



Cowlitz County Soil and Water Conservation District

FEB -6 2012

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February 1, 2012

Municipal Permits Comments
WA Department of Ecology
Water Quality Program
PO Box 47696
Olympia, WA 98504-7696

To Whom it May Concern:

These comments are for submittal to the WA Department of Ecology (DOE) during the public comment period for the 2012 Draft Municipal Stormwater General Permit (General Permit) and 2012 Draft Stormwater Management Manual for Western Washington (Manual).

Cowlitz Conservation District provided comments to Cowlitz County with regards to their local proposed stormwater ordinance on July 18, 2011. County response indicated agreement with our comments but indicated that a few of the issues were set by DOE provisions within the Manual and General Permit. Cowlitz County further recommended that the District comment on the 2012 Draft General Permit and Manual. Therefore, we are forwarding these comments for your consideration.

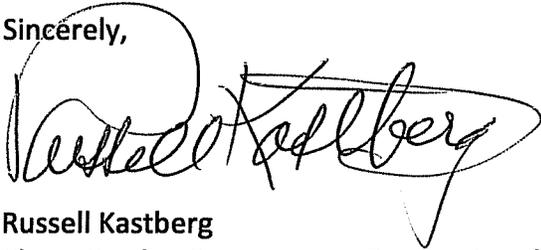
According to Cowlitz County, the definition of "Commercial Agriculture" is set by the Department of Ecology within the Stormwater Management Manual for Western Washington. Cowlitz Conservation District contends that, "The definition of commercial agriculture beyond the current use classification (RCW84.34) should not be limited to "wholesale trade". We request the omission of the term "wholesale trade" from the definition as commercial agriculture may well be retail or a combination of wholesale and retail.

According to Cowlitz County, exemptions are defined by DOE within the General Permit and local jurisdictions cannot expand any of these definitions without risk of fines or lawsuit. The county explained that they obtained the language for their commercial agriculture exemption by direct copy from the Western Washington Phase II Municipal Stormwater Permit.

Cowlitz Conservation District supports the general exemptions for commercial agriculture and for forestry. We would further support the flexibility for landowners to change crops from forest to agriculture and or from agriculture to forest. We encourage consideration for revision of the Commercial Agriculture exemption to read "Commercial agriculture practices involving working the land for production are generally exempt including the conversions from timberland to agriculture or agriculture to timberland. However, construction of impervious surfaces is not exempt."

We appreciate the opportunity to comment of the Draft Manual and Permit and your consideration of our comments regarding the definition of "Commercial Agriculture" and the exemption for "Commercial Agriculture".

Sincerely,

A handwritten signature in black ink, appearing to read "Russell Kastberg". The signature is written in a cursive style with a large, looping initial "R".

Russell Kastberg
Chair, Cowlitz Conservation District Board of Supervisors

Cc: Cowlitz County Commissioners
Patrick Harbison, Cowlitz County Public Works