. Section 5, Chapter 6 - Stormwater Retrofits for Existing Highways

3a. If the Highway Runoff Manual (HRM) is not deemed adequate to protect water quality standards (WQS) per Section 5 chapter 5 assessments, shouldn't the same type of assessment apply to retrofits? Determine if the HRM is adequate to protect WQS and apply that same requirement to retrofits.

3b. Why are WSDOT retrofit requirements so different than the Phase 1 MS4 Permit Requirements to retrofit existing development? It's understandable since WSDOT does not oversee residential development, however, WSDOT facilities may carry runoff as well as own and operate outfalls to receiving waters carrying runoff from large untreated basins. Sometimes, the most logical place of treatment is to locate it in the WSDOT right of way conveyances or prior to discharge from an outfall. Consider language that, at a minimum, prompts an evaluation of feasible treatment retrofits for all new projects. If some treatment is feasible, some sort of water quality or habitat improvement should be included in new projects historically discharging untreated, unmanaged or poorly managed stormwater.

3c. Include stronger language in Section 5, Chapter 5, to require stormwater treatment for new projects where there is no existing stormwater treatment, particularly in locations with traffic counts known to be associated with significant heavy metal and 6PPD-Q loadings to receiving waters during storm events.