

## ***Transcript of Public Hearing Testimony***

### ***Draft Eastern Washington Phase II Municipal Stormwater Permit***

#### ***Ellensburg, Washington***

***December 5, 2011***

Let the record show that it is 11:10 am on Wednesday, December 5<sup>th</sup>, 2011. This hearing is being held in Ellensburg, Washington at the Hal Holmes Center, 209 North Ruby Street. The purpose of this hearing is to receive public comments about the Draft Phase I and II Municipal Stormwater General Permits.

Ecology provided broad public notice, including:

1. Letters to each permittee, the EPA, the tribes and the government agencies required by the Washington Administrative Code.
2. Publication in the Washington State Register. Eastern Washington Public Notice was filed on October 4, 2011. WSR number 11-20-087.
3. Email and letters to 4300 interested parties, which includes previous appellants, previous commenters, etc.
4. A press release on October 19<sup>th</sup>, 2011
5. Creation of a website about the draft permits' comment period, the workshops and the public hearings in October 2011.
6. Listing information about the workshops and public hearings on the Draft Permits on Ecology's online Public Involvement Calendar.
7. Distributing notice in October via 5 LISTSERVs reaching about 3600 names with probably some overlap. The statewide stormwater LISTSERV, the eastern Washington stormwater LISTSERV, the stormwater workgroup LISTSERV, the low impact development LISTSERV, and the water quality LISTSERV

When I call your name, please come to the front, state your name and address and I apologize if I mispronounce your name. The first speaker was Jon Morrow. And, he'd be followed by Jessica Shaw.

(member of audience speaks in background)

OK. And, Jessica?

You'll pass. OK.

Nancy? From the City of Richland. Did you want to speak?

Thank you.

## **Nancy Aldrich, Richland, WA**

My name is Nancy Aldrich. I'm with the city of Richland. 840 Northgate Drive, Richland, Washington, 99352. My comments are concerning the new permit that will be issued 2013 through 2018. My first comment is on S-3, authorized discharges, page 3, line 6 and page 22, line 12 – discharges that occur during emergency firefighting activities and occurrence with this to authorized discharges. This complex change to permit language is poorly defined with the potential for far reaching consequences. It appears to require permittees to regulate firefighting activities within their jurisdiction. The City of Richland objects to this provision and requests the permit language remains unchanged from the previous permit. If Ecology insists on this provision, then it should be reworded to clearly require regulation of emergency response and cleanup procedures and provide specific guidance regarding required regulations.

The second comment is on S-5.5 Post Construction Stormwater Management for new development and redevelopment, page 33, line 17. The city of Richland only requires only commercial projects to retain their stormwater and runoff on site. This proposal language will require all projects to be required to retain stormwater onsite, i.e., commercial, residential, industrial, single building lots, etc. This will invalidate the city's existing citywide stormwater management plan, which includes basinwide planning and stormwater management features, including Ecology manual complied BMPs. This could eliminate regional projects and restricts the ability to use sound planning *and public review for (italics taken from notes; tape unclear)* proposed projects. This language should be deleted.

The third and final comment is monitoring and program evaluation, page 52, line 18. This concerns the subregions. Ecology should encourage permittees to work together in developing effectiveness studies, but not force creation of new governmental entities, such as the subregion entities that will be put in the role of reviewing and selecting the effectiveness studies. Section B should be deleted. In addition, agencies should be permitted to design and complete their own effectiveness studies in the event that a joint project is unavailable or unsuitable to them.

These comments will be submitted in writing, along with others as they become evident in our review of the permit. Thank you.

Thank you. I don't have anyone else who's signed up to testify. Would anyone else like to come up and testify? OK.

Thank you for your testimony. If you'd like to send Ecology written comments, remember they must be postmarked by 5 pm on February 3<sup>rd</sup>, 2012. Send all the comments to Municipal Permit Comments, Washington State Department of Ecology, Water Quality Program, and I want to check the post office box. I have POB 47696 (OK), Olympia, Washington, 98504-7696. Or, electronically, to [SWPermitComments@ecy.wa.gov](mailto:SWPermitComments@ecy.wa.gov). And, the addresses are available on the handouts at the front of the room. For copies of the draft permits and more information on how to comment, or about the workshops and public hearings, the information's on the table, but I'll give you the long email address.

[www.ecy.wa.gov/programs/wq/stormwater/municipal/2012draftmuni.com.html](http://www.ecy.wa.gov/programs/wq/stormwater/municipal/2012draftmuni.com.html). But, check the back table if you can't write it down fast enough.

The official hearing record for the municipal stormwater permits includes all testimony received at this hearing, testimony from upcoming hearings, emails received by 5 pm February 3<sup>rd</sup>, 2012, and hard copy comments postmarked by 5 pm, February 3<sup>rd</sup>, 2012. Workshops with hearings in case you want to attend some additional hearings, will be held tomorrow, January 6<sup>th</sup> at Spokane Valley, Center Place Regional Events Center; January 9<sup>th</sup> at the Department of Ecology in Lacey. The Spokane one will be 9 'til 1. The Ecology Lacey one will be from 10 'til 3. The January 10<sup>th</sup> session will be at the School for the Blind in Vancouver, from 10 to 3. And, on January 17<sup>th</sup>, you can go to the Skagit Transit Station in Mount Vernon. There'll be a workshop and hearing from 10 to 3. On January 24<sup>th</sup>, the Renton Community Center, from 9 am to 1 pm. Workshops only, with no testimony, will be December 12<sup>th</sup> at the Port of Walla Walla and then January 19<sup>th</sup> in Poulsbo at the city council chambers.

So, what comes next?

Ecology will review and incorporate the comments where appropriate and prepare a response. The written Responsiveness Summary will be an appendix to the final fact sheet for the permits and will be posted online. Ecology expects to issue the final permits in June of 2012. If you submit written comment or give public testimony at the public hearings, you will receive a notice of issuance when Ecology issues the final permits.

If we can be of further help, please don't hesitate to ask. We'll be here breaking down the room a little bit.

On behalf of the Department of Ecology, thank you for coming. We're going to keep the hearing open until 1 o'clock, which was the advertised closing time, but I will turn off the tape recorder right now. So, thank you, everybody.