

From: [Robert E. Rutkowski](#)
Cc: [SW Permit Comments](#)
Subject: Puget Sound Health Hinges on New Stormwater Plan/Current draft fails to deliver on green building solutions, contains developer loopholes
Date: Thursday, October 20, 2011 11:29:01 AM

To: Governor Chris Gregoire, E: <http://www.governor.wa.gov/contact/default.asp>

Re: Puget Sound Health Hinges on New Stormwater Plan/Current draft fails to deliver on green building solutions, contains developer loopholes

Dear Governor:

A new draft stormwater permit falls short of what's needed to reduce polluted rainwater runoff-what scientists call the biggest pollution threat to the health of Puget Sound.

Today the Washington State Department of Ecology issued its draft revisions of the stormwater permits for large and medium-sized cities.

This permit is our biggest chance to make real progress in the restoration of Puget Sound. Unfortunately, it fails to deliver on proven solutions to reduce toxic runoff.

The stormwater permit sets standards for using green infrastructure (or Low Impact Development) solutions for new development to prevent stormwater pollution coming from streets and paved development. It is the primary statewide regulatory tool to protect public waterways, including streams, lakes, rivers and marine waters from polluted runoff.

In 2008, a state hearings board issued a landmark decision requiring that cities and counties around Puget Sound take more aggressive steps to reduce polluted runoff.

It was the first time a hearings board anywhere in the country said that low-impact development techniques will be required.

A robust permit will establish Western Washington as a national leader in protecting water quality and building responsibly. But where Puget Sound needs vision and leadership, the state is offering only baby steps. We've got a real opportunity here to bring back the healthy Puget Sound most of us grew up with, we can't afford to squander it.

Urban and suburban areas are required to have a stormwater permit under the federal Clean Water Act, because their storm sewers discharge polluted runoff into creeks, lakes, rivers and Puget Sound. This runoff is now the single largest source of toxic pollution entering Puget Sound, and plays a major role in destroying salmon runs, closing shellfish beds and swimming beaches and contributing to sewage overflows.

Green infrastructure technologies are engineered solutions that slow down and filter polluted runoff by mimicking the filtration provided by natural systems. These techniques have been shown to stop pollution effectively, and at a lower cost than traditional stormwater infrastructure.

The state has been talking for a long time about how big this pollution problem is. Now is the chance to see some actual results I'd like to see developments adopt proven, commonsense building techniques, so we can clean up Puget Sound, reduce flooding risks, while at the same time supporting our green building industries. This version of the permit doesn't get us there.

We know that when they're well-designed, LID strategies work. They slow runoff and improve the quality of water entering receiving bodies like Puget Sound. They also can provide beautiful amenities

that increase property resale values.

One area of concern is the lack of clear parameters that would prevent a developer from paving over existing green space entirely. The coalition of advocates seeks a balanced ratio of green space to pavement, to prevent excessive polluted runoff from sites that impairs the health of public waterways. This fix would allow development to proceed while preserving effective natural filtration capabilities onsite.

Another opportunity for improvement is to minimize the amount of loopholes that allow developers to continue to use conventional polluting technologies when greener alternatives are available. For example, the new permit drafts allow multiple exemptions from green infrastructure requirements, making it easy for developers to opt out of needed clean water solutions.

The Department of Ecology has worked for more than two years with science and policy advisory groups on the municipal stormwater permit redrafting and issuing. People for Puget Sound and Puget Soundkeeper Alliance participated in those advisory groups.

The state has acknowledged that polluted runoff remains the single largest source of toxic pollution for Puget Sound and set a goal for cleaning up Puget Sound by 2020.

Thank you for the opportunity to bring these remarks to your attention.

Yours sincerely,
Robert E. Rutkowski

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