

Transcript of Public Hearing Testimony

Draft Eastern Washington Phase II Municipal Stormwater Permit

Spokane Valley, Washington

December 6th, 2011

Let the record show it is 11:29 am on Tuesday, December 6th, 2011. This hearing is being held at the Center Place regional event center located at 2426 N Discovery Place in Spokane Valley Washington. The purpose of this hearing is to receive public comments about the Draft Phase I and II Municipal Stormwater General Permits.

Ecology notified the public about the draft permits, comment period, workshops and the public hearings through letters sent to permittees, tribes, the Environmental Protection Agency and other government agencies. 43 other interested parties also received notification. Ecology published a notice in the State Register, the Eastern Washington public notice was filed on October 4th, 2011. Ecology sent a press release about the comment period for the draft permit on October 19th, 2011. Ecology created a website in October 2011. In addition, information about the workshops and public hearings is on Ecology's online Public Involvement calendar. Ecology also distributed notice to 5 LISTSERV in October of 2011. The state stormwater LISTSERV, made up of about 1391 recipients, the eastern Washington stormwater LISTSERV, which has 650 subscribers, stormwater workgroup with 400 members. Low impact development LISTSERV, made up of 323 recipients. The water quality LISTSERV which has 850 subscribers. It is now the time for the formal hearing for anyone who would like to comment. I'll be calling you to testify in the order in which you signed in.

And, please turn off your cell phones.

When I call your name, please come up to the microphone, state your name, the company or organization you represent if any, your address and the permit you are testifying about. I apologize in advance if I mispronounce your name, so feel free to correct me. Remember, limit comments to about 5 minutes initially. And, audience, no extra noise. And, we will begin with Val Mundell. Followed by Rick Rogers.

My name's Val Mundell, from Asotin County. In reference to stormwater Phase II Eastern Washington. Basically all permits for that area that I am living in. I'd just like to comment again, I've reviewed many times the public response in response to the Phase II permits, which were from citizens, small business owners, that type. And, I find it kind of frightening that it appears the majority of those when I look at them, I'd say 99% of those people are not in favor

of the permit requirements that they had read. *They believe the economy does not allow for funding this program [italicized text indicates tape not clear; transcribed from notes].*

So, I'd like to comment that the current economic conditions do not and should not allow for further funding of these types of programs. The EPA and the DOE regulations and restrictions are infringing on my free agency as my creator intended. The changes continue to rob me of my right to use property to support my basic needs. The regulations make it impossible for the average citizen to afford to purchase a new home. The current economic situations brought about by the collapse of this housing industry in this country. Here we are, placing even more restrictions and regulations, which result in increased costs on everyone in this great country. The contractor, the citizens who want to purchase, the developers. I believe the efforts of the EPA and the DOE are destroying the fundamental quality of life in America, rather than improving it. Housing is critical to the economy of this nation. We need to get our priorities straight. Again, I'd just like to make the comment that I've made and all public testimony. Grant money – grant money is coming from money that has been printed already on our IOU, so it's more of the Federal Reserve printing money to pay for an IOU that already exists. We have no money. And, I know that the majority of the people that attended today rely on this program and many others for their income, and I understand that. But, we need to begin working on the root causes of the problems rather than to be worrying about stormwater – or rainfall – washing away oils, chemicals, pollutants into the stream. I am just a strong believer, having been working in the corporate world and *[believe] (italicized indicates taken from notes, as tape unclear)* the approach is rather to go to the root causes of the problem and work those rather than, in this situation, what we're doing is we're taking bags and placing sand in them to control the water. We need to take the opportunity here to work upstream and find out the sources of these contaminants and deal with those. So, I would rather see us approach it at that level rather than try to regulate rainwater, which is impossible to do.

Thank you. Next we'll hear from Rick Rogers. Followed by Thomas Sattler.

I am Rick Rogers. To begin with, I refer to the Ecology supplied fact sheet. My copy is November 4, Eastern Washington Phase II Municipal Stormwater Permit.

