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Comments: Draft Eastern Washington Phase II Municipal Stormwater Permit

On behalf of Washington's cities and towns, we appreciate the opportunity to provide comments on the draft eastern Washington Phase II municipal stormwater permits. We fully support the need to provide for clean water across the state, and recognize the role that city responsibilities to prevent stormwater pollution plays in reaching that goal. Cities have been leading the way in investing in fighting stormwater pollution, and we will continue to do so. We raise and spend more money on stormwater management than the state and counties combined. Our serious concerns about this draft permit do not mean that we do not support strong and effective stormwater management.

We appreciate the flexibility that has been built into elements of the eastern Washington draft permit, and our concerns primarily deal with areas that do not show similar levels of flexibility. For instance, we have heard generally good things about the provisions that allow jurisdictions to develop their own feasibility criteria for determining whether Low Impact Development is appropriate in a particular context. We request that the Department consider opportunities to provide more opportunities for training before that requirement goes into effect.

Monitoring:

The area that has generated the most concern amongst covered cities is the monitoring proposals. Our cities were surprised to see the proposal that came from the draft permit which laid out an aggressive schedule for monitoring. Following conversations with the Department, many were expecting this permit cycle to provide for a process and forum for discussions that would end with a monitoring plan. Instead, this permit starts out with an aggressive plan that hasn't been informed by the level of conversation and analysis that will be necessary to develop a successful program in the unique eastern Washington context. We would request that instead of prescribing a monitoring approach in this permit, we take the time necessary to develop a proposal that is cost effective, tailored to the climate, and that will generate the sort of information that can truly determine whether we are making progress or not.

Public education:

The new provision requiring that cities measure the effectiveness of particular education and outreach techniques is very problematic. Many small towns have one person in their departments, and they do not have the tools, resources or expertise to develop tests to measure the effectiveness of this education requirement. Creating stewardship opportunities is also beyond the scope of many of these offices. Our smallest jurisdictions are questioning how they would accomplish these tasks with any level of usefulness. We would request that this requirement be removed, or that Ecology offer the cities the option to have the Department undertake these effectiveness studies.

Resources:

It will not be a surprise to the Department that many of our jurisdictions are still struggling to find the resources to meet existing permit obligations, and are worried about how they will meet these new obligations. Especially in the predominantly dry eastern Washington context, generating public support for the stormwater utility rates needed to meet these expenses is difficult. We request that the Department take another look through the

permit and identify additional areas that could be adjusted to provide economic relief – especially for the smallest jurisdictions.

Sincerely,



Dave Williams
Director of State & Federal Relations, AWC