

**From:** Donald Gatchalian <dona1d.gatchalian@co.yakima.wa.us>  
**Sent:** Friday, July 31, 2015 3:13 PM  
**To:** ECY RE CSWGPComments  
**Cc:** Jon Morrow; David Haws; Terry Keenhan  
**Subject:** Comments to the Draft Construction Stormwater General Permit  
**Attachments:** Comments to Draft Construction Stormwater Permit\_2015-07-31.docx

July 31, 2015

Amy Moon  
 Water Quality Program  
 Department of Ecology  
 PO Box 47696  
 Olympia, WA 98504-7696

Dear Ms. Moon:

Thank you for the opportunity to comment on the draft Construction Stormwater General Permit. The following are our comments:

**Comment No. 1 – New Addition paragraph S2.A.1.f below is a new requirement and adds a dewatering plan. This addition will add costs and will require complete submittal of a new stormwater pollution prevention plan.**

*S2.A.1.f. Applicants must notify Ecology if they are aware of contaminated soils and/or groundwater associated with the construction activity. Provide detailed information with the NOI (as known and readily available) on the nature and extent of the contamination (concentrations, locations, and depth), as well as pollution prevention and/or treatment BMPs proposed to control the discharge of soil and/or groundwater contaminants in stormwater. Examples of such detail may include, but are not limited to,*

- i. List or table of all known contaminants with laboratory test results showing concentration and depth,*
- ii. Map with sample locations,*
- iii. Temporary Erosion and Sediment Control (TESC) plans,*
- iv. Stormwater Pollution Prevention Plan (SWPPP) modified to address contaminated soils and/or groundwater,*
- v. Dewatering plan and/or dewatering contingency plan.*

**Comment No. 2 – S6 below is not a change but I question why the fees are still high and increased in 2015 when more requirements are being passed on to permit holders of the Municipal Stormwater General Permit (MSGP). I question why the fees in 2016 and 2017 are also being increased when more requirements are being passed on to county and city governments. The new MSGP requires the permittee to review SWPPP, inspect construction site at least one time during construction, inspect at completion, recordkeeping, responding to calls within 24 hours, inspection of stormwater facility every 5 years, etc.**

**S6. PERMIT FEES**

*The Permittee must pay permit fees assessed by Ecology. Fees for stormwater discharges covered under this permit are established by Chapter 173-224 WAC. Ecology continues to assess permit fees until the permit is terminated in accordance with Special Condition S10 or revoked in accordance with General Condition G5.*

*The fees in Chapter 173-224 WAC are as follows:*

- c. Construction Activities Covered Under the Construction Storm Water General Permit(s)

	2014	2015
1. Less than 5 acres disturbed area	\$543.00	\$568.00
2. 5 -< 7 acres of disturbed area	883.00	924.00
3. 7 -< 10 acres of disturbed area	1,192.00	1,247.00

4.	10 -< 20 acres of disturbed area	1,627.00	1,702.00
5.	20 acres and greater of disturbed area	2,023.00	2,117.00

WAC 173-224-040 is being revised increasing annual permit fees for stormwater and wastewater in 2016 and 2017.

**Comment No. 3 – G8 below is not a change but I am requesting relief for projects that will not be completed by December 31, 2015. The relief is to grandfather the current pollution prevention plan to not include the dewatering plan until 2017 or later.**

*G8. DUTY TO REAPPLY*

*The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.*

**Comment No. 4 – In recent discussion with Ecology Headquarters staff, the Economic Impact Analysis is an update of the old report mainly updating amounts to present values. I don't think the study included all costs from new requirements especially those that are required by the Municipal Stormwater General Permit.**