

Washington State Department of Transportation, Environmental Services Office (Garrett Starks)

Thank you for the opportunity to comment. The majority of WSDOT's comments on the draft Permit address typographical errors and opportunities to improve clarity and consistency throughout the document, as well as several comments that address permit requirements or implementation. WSDOT's cover letter and draft permit/HRM comments are provided in the following attachments:

- PublicReviewWSDOT_PermitComments.docx
- PublicReviewWSDOT_HRMcomments.docx
- WSDOTLetter-PermitPublicReview.pdf

2026 DRAFT PERMIT REVIEW FORM

No.	Document	Page #	Section #	Comment	Proposed Resolution
1	Draft Permit	All		Acronym usage is inconsistent throughout the permit. For example, BMP, SWPPP, and HRM are defined again after their first use, while other acronyms, such as PCB and AFFF, are not defined at first use and may not be defined until the Definitions and Acronyms section. Some acronyms are never defined. In other instances, the full term and acronym are used inconsistently after the acronym has been introduced.	Recommend a consistent approach, such as defining each acronym only at its first use in the permit or at its first use in each section. Review the permit and revise acronym usage accordingly.
2		3	S2.B.3.b.iv	PCB is used here before the term is defined. Recommend spelling out “polychlorinated biphenyls” and defining the acronym at first use as “polychlorinated biphenyls (PCBs).”	Add “polychlorinated biphenyls” before PCBs.
3		9	S5.A.1.a.iv	Incorrect section reference.	Correct S6 title should be S6 Total Maximum Daily Load Allocations
4		11	S5.C.4.a.i.(c)	PFAS and AFFF are used here before the terms are defined. Recommend spelling out “per- and polyfluoroalkyl substances” and “aqueous film-forming foam” and defining the acronyms at first use.	Add “per- and polyfluoroalkyl substances” before PFAS. Add “aqueous film-forming foam” before AFFF.
5		14	S5.C.6.b.ii.	PGIS is used here before the term is defined. Recommend spelling out “pollution-generating impervious surface” and defining the acronym at first use as “pollution-generating impervious surface (PGIS).”	Add “pollution-generating impervious surface” before PGIS.
6		14	S5.C.6.b.ii.(a) & (b)	Missing the equivalent acre amounts.	Missing amounts for equivalent acres. Revise as follows: (a) 15 equivalent acres may be achieved through project design phase... (b) 25 equivalent acres may be achieved through completed construction...
7		18	S.5.C.7.e	To improve clarity and better define the scope of the sweeping program requirements, WSDOT recommends removing the portion of the sentence describing the intended environmental outcomes of the program, which is more appropriate for the Fact Sheet than an enforceable permit requirement. WSDOT also recommends removing “develop and,” since the language requiring WSDOT to implement a program already requires WSDOT to have developed a street sweeping program.	Revise as follows: “No later than July 1, 2028, WSDOT shall develop and implement a street sweeping program to focus on priority areas within areas described in S1.B. and times during the year that would reasonably be expected to result in the maximum water quality benefits to receiving waters, in particular, removing tire wear particles and reducing toxicity concerns associated with them. The following program elements shall be included:”
8			S.5.C.7.f	WSDOT must begin implementing the sweeping program by July 1, 2028. Draft states “Documenting and Reporting: No later than October 31, 2028, submit with the Annual Report priority area-focused sweeping program detailed information described in S8 Reporting Requirements.” The October 31, 2028 Annual Report will cover the July 1, 2027, through June 30, 2028 reporting period, before sweeping program implementation begins. Therefore, WSDOT will not yet have sweeping data to report under S8.E.31. Recommend revising the first sweeping program reporting date from October 31, 2028, to October 31, 2029, so the Annual Report includes the first full year of implementation data.	Change 2028 to 2029, as follows: “Documenting and Reporting: No later than October 31, 2029, submit with the Annual Report priority area-focused sweeping program detailed information described in S8 Reporting Requirements.”
9		18	S5.C.7.e.ii	Add “areas” at the end of “Sweep priority” to clarify what is being swept.	Program timing: Sweep priority areas .
10		19	S5.C.7.f	No other sections in S5 discuss reporting. Suggest deleting and relying on language in S8 to reduce confusion/inconsistency.	Remove S5.C.7.e.ii.
11		19	S5.C.7.h.ii.	Typographical error.	SWPPPS is plural form of SWPPP – “S” not part of acronym. S should be lowercase. Change to SWPPP s
12		24	S8A.2	First full year with this permit would be 7/1/27 - 6/30/28 with report due 10/31/28. What is expected for the 2027 report since the first half of the reporting period will be under the 2019 permit requirements?	Determine expectations for 2027 report. Recommend following current annual report process for 2027 report, which would allow WSDOT to produce a