One would assume the document titled fact sheet, relative to the above referenced permit would be a compendium of statements and/or definitions of actual facts. Instead, as I read through the fact sheet and the draft permit itself, I was struck more by words that indicate assumptions, applications, appearances, the likelihood of things that can happen, things that may be true, identified concerns, generalities and other things that are anything but facts. I submit to you that these uncertain terms are a poor foundation upon which to build regulation of the breadth and depth of Eastern Washington based Municipal water permit.

I refer to section 3 of the factsheet, for example, entitled “background.” And, I quote: “Stormwater runoff is the leading pollution threat to lakes, rivers, streams and marine water bodies in urbanized areas of Washington State. “ My comments are meant to affect Asotin County. I’m not a member of the government. I’m a citizen. I respectfully wish to point out that this statement is unsupported by any data, scientific study or hydrological analysis of either of the water bodies as they relate to stormwater runoff emanating from Asotin County. Since there is zero supporting evidence to prove that the stated problem is a factor at all relative to Asotin County, I maintain that Ecology has issued and is issuing unwarranted mandates and regulations in Asotin County causing unnecessary expense and effort to deal with the problem, it does not, apparently, exist.

To continue under section 3.1, I quote: “The large, impervious surfaces in urban areas increase the quantity and free flows of runoff, which in turn causes hydrological impacts such as scouring stream bed channels, instream sedimentation and loss of habitat.” Ecology cites zero evidence that as a result of stormwater runoff, there has been any scouring stream bed channels, instream sedimentations or loss of habitat in the identified waters relative to Asotin County. The primary water body of concern here is the Snake River. Where Asotin County borders this water body, the Snake River was turned into slime water by construction of downstream dams over three decades ago. As a consequence, the scoured stream bed channels of the Snake River caused by stormwater runoff emanated from Asotin County is simply impossible. This problem simply does not exist in this context. Period.

For the same reason, any specific instream sedimentation caused by stormwater runoff emanating from Asotin County has not been identified by Ecology.

Relative to the general reference to habitat, this background problem statement fails to identify which habitat of which species of flora or fauna is potentially being affected. An inability to identify habitat relative to a specific species nullifies reasoning behind the imposing stormwater controls for that reason.

It’s assumed, however, if Ecology was actually bothering to supply any scientific data, they would address species of fish inhabiting the Snake River near the impact area of stormwater runoff emanating from Asotin County. Since Ecology has not done so, I’ll help them out. There are three representative fish species in the Snake River and its tributaries. Both native and planted steelhead, salmon and sturgeon. Relative to steelhead, there is a continuing active game fishery of both wild and planted steelhead, which exist in numbers sufficient to require management by both Idaho and Washington Fish and Game Agencies. While there is some continuing controversy over the affect on this fishery of the dams and slackwater, there is zero scientific evidence that there has been, may be or will be any negative affect on either the wild or planted steelhead as a result of stormwater runoff emanating from Asotin County. In fact,

just a few weeks ago, an internationally recognized fishing derby for prized, record steelhead was held on the Snake River at its border with Asotin County. This is the only steelhead derby of its kind in the world.

Relative to salmon, as previously noted, there's a continuing controversy about the affect of their population and the several dams in the Columbia River system, of which the Snake River is a part. However, there is zero scientific evidence that there is, may be, or will be any negative on the Pacific Northwest salmon run that populates the Snake River as a result of stormwater runoff emanating from Asotin county.

Relative to sturgeon. There's a continuing healthy population of this species in the Snake River along its border with Asotin County. This species has populated this section for thousands of years. There is zero scientific evidence that there is, may be or will be any negative affect on this sturgeon population as a result of stormwater runoff emanating from Asotin County. This ancient species is routinely caught and released under fish and game regulations. I have personally stood in a boat next to a magnificent 8 foot sturgeon and photographed it before release.

OK, can you summarize and wrap up and then we'll come back to you later?

Sure. I'll summarize right there and come back later.

OK. Thomas Sattler. Followed by Jim Jeffords.

