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I would like to comment on the new Construction Stormwater Permit. I am a builder and land developer in Thurston County, and I have recently had to obtain a Construction Stormwater permit. I have done a number of projects near State waters in the past and never had to get this permit before. I was informed though, that the requirements have been changed from an area of five acres disturbed down to one acre disturbed. This encompasses a lot more projects, including the small residential projects that I normally do. It also will include a lot of single family home construction projects. I don't know if the Department of Ecology realized how many more projects this will include. Because of the economy, there is very little residential activity right now but when things recover there will be a huge increase in the number of these permits issued. Since the disturbed area requirement was just recently reduced, I think that the DOE is missing a lot of projects that now require permits. Specifically, they don't catch a lot of the single family residence constructions that disturb one or more acres. I am confident that over time they will implement a procedure that will pickup these projects. This along with increased building activity will cause an exponential increase in the number of permits issued as compared to the five acre requirement. This creates two problems. First The DOE will be using a shotgun approach of regulating a very large number of small projects with very little ecological impact rather than concentrating on the large projects with much larger potential for adverse impact. It seems to me that the best approach would be to change the requirement back to five acres in order to allow the DOE to more effectively monitor and regulate the bigger projects. The second problem with the disturb area reduction is that it is creating another regulatory burden on builders and small developers when they can least afford it. This was illustrated to me by a DOE employee who said that a lot of the properties that are under permit are now owned by banks and they don't know how to administer them. If the DOE insists on increasing the regulatory burden on builders, they need to figure out how to work with banks because they'll be owning a lot more projects. I am not implying that the financial well being of builders or developers is the concern of the DOE. But their regulations do make their survival more difficult. It is the job of State agencies to at least consider the needs of everyone in the State not just environmentalists. I would like to request that the permit requirement be raised from one acre back to five.

There is another aspect of this permit that I would like to comment on. That is that they can run perpetually the way they are currently implemented. The permit that I currently have is for a large lot subdivision of five lots. The project is done and the site is stabilized but my permit is still in effect. I have been informed that I have to keep this permit in place until the houses are built on the lots. I have tried to show that because of the location of the building sites this construction will not impact the wetlands. Apparently because of the nature of the permit, this doesn't matter. I do not plan on building the houses. I am currently trying to sell the lots. I have no control over the construction of these homes or any idea when that will occur, if at all. I myself have built on lots that have been platted over a hundred years ago. I have also recently sold lots to people younger than myself who plan on building when they retire. There are over 700 five acre parcels for sale in Thurston county right now. With the current economy these lots will probably not be built on in a very long time. In the mean time I have to maintain this permit including paying the fees, monitoring and reporting for years on a stabilized site where nothing is happening. I discussed earlier the fact that there is going to be a huge increase in the number of these permits. If they all run on for a period of tens of years as mine will there will be an unbelievable number of these permits. My project which is now causing absolutely no environmental impact has to meet the same standards as a project that has five acres of disturbed ground next to State waters. As part of this public evaluation process, I would request that you consider a process to actually conclude this permit.

Thank you.

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