					narrative explaining the change in reporting requirements halfway through the reporting period.
13		24	S8.E.1	Typographical error.	G19 section references are incorrect. Revise as follows: “Certifications and signatures as described in G19. B and notification of any changes to authorization as described in G19. C .”
14		24-29	S8.E.	It would be helpful to reference permit requirement(s) related to each reporting item for clarity.	Suggest attaching/referencing permit requirement(s) related to each reporting item for clarity.
15		25	S8.E.16	This item appears duplicative due to IDDE occurrences already being submitted to WQWebIDDE.	If this item is duplicative due to IDDE occurrences already being submitted to WQWebIDDE, then this reporting requirement is not needed and WSDOT recommends it be removed.
16		26	S8.E.21.e.iv	Incorrect section reference.	Revise section reference from S5.C.6.2 to correct S5.C.6. b .
17		26	S8.E.21.g.iii	Seems redundant to #21.c and d. above.	Consider if this question should be yes/no as well as identify which retrofits WSDOT plans to use to meet the required 40 equivalent acres.
18		27	S8.E.30	Move final sentence “WSDOT shall make the maintenance records available to Ecology upon request.” to maintenance provisions S5.C.7.b.i and S5.C.7.c.i.(a) where the permit addresses reduced inspection frequency. This sentence is not an annual reporting items, so is more appropriately placed in the permit body than in S8, which addresses Annual Report requirements.	Remove “WSDOT shall make the maintenance records available to Ecology upon request.” and move to S5.C.7.b.i and S5.C.7.c.i(a).
19		34	G13	Formatting/typographical error.	Fix indent and bullet value as follows: “Coverage under a general permit is automatically transferred to a new discharger if: A. A written, signed agreement between the old and new... B. Ecology does not notify the old and new discharger...”
20			G13	For clarity, revise the subsection 1 reference at the end of the second list item to G13.A.	As noted in the comment above, G13.A will become the preceding item after the bullet values are revised. This is more consistent with the rest of the permit. Revise as follows: “...the transfer is effective on the date specified in the agreement mentioned in G13.A .”
21		39	Definitions and Acronyms	Revise definition.	For Completed Constructed Phase, recommend removing “retrofit” from the definition because completed constructed phase is not only used for retrofits.
22		40	Definitions and Acronyms	Revise definition.	For Design phase, recommend removing “stormwater retrofit” from the definition because design phase is not only used for retrofits.
23		40	Definitions and Acronyms	Revise definition.	Remove “illicit connections” from the definition for IDDE. It does not belong in IDDE and it is already defined below. IDDE means Illicit Discharge Detection and Elimination.
24		40	Definitions and Acronyms	Formatting and typographical errors.	Correct and un-bold IDDE definition. Remove “s” from end of “Discharge” IDDE means Illicit Discharge Detection and Elimination
25		40	Definitions and Acronyms	Add ID/IC to Definitions and Acronyms section.	“ID/IC” and “illicit discharges and illicit connections” both used in the permit. ID/IC means illicit discharges and illicit connections.
26		42	Definitions and Acronyms	Revise Opportunistic stormwater retrofit definition.	Add language to definition. Opportunistic stormwater retrofit means a type of retrofit ... or project-driven retrofit as defined in Appendix 1 and HRM. If ESA consultation results in more required treatment than the HRM requires, then