Thomas Sattler from Asotin County. I'm referring to the Eastern Washington permit. It also refers to all permits in the state. I'll continue on where Rick Rogers left off.

If Ecology has specified data about habitat harmed or any other flora or fauna as a result of stormwater runoff emanating from Asotin County, they are hereby urged to provide said information and include in it the fact sheets so that it can be reviewed for relevance.

To continue under section 3.1, and I quote: "The Stormwater Program": "The following is a list of typical impacts caused by stormwater discharges:""Human Health: In general, untreated stormwater is unsafe. It contains toxic metals, organic compounds, and bacteria. Untreated stormwater is not safe for people to drink, and is not recommended for swimming."It must be noted here that the Snake River, along its entire border with Asotin County, is routinely used for swimming and other human activities involving full immersion in the waters of the Snake River. This has been documented by the Lewiston Tribune for over 150 years, and will be as true tomorrow as it is today .There is zero evidence, ever, of any human health issues as a result of stormwater runoff emanating from Asotin county.. There is ONE exception to this, to be discussed later, relative to the Corps of Engineer property.

Continuing from the list in section 3.1, I quote:"Drinking Water: In some areas of Washington, notably Spokane County and parts of Pierce and Clark counties, gravelly soils allow rapid infiltration of stormwater. Untreated stormwater discharging to the ground could contaminate aquifers that are used for drinking water."First, soil composition in Spokane, Pierce, and Clark Counties has no relevance, at all, to that of Asotin County, Further, Ecology has provided zero evidence that soil types, or infiltration rates, are an issue at all, relative to stormwater runoff emanating from Asotin county.

Secondly, even if true, this entire "Drinking Water" statement is a "straw man" issue relative to stormwater anywhere. There is ZERO evidence that there is ever any need or desire for any human to drink untreated stormwater, in Asotin County or anywhere else.

Ecology's disingenuous attempt to make "Fact Sheet" readers believe that untreated stormwater would ever be supplied to any human, in this day and age, for drinking purposes, is hardly worthy of recognition, let alone serious discussion, as the basis for more regulation than already exists.

ALL water, particularly that intended for human consumption, and pumped from a regional aquifer, is either treated before use, or routinely tested for safety. As for animal drinking water, which is almost always also treated, there is zero evidence that as a result of stormwater runoff emanating from Asotin county., any drinking water supplies, or aquifers destined for that purpose, have EVER been affected to the point of harm to any species of any kind anywhere. "Salmon Habitat": (I'm not going to quote the entire statement about salmon habitat) But I remind you about what I said earlier about Salmon as it relates to stormwater runoff emanating from Asotin county.

This long and over-broad part of section 3.1 dealing with "Salmon Habitat" talks in (what I like to call) "weasel word~" fashion about studies done in Pierce County, Seattle, and Puget Sound, which, I again point out, has zero relationship to the Columbia River Drainage, which includes the entirety of Asotin County.

Finally, relative to this "Salmon Habitat" part of section 3.1 concludes, and I quote:"Although the precise causes of this acute (Salmon) die-offs are not yet known, stormwater pollution is likely involved. The problem appears to be widespread throughout urban streams in Puget Sound and is under active scientific investigation."

Folks, I submit to you that likelihoods and appearances do not meet the test of scientific hard data and are certainly a thin basis for the kind of regulatory regimen being mandated by the Eastern Washington Permit, particularly since the only data referenced is from the Western drainage of the state.

Second, this completely imprecise statement cites (as if it was still ongoing) a study which was completed in 2008, which studied in part, "Coastal Storms" relative to toxic runoff. This study again referenced Puget Sound, which is again unrelated in any way to stormwater runoff emanating from Asotin County.

To continue with the list, it next discusses the Shellfish Industry. Washington Stat's multimillion dollar shellfish industry is increasingly threatened by closures due to stormwater contamination. While the shellfish industry may be a significant economic driver in western Washington, it is unclear why this statement is even included in a document that refers to the eastern Washington Phase II Municipal stormwater Permit as a header on every single page. There is no shellfish industry in the eastern Washington permit area. Quite simply, there is no shellfish industry impact that can be associated with stormwater runoff emanating from Asotin County. Period.

