

City of
Bellevue



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December 9, 2011

Mr. Ted Sturdevant, Director
Washington State Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Subject: Bellevue's Request to Revise the Permit Dates and Conduct Separate Public Review Processes for Drafts of the New Western Washington NPDES Phase II Municipal Stormwater Permit and New 2012 Ecology Stormwater Management Manual

Dear Mr. Sturdevant,

The City of Bellevue appreciates the significant challenges Ecology faces in developing the draft new Phase II NPDES municipal stormwater permits and the 2012 Ecology Stormwater Management Manual for Western Washington.

As an interim measure, we believe that Ecology should reissue the current permit for a longer period of time and modify the effective date of the new Permit to early 2015. This is consistent with the approach that was taken with the initial Phase I permits, where the first permit was in effect for 12 years while Ecology worked with stakeholders to develop the second permit.

This approach would allow:

- Adequate time for Ecology to continue working on the draft Permit and Manual and allow Phase II permittees to continue investments in the current permit given that full implementation of the existing permit was just achieved in August 2011 and the economic outlook has not improved;
- Separate, consecutive public processes on the draft Manual and draft Permit consistent with what state law requires for rulemaking under the Administrative Procedures Act; and
- Sufficient time for Ecology to finalize and permittees to review documentation and analyses necessary to understand the impact of the new permit conditions.

We previously conveyed some of these public review process issues in a June 16, 2011 comment letter on the informal preliminary draft permit language. We urge you to revise the permit dates and conduct separate public review processes on the draft Permit and Manual.

We welcome the opportunity to discuss these issues and solutions with you as soon as possible.

Sincerely,

Nav Otal, Director
Bellevue Utilities

cc: Kelly Susewind; Bill Moore; Coalition of Phase II Municipalities; Phase I & II Permit Coordinators