					the additional treatment of new, replaced, and existing PGIS is counted as opportunistic stormwater retrofit.
27		44	Definitions and Acronyms	Formatting error.	Remove second instance of SWMP definition and make sure that the SWPPP definition that is currently on the same line is moved below. SWMP means Stormwater Management Program SWPPP means stormwater pollution prevention plan.
28		45	Definitions and Acronyms	Formatting and typographical error.	Un-bold “ means Washington State Ferry Terminal ” for consistency and remove “terminal”: it is not part of the acronym. Acronym is incorrect. WSF means Washington State Ferry (or Ferries).
29		71	Appendix 3	Add definition.	Add Waste Load Allocations (WLAs) to Definitions and Acronyms section.
30		71-72	Appendix 3	Propose clarifications for the Drayton Harbor TMDL.	a. Delete “appropriate locations within the TMDL area” and replace with “locations reasonably expected to have domestic pet use and the potential for bacteria polluted stormwater runoff to enter surface waters within the TMDL area” b. Add “bacteria” prior to the word pollution to clarify the type of pollution associated with domestic pet use. Delete the word “fecal” since there are different types of bacteria water quality parameters.
31		72	Appendix 3	Formatting error in the Hangman TMDL.	Delete item b with no content.
32		72	Appendix 3	Formatting error in the Issaquah TMDL.	Move “(As needed)” to end of previous paragraph consistent with other TMDLs.
33		73	Appendix 3	Formatting error in the Lower White TMDL.	Formatting changes have made the reference to (1)(a) in the second action bullet incorrect, it should be changed to (c)(i).
34		74	Appendix 3	Formatting error in the Nisqually TMDL.	“Participate in adaptive management meetings. (As needed)” should be its own bullet (b).
35		75	Appendix 3	Propose clarifications for the Soos Creek TMDL.	Add “newly constructed” to action bullet (iii) prior to the word BMPs.
36		76	Appendix 3	Formatting error in the South Fork Palouse TMDL.	c. “(Within 90 days of the annual inspection)” should be at the end of the previous bullet (not its own bullet).
37		77	Appendix 3	Formatting error in the Teanaway TMDL.	“(On-going)” should be at the end of the previous bullet.
38		78	Appendix 3	Formatting error in the Walla Walla TMDL.	“(On-going)” should be at the end of the previous bullet.
39		71-72	Appendix 3	Propose clarifications for the Drayton Harbor TMDL.	d. Delete “appropriate locations within the TMDL area” and replace with “locations reasonably expected to have domestic pet use and the potential for bacteria polluted stormwater runoff to enter surface waters within the TMDL area” e. Add “bacteria” prior to the word pollution to clarify the type of pollution associated with domestic pet use.

					Delete the word “fecal” since there are different types of bacteria water quality parameters.
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45		76	Appendix 3	Formatting error in the South Fork Palouse TMDL.	f. “(Within 90 days of the annual inspection)” should be at the end of the previous bullet (not its own bullet).
46		76	Appendix 3	Remove “no publication number” and add date of study.	Replace “no publication number” with “, Region 10 - from October, 2024”
47		77	Appendix 3	Close parentheses.	(Ecology publication #03-10-025 and #01-10-019):
48		84	Appendix 4	Typographical error in C. Wet Sieving Mass Measurement.	Last sentence in the paragraph about Sonication is a repeat of previous sentence. Remove repeated language as follows: It is recommended that this request also be written on the chain-of-custody form that the analytical laboratory receives in order to assure that sonication is omitted. Custody form that the analytical laboratory receives in order to assure that sonication is omitted.
49		85	Lab Procedures – Equipment	First line - The test method described in the procedure does not align with ASTM D3977.	Revise the method to "ASTM D3977 – Test Method B".
50		86	Mass Measurement – Equipment	Incorrect test method reference.	Revise the method to "ASTM D3977 – Test Method B".
51		87	Lab Procedures - Quality Assurance	Change all instances of “should” to “shall.”	
52		88	Appendix 5	Add Public Owned Treatment Works (POTW) to Definitions and Acronyms section.	Define.
53		91	Appendix 6	Reporting Equivalent Acres – all reporting requirements should be in S8, not here. Spreading reporting requirements throughout permit or repeating them makes them more difficult to track and easier to overlook.	Recommend removing to reduce redundancy.
54		91	Appendix 6	Reporting Equivalent Acres – 3 rd paragraph – For clarity, recommend rewording Puget Sound Basin Driven retrofit projects.	Alternatives for consideration - Puget Sound Basin project-driven retrofits, Projects within the Puget Sound Basin, Puget Sound Basin projects, etc.
55		91	Appendix 6	How to Calculate Area for Small Projects Under 1 Acre – The phrase “through a simpler calculation” is unclear because no comparison or alternative calculation is identified. Also consider whether this section would read more logically after the HRM Standards section.	Delete “through a simpler calculation.” Consider moving this section below HRM Standards.