Finally, the list discusses "Degraded Water Bodies: In urban and urbanized areas across Washington State, residential, commercial, and industrial land development has changed land cover and drastically altered stream channels. The impacts of urban land development have severely degraded, and will in many cases permanently destroy, fish resources and other beneficial uses of Washington's waters."

Ecology provides zero evidence, scientific or otherwise, to support the land development of any kind has degraded any water bodies, particularly the Snake River, based on stormwater runoff emanating from Asotin County.

Secondly, and perhaps most importantly, by including this language in the Permit, Ecology, for the first time, begins to become directly and significantly involved in land use and or land development regulations, which oversteps the bounds of the regulatory authority of the clean air act.

Can you please summarize your statements?

I'll stop there.

Thank you. Jim Jeffords?

I'm Jim Jeffords. Asotin County Commissioner, Asotin County, Washington. This is in regards to Eastern Washington Phase II Permit.

I understood after the workshop this morning that the EPA is going to be making changes that need to be done by December 2012. I also found out that it could take several years for those changes to become effective. I think it would be wise at this point to suspend DOE requirements of permit changes until the EPA changes occur and we know exactly what those

are. It was a great question brought up by a person from Spokane City and Spokane Valley today. We – every county in the state is experiencing financial difficulties. Specifically Asotin County. We're facing a 2 million dollar potential shortfall, depending on what happens with the special session that's going on at this point in time in Olympia. We just don't have the money to do these things at this point. And, I don't see it changing for a while.

So, I think the timing's poor on this.

I also know that EPA is having pressure applied to them by Congress. I've spoken to several persons in congress and they are holding EPA's toes to the fire on widespread expansion. So, we really don't know what's going to happen down the road without a crystal ball. And, I think it would be very prudent to allow those changes to occur before we do anything. *We should wait until that is resolved until taking action such (italicized portion taken from notes, tape unclear)* as an extension of the next permit would be reasonable and prudent.

The only other thing I can speak to, also, in regard to the S-8 monitoring is that you have two options. Some regional studies in collaboration for permittees cannot be to monitoring discharges....I'm not sure. But, we were grouped into a group with Spokane County with an elevation difference *and other different conditions, which does not work. It would be better to group us with Walla Walla and the Tri-Cities. (italics indicate words taken from notes; tape unclear)*. Thank you.

Thank you. OK, anybody else? Cheryl Sonnen?

Thank you. I'm Cheryl Sonnen. I'm with the Asotin County Regional Stormwater Program. I am testifying about the new proposed requirements in the public education and outreach section. The first one is "Permittees shall create stewardship opportunities or build on other opportunities for the public to participate in activities such as volunteer monitoring, riparian plantings, education activities." That would put a huge burden on a small program such as ours to require or even to try to coordinate some of those activities. I would like to see that, maybe as a suggestion but not necessarily as a permit requirement.

The other one under "Public Education and Outreach" is the "Measurement and adoption of targeted behaviors to a targeted audience and then do an evaluation based on what they learned – whether *that is the same as an effectiveness study [italics taken from notes; tape unclear]*. If that were the requirement for public education and outreach, it places too big a burden on our small program.

And then, under S-8, in the Monitoring. We had talked, previously, with Ecology about allowing the permittees to help develop this monitoring – effectiveness monitoring program, or the monitoring language. The division into subregions limits our ability to develop good,

effectiveness monitoring programs. I'd like to see us discuss what types of effectiveness monitoring are important to the regions and then allow us to participate in those that are important to us specifically. We need to have more development and discussion with permittees on that section.

Thank you.

OK, thank you. Anybody else? What was your name please?

Art Jenkins. And, I'm taking off my hat, as the city of Spokane Valley employee. I'm going to – my comments are strictly for my personal nature. My address is PO Box 312, Marshall Washington. 99020. I'll testify about the Spokane Washington Phase II permit and the 2013 to 2018 version.

