



June 28, 2011

Harriet Beale  
Washington Department of Ecology  
Water Quality Program  
P.O. Box 47696  
Olympia, WA 98504-7696

RE: City of Longview Comments – Preliminary Draft of the Phase II Municipal Stormwater NPDES Permit

Dear Ms. Beale:

We appreciate Ecology's spirit of cooperation in formulating regulatory approaches to monitoring and Low Impact Development (LID) in the next Phase II Municipal Stormwater NPDES Permit.

#### Monitoring

We suggest that the SW WA region, at a minimum, receive allowances similar to S8.C of the Eastern Washington permit. We perceive a double standard shown to our region with regard to the development of a regional stormwater monitoring and assessment strategy. The Puget Sound received strong support and cooperation from Ecology for over two years to get to the point they are today; and Eastern Washington, which showed no initiative on this issue, was provided extra time to develop a program. SW WA is more geographically and politically disparate than the Sound, and does not benefit from established regional entities with similar goals. 73% of the population within SW WA's permitted areas reside in just two adjacent jurisdictions and there is no common soil, rain pattern, water body, or unifying theme – except perhaps that we are not the Puget Sound.

#### Low Impact Development

1. Wherever possible, LID must be encouraged and administered locally.
2. To reduce the severity of the inevitable backlash to these requirements among voters and contractors, give jurisdictions (at least those below 50,000 residents) the option to implement a program comparable to that proposed in the permit [...and to fund the increased oversight that this may necessitate, Ecology could retain a portion of the Phase II capacity grants from smaller jurisdictions]. Changes to the preliminary draft language are suggested below:

*S5.C.4.a(i): The Minimum Requirements, technical thresholds, and definitions in Appendix 1 or a program approved by Ecology under the NPDES Phase I Municipal Stormwater Permit, for new development, redevelopment, and construction sites. Adjustment and variance criteria equivalent to those in Appendix 1 shall be included. ~~More stringent~~ Alternative requirements may be used, and/or*

*certain requirements may be tailored to local circumstances through the use of basin plans or other similar water quality and quantity planning efforts. Such local requirements shall provide comparable equal protection of receiving waters and equal levels of pollutant control to those provided in Appendix 1.*

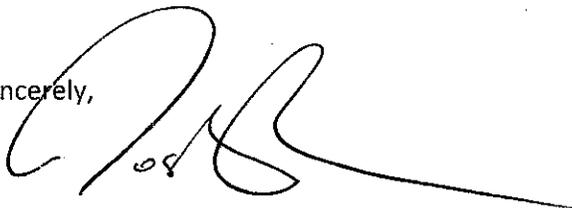
Recognizing that it is a diked city with impaired waters, Longview has regulated stormwater at the 5,000 square feet threshold for over a decade. In order to encourage LID and better protect surface water, significant effort and political capital was invested into the 2009 revisions of the Longview and Kelso stormwater manuals and municipal codes (visit [www.cleanstormwater.org](http://www.cleanstormwater.org)). The preliminary draft permit obviates that entire effort and replaces it with Appendix I of the Stormwater Management Manual for Western Washington (SMMWW). Unfortunately, Appendix I is too onerous and rigid for small developments in Cowlitz County. 'Mom and Pop' don't have contractors locally who can step them through the 13 Elements of Erosion Control and write a SWPPP. For 'minor' projects adding / replacing 5,000 square feet of hard surface, 'Joe Contractor' is not bidding for the engineering required by Ch.3 of the SMMWW to satisfy the Nine Minimum Requirements. Proponents of improvements that replace a mere 2,000 square feet of hard surface, will struggle to find local professional or craftsman expertise for soils, rain gardens, and permeable pavements – not to mention the engineering to meet the LID performance standards.

3. The 80% compliance level in S5.4.b(v) should be eliminated this permit cycle [as it was for post-construction]. In the 'Note to Reviewers' box at the bottom of Page 5, Ecology recognizes that "reducing the one-acre threshold will significantly increase the number of site reviews, inspections, and maintenance obligations of cities." Indeed, small projects (5,000 square feet of new impervious) outnumber the larger ones (1-acre disturbed) easily by 10:1.
4. In order to promote and accommodate the major transition to LID called for in this draft permit language, please consider the following (underlined) exemptions from post-construction inspection requirements during this permit cycle:

*S5.C.4.c(iii): Annual inspections of all stormwater treatment and flow control facilities (other than catch basins, BMPs not required by S5.C.4, and the onsite BMPs required by MR #5) permitted by the Permittee according to S5.C.4.b. unless there are maintenance records to justify a different frequency.*

We thank Ecology for releasing the preliminary draft monitoring and LID requirements for informal review. We look forward to cooperation with Ecology to protect surface water in a way that is both affordable and effective. Feel free to contact me at 360 442-5210 or [josh.johnson@ci.longview.wa.us](mailto:josh.johnson@ci.longview.wa.us).

Sincerely,



Josh Johnson, PE  
Street / Stormwater Manager  
City of Longview