2026 DRAFT HRM REVIEW FORM			
No.	Section/Appendix Number	Page Number	Comment
1	2-1.2.1	2-3	Delete redundant bullets for "TMDL" and "CWA Section 303(d)-listed impaired waters" as they are both covered in a previous bullet.
2	2-4.2	2-13	Recommend editing sentence to introduce new terminology being used in Ecology's Water Quality Atlas. Current sentence, "TMDLs and alternative plans are Ecology watershed cleanup plans that cover a watershed boundary, not just water body segments like a 303(d) listing." New sentence proposed sentence, "Approved water quality improvement projects, such as TMDLs and alternative plans, cover a watershed boundary, not just water body segments like a 303(d) listing."
3	2-4.2	2-13	This sentence seems to be referencing the old format, which has been replaced with the Impaired Waters Table in Appendix 5A. Propose editing this sentence to reflect new format, "The first page of each BMP section in Chapter 5 includes TMDL/303(d) considerations to aid in BMP selection when discharging to an impaired water body."
4	5A	5A-1	"X = Prohibited" was added to the Table legend but not to the Table where appropriate based on the language prohibiting the use of compost in phosphorus sensitive areas added in 5-3.5 on pages 5-15 and 5-16.
5	5A	5A-1	Change “Fecal Coliform” to “Bacteria (Fecal Coliform/E. coli)”.
6	5A	5A-1	Add “Fine Sediment” to “Total Suspended Solids/Turbidity”.
7	5A	5A-1	Change “Phosphorus” to “Total Phosphorus or Phosphorus-Sensitive”.
8	5A	5A-1	Propose deleting "Dissolved Oxygen" to prevent confusion with more detailed guidance added in 5-3.5 about impairments and compost use.
9			Propose adding some language below or before the Table, perhaps using an asterisk or footnote to connect specific pollutants (Bacteria (Fecal Coliform/E. coli and Total Phosphorus or Phosphorus-Sensitive) to the language. Proposed language, "Approved water quality improvement projects (Category 4a and 4b), such as TMDLs, may have titles that obscure the specific pollutant(s) of concern. For example, some Category 4 project titles use generalized terms like: • Multiparameter – pollutants of concern not specified. • Nutrient(s) – may be used instead of specifying phosphorus, nitrogen, etc. • Bacteria – may be used instead of specifying fecal coliform or E. coli. Other Category 4 project titles may have titles that represent a more complex water quality issue that must be understood before BMPs can be selected. For example, the following water quality impairments are often identified as “phosphorus-sensitive”: • Dissolved Oxygen (DO) - can result from compounding impairments (e.g., temperature, nutrients, and sediment). • Harmful Algae Blooms (HABs) – can result from compounding impairments (e.g., temperature and nutrients). Therefore, it may be necessary to review the Category 4 project documents to identify the specific pollutant(s) of concern prior to selecting appropriate BMPs. Contact the HQ Stormwater Branch, Statewide TMDL Lead for support.



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August 21, 2026

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 2026 *Washington State Department of Transportation National Pollutant Discharge Elimination System and State Waste Discharge Municipal Stormwater General Permit* (Permit). Our comments are attached and include one Word document with comments on the draft Permit and one Word document with comments on the draft *Highway Runoff Manual*.

Most comments on the draft Permit address typographical errors and opportunities to improve clarity and consistency throughout the document. However, there are several comments that address permit requirements or implementation.

Please let me know if you have any questions or would like to discuss any of WSDOT's comments and suggestions.

Sincerely,

A handwritten signature in blue ink that reads "Tony Bush".

Tony Bush
Stormwater Branch Manager
WSDOT Environmental Services Office