Continued regulations that are coming down really hamper our competitiveness around the world and the nation. I think there's a danger in applying Chesapeake Bay to the rest of the nation or the Puget Sound to the rest of Washington State. I think that's the issue here with the eastern Washington permit folks.

One of my thoughts on Public Education and Outreach is pretty consistent that I think that there's a need nationwide for education on nonpoint source pollution that has not been happening at the state level other than Washington Waters program, which I think needs to be expanded while other programs need to be revamped and probably scaled back to help pay for that. There really needs to be marketing and branding going on much like what the Forest Service has done over the years with their Bear which we know as Smokey the Bear. Everybody knows Smokey. We need something like that for nonpoint source pollution and branding and marketing to be done.

Third, I'd like to suggest that there's a prioritization of permits. I know that this is a general permit process, but maybe each general permit that is issued could be individualized over time based on a prioritization that we look like the size and number of outfalls and to the type of water body and to the types of impairments of that water body and if the local jurisdiction could prove that there is impairment that's coming from stormwater that it would be covered under that permit process. If it doesn't have any impairments going to a water body, that an alternative program or waivers would be allowed to have maybe a "stormwater lite" program, if you will, rather than having all the monitoring and all the other requirements.

My example of this is, as it's been stated, LIDs have been in place here in eastern Washington for years. They haven't been called that – they've been called a farmer's ditch or a swale or something else. Retainage of water has always been something that's always been handled here in Eastern Washington. So,...

OK. Thank you. Mr. Shin.

Brian Shin, Asotin County Commissioners, District 1, rookie. One day on the job.

I am really proud of the fact that in Asotin county we have a very vigorous citizenry. We discuss things. We don't always agree, but we do agree on some things. One of those would be that we all decry the fact that EPA mandates *actions [italics taken from notes; tape unclear]* to Washington State Department of Ecology that require us to solve a problem that doesn't exist. Having said that, I think that we were required by that by court decisions, which really weren't relevant to here but they are effective here. They do require us to do it here. I think the categorization of us with Spokane and Whitman County would be a repeat of that same process, trying to put something of no relevance to us over the top of our planning process. After some discussion during the break, I would like to go on record that we would like to entertain the possibility of having our own workshops with your help as Ecology determining criteria so that we can develop our own program of effectiveness monitoring. Thank you.

OK. Does anybody else wish to testify? OK, Rick?

I'm known for being wordy. I'm sorry for that. But, I have a couple of basic points here. And, I want to make sure that I am not a government official of Asotin county. I'm one of those people Brian just talked about – a citizen. And, the things that upset me – that Brian mentioned – that upset me very greatly.

It is important to note that the Permit covers a geographical area that starts at the crest of the Cascade Mountains, east to the Idaho border, south to the Oregon border, and north to the Canadian border. This is an area that covers thousands of square miles, and is primarily drained by one river system, that of the Columbia River Basin, of which the Snake River is a part.

Though the "Fact Sheet" for this Permit, and the Permit itself, cite a number of studies done in western Washington State, apparently there have been no studies relevant to stormwater runoff done anywhere within the geographical area covered by the Eastern Washington Permit. I repeat. None. Though Ecology notes that there are as many as ten hydrologically-different areas within the state, they assume that the messy details could be worked out by the communities involved. That's a little difficult, folks.

Asotin County citizens have a reasonable expectation of due-diligence by public agencies prior to their writing or implementing new regulations. In this case, that expectation was not met.

Secondly, the designation of urbanized area by the United States Census Bureau is designed to give the census bureau a method to identify growth trends, and has been and is often used by communities with such designations to more easily plan for future transportation needs. The

Census Bureau has specifically stated, however, that their designation of an urbanized area is not and was never intended to serve as a vehicle to authorize other federal agencies to write and/or enforce other regulations. In fact, the person I talked to at the Census Bureau specifically mentioned the EPA in that regard.

