

February 6, 2012

Mr. Bill Moore
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

RE: Puyallup Tribe of Indians' Request for Consultation Regarding the Phase I and Phase II Municipal Stormwater Permits and Stormwater Management Manual

Thank you for the opportunity to comment on the proposed revisions to the Phase I and Phase II Municipal Stormwater Permits and Stormwater Management Manual. We recognize the incredible effort that Ecology has put into the development of these permits as well as the extensive public process that has occurred to afford parties meaningful opportunities to improve the management of stormwater in the State of Washington. As you know, the Puyallup Tribe owns the bed and banks of the lower 7 miles within the exterior boundaries of the Reservation and has regulated water quality within this reach since 1994.

The Reservation reach of the Puyallup River is situated at the end of a highly urbanized river and watershed. There are over 800,000 people in Pierce County alone. Yet, the county is only one of 17 jurisdictions that we work with on a daily basis to ensure the protections of the Tribe's treaty-reserved resources. We know more now than we have ever known about the extent of degradation of the basin's waters, yet over 60 miles of the basin's rivers and streams continue to be impaired for one or more pollutants. We have seen an increase of impervious surfaces of over 47% (1986-2006) in the basin, and with it, significant changes in the magnitude, duration and timing of flows, and profound changes to channel-forming processes. We have continued to work with you in good faith in the development and implementation of TMDLs, yet without substantial improvements in the management of stormwater, both in terms of the quantity and quality of stormwater discharged through piped conveyances, salmon populations will continue to decline. This is unacceptable in light of the fact that there are currently 3 endangered species of salmon and bull trout in the Puyallup River watershed.

We have worked with you almost 20 years in regulating water quality in the basin yet there has been very little progress in improving water quality throughout the basin. Making substantial improvements in water quality will necessitate changing the management approaches of stormwater, both in terms of quantity and quality. The extensive work completed on the toxics investigation bears this assertion out. We not only know that

polluted stormwater runoff is the leading pollution threat the rivers of Puget Sound, but we know the quantities of pollutants, pathways, fate and transport, and impacts associated with this pollution. It is time to act.

Specifically, we request consultation on this matter prior to the agency moving forward with the aforementioned permits and management manual. We believe the flow control standard, absence of monitoring in receiving waters, and reliance on LID measures are insufficient to adequately protect the Tribe's treaty fisheries as well as on and off-Reservation water resources.

You can reach me at 253.573.7850 to discuss this matter further. We look forward to working with you.

Sincerely,

Bill Sullivan

Bill Sullivan, Director
Natural Resources