

EMAIL COMMENTS

From: Michelle Shields [mailto:mshields@ci.moses-lake.wa.us]

Posted At: Friday, June 17, 2011 1:29 PM

Posted To: SW Permit Comments

Conversation: Eastern Washington Phase II Permit comments

Subject: Eastern Washington Phase II Permit comments

LID Comments:

We support Ecology's proposal to implement the EPA standard of retaining the 95th percentile for the 24-hour storm (or local equivalent) on-site. We concur with other jurisdictions in requesting that Ecology support and facilitate the development of a process to research LID techniques and practices that perform in Eastern Washington conditions, as well as the production of a manual or clearinghouse of information available to Eastern Washington developers on LID techniques appropriate for our area.

Monitoring Comments:

Ecology's proposed monitoring program favors a regional approach to collaborative monitoring by an Eastern Washington stakeholders group, to be modeled on the existing Stormwater Work Group comprised of Western Washington Puget Sound area Permittees. The Western Washington group identified three focus areas for stormwater monitoring: long-term status and trends, stormwater characterization and effectiveness studies. The proposed monitoring program for Eastern Washington identifies two: effectiveness studies and ambient monitoring. The Stormwater Work Group's proposals for Western Washington appear to have met with the approval of Ecology for satisfying the requirement of stormwater monitoring for the purposes of the NPDES permit. The City of Moses Lake has concerns about several details of this proposed monitoring plan as it pertains to our MS4.

The proposed monitoring plan, while it appears to make sense on the outside, serves some jurisdictions on the East side better than others. While it is possible to group permittees in specific basins, such as the Spokane area, the Tri-Cities area, the Pullman area and Wenatchee, we feel that Moses Lake has unique characteristics and is isolated enough from the other areas that it would be difficult to evaluate our area against other jurisdictions. We accept that it may be more cost effective to collaborate with other permittees, but fail to see any good way to correlate data between our areas. The regional group process may work well for effectiveness monitoring, but makes development of a relevant ambient monitoring program difficult. If the regional approach is adopted, we would like to see an **opt-out option** be added to allow jurisdictions to develop an equivalent independent monitoring program at the local level.

Ambient monitoring, by definition, would require the City (or other entity as determined by the Permit) to take background samples from the receiving water body, Moses Lake. Moses Lake has two incoming

sources of water beyond the City's MS4: Rocky Ford Creek and Crab Creek. Both sources are listed waters of concern. These sources are also outside of the City's MS4, outside of the realm of our jurisdiction, and outside our area of control. We have legitimate concerns that ambient monitoring may raise additional questions about the waterbody of Moses Lake which have no bearing on stormwater being contributed by the City of Moses Lake's stormwater system.

The City is, however, interested in answering the question that Ecology poses: *How are our permit and our stormwater management program making a difference in our waterbody? Are conditions in receiving waters improving or deteriorating, and how have our efforts affected those conditions?* We believe that monitoring does make sense in the context of answering those questions.

We believe that effectiveness studies provide the most efficient information in determining whether our programs as established are making a difference in water quality. We are encouraged by Ecology's focus on this adaptive management approach, and would like to see the brunt of the monitoring component aimed at this process. The individual jurisdictions have invested a great deal of time and money in establishing our SWMPs, and most of us are currently funding these programs with utility funding. The question asked by the constituents most frequently is how their contributions are being used to 'clean up the water'. Effectiveness studies of our BMPs provide the answer to these questions, and provide the critical information we need to reevaluate our programs and make changes where and if needed. In these difficult financial times, jurisdictions are required to make tough decisions on where to invest staff and resources. We need a process to determine the best application of our program resources, and adaptive management is the key.

We also accept that traditional stormwater monitoring may be inevitable. If Ecology chooses to adopt the ambient monitoring requirement, we believe monitoring of the waterbody at incoming sources should also be undertaken to eliminate any potential of the jurisdiction being held responsible for pollutants entering the waterbody from upstream. These sources, if they are determined to contain pollutants above the acceptable level for surface water standards, should also be required to be permitted entities with controlled pollutant levels.

We concur with the conclusions of other Eastern Washington jurisdictions in the development of a timeline for establishing and implementing a monitoring program that makes sense and is sustainable. To that end, the jurisdictions should be allowed the full permit term to develop a monitoring plan based on the ultimate goal of protecting the receiving waters from stormwater pollution from the MS4 to the MEP. Implementation of the full program, similar to implementation of the Stormwater Management Program from the previous permit, should be due by the end of the permit term. We also recommend that Ecology apply noncompetitive funding toward monitoring programs to mirror their financial contributions to the West side, recognizing that East side waters are as vital and precious a resource as Puget Sound.

Michelle M. Shields

Stormwater Program Manager

City of Moses Lake

321 S. Balsam, Moses Lake, WA 98837

509-764-3792

mshields@ci.moses-lake.wa.us

-- ...