EPA and Washington Ecology have taken, with no specific authority, the urbanized area designation by the Census Bureau as the vehicle to include Asotin County in the Lewiston Idaho urbanized area with no further legal or scientific justification. To their credit, whenever possible, Ecology makes an attempt to use the urbanized area as its basis for including any area in the stormwater regulations. However, when that device isn't available, Ecology simply includes an area under its own specified authority - or unspecified authority - and presents their own legal qualification or justification for that.

And finally, I don't know how you guys are going to answer this. You're going to have to deal with this. A stretch of the western and northern shoreline of the Snake River that borders Asotin county, although clearly in contact with this major water, is owned by the United States Corps of Engineers. Under the permit, the federally owned property is specifically exempt from the permit. It is instead regulated directly by the clean water act by the EPA. Part of this federal land, the Swallows Park area, is owned home to a large wild breeding population of Canada geese who have become acclimated to living year-round on Corps property rather than migrating, with all their attendant year-round output of feces. It's impossible to walk across this area without stepping in goose poop.

It's important to note here that E.Coli is listed by Ecology and on the permit as one of the significant polluting items that the permit is supposedly designed to control.

Large parts of this area have at times become virtually unusable for human recreation for this reason. The beach in this park has been shut down by public health authorities several times in recent years for contamination by E. Coli from this source. This is an obvious source of pollution to the Snake River that is emanating from Asotin County, and yet it is outside of Asotin County's control because it is exempt because it is federally owned land. There's also a 6 acre island in this park that is totally surrounded by the Snake River except for a small land bridge. Cheryl may have mentioned this in her questions earlier, this island is used by the public as an off-leash dog run and, of course, with their attendant droppings. This island also is not regulated under the permit. You can't do a thing about it because it's owned by the Corps of Engineers.

With the exception of the Port Of Clarkston, a shoreline of approximately one mile, the Corps owns 20 miles of the Asotin County shoreline of the Snake River, from milepost 127 to milepost

147, which is the border with Garfield County. This encompasses the entire drainage area of Asotin County that is within the aforementioned "urbanized area".

Consequently, virtually all of the storm water runoff emanating from Asotin County at the major population centers and in the urbanized area must run over, across or through Corps-owned property, and thus is not regulated by the Permit prior to reaching the river. This Corps owned property comprises virtually ALL of the shoreline likely to encounter polluted storm water runoff near any significant population density (the primary criteria for inclusion of Asotin County under Permit regulation as part of the Lewiston, Idaho "urbanized area").

It is also important to note that Regional EPA officials have long been aware of the Corps Property and attendant pollution. To date, no action has been taken to mitigate this clear water-pollution source.

Ecology has not performed, nor has it required, baseline sampling of the water quality of Asotin Creek or the Snake River, before implementation of the existing Permit. Consequently, it is not possible to know whether or not the water quality of these two water bodies was impaired prior to implementing the original Permit, or whether any storm water regulation has had any effect, at all. A regulation promulgated to accomplish something that is not measured does not meet the standard of any reasonable statistical methodology of determining success or failure. Therefore, without measurement, the Permit program is a *de facto* failure and a useless and unnecessary expenditure of Asotin County resources.

Given that the Snake River's headwaters begin in Yellowstone National Park and the river travels approximately six hundred miles before passing Asotin County, it is unlikely that ANY sampling would indicate the presence of pollution specifically from stormwater runoff emanating from Asotin County.

As noted above, no water-quality sampling has been done, nor has any been planned, to establish baseline water-quality information for Asotin Creek and the Snake River. Although said sampling has not been required by Ecology, this is partly based on the fears by Permittees of potential lawsuits by predatory third-party environmental organizations, who make a point of hassling communities over the minutiae of such issues until they get a settlement whether or not there is actually a pollution problem. I've got to talk to you a little bit about Asotin County – there are 22,000 people in the whole county. Spread 'em out, that's 65 people per square mile. As it turns out, 7000 of them are in Clarkston. 1200 of them are in the city. So, and that's the only reason we're included at all. And yet, we set, and actually had an ordinance written in which they mentioned the potential fines if we don't do what Ecology is asking us to do. They've written the ordinance and passed it. And, when challenged, commissioners say the biggest fear is being sued by third part environmental organizations. Hope you're not one of

'em. But, the ones who have recently done some suing in our area were sitting here earlier. If we're in a situation where our small populated counties have to live in fear of being sued because they don't comply with a permit – and yet we can't actually find any pollution, I don't know where its gonna go from here, guys, I really don't. It doesn't make any sense. We're spending almost two million dollars a year to do stormwater control for 22000 people. We're getting half of our funding from you guys, and you're broke. You just don't know it, you're broke. Thank you

Thank you. Anybody else? You want to come?

My name is Tom Sattler. Asotin County. I'm referring to the Easter Washington Permit. As has been mentioned earlier, Asotin County is entirely different than a lot of the counties in the state, eastern and western. Asotin county's actual elevation is about 750 feet. We have a rainfall of 12" or less. We are basically an arid area. We do not have discharge into the rivers. We are on a lake. We are considered a slackwater lake behind Lower Granite Dam. The amount of pollution that you can find in those rivers related to stormwater would be zero. I really feel that the EPA and the DOE have caused a grave injustice to our communities. We have three permitted entities in our county. Being included with the Lewiston Idaho and Nez-Perce County because of the Census Bureau, I feel is a grave injustice to us. I really feel that the DOE and the EPA need to reconsider the area of Asotin County when they're doing their permits and as was mentioned earlier by Commissioner Shin, I really feel that we should have our own comment periods and have our own specific meetings to Asotin County to gather information to use on these permits. Thank you.

Thank you. OK.

Thank you for your testimony, everybody. For copies of the Draft Phase II permit and more information on how to comment, or about the workshops and public hearings, see the information on the back of the table. And, I just want to point out information on How To Comment Period is in the fact sheet where it says Stormwater Comment Period. The other one is just about the permit – that is not about the comment period. It'll tell you where to submit the comments. So, that's the one you want. If you would like to email or send written comments, they must be postmarked no later than 5 PM, February 3rd, 2012. You may email comments to SWPermitComments@ecy.wa.gov. You may also mail comments to the Municipal Permit Pommments, Washington Department of Ecology, Water Quality Program, PO Box 47696, Olympia, WA 98504-7696. These addresses again are also on the fact sheet on how-to Comment Period at the back of the room. Additional workshops with hearings will be held January 9th at the Department of Ecology in Lacey; January 10th at the School for the Blind – Fries Auditorium in Vancouver; January 17th at the Skagit Transit Station in Mount Vernon; January 24th at the Renton Community Center in Renton. Two

workshops will also be held December 12th, 2011 in WallaWalla and January 19th, 2012 in Poulsbo. Please note that Ecology will not be accepting oral testimony during the two workshops in WallaWalla and Poulsbo. Addresses and times for the workshops and hearings are listed in the Focus Sheet also on the back of the table in the back of the room.

All testimony received at this hearing, along with testimony from past and upcoming hearings, emails received by 5 pm on February 3rd, 2012 and hard copy comments postmarked by 5 pm on February 3rd, 2012 will be part of the official record for the Draft Permit. After the comment period, Ecology staff will review and incorporate the comments where appropriate and prepare a response. A written responsiveness summary will be an appendix to the final fact sheet for the permits and will also be posted online. If you submit a written comment or give public testimony at a hearing, you will receive a notice of issuance when Ecology issues the final permits. Ecology plans to issue the final permits in June 2012.

If we can be of further help, please don't hesitate to ask. We will be here breaking down the room for a little bit. If you have more questions, you can always contact Harriet Beale with Phase II permits and Carrie Graul with Phase 1 Permits. And, that information is also on the Comment Period Fact Sheet in the back of the room.

So, thank you for coming today. I appreciate your cooperation and courtesy. And, we were going to keep the hearing open 'til 1 pm, which is the advertised closing time, so, you're all free to go or you can hang around and wait 'til 1 o'clock.

So, it is now 1 pm. No additional people have come into the room and would like to testify on the Draft Phase I and II Municipal Stormwater Permits. So, let the record show this hearing is adjourned at 1 pm on December 6, 2011.