

Phase II Coalition Revised Issues Nos. 2 and 3

2. Whether Special Condition S5.C.4 of the 2013-18 Phase II NPDES Municipal Stormwater Permit for Western Washington (the “Permit”), and references in those conditions to Appendix 1 and the 2012 Stormwater Management Manual for Western Washington (“the Manual”) contain requirements that are unlawful, unjust, unreasonable, and/or impracticable for one or more of the following reasons:

- a. Said provisions interfere or conflict with land use planning, the Growth Management Act (chapter 36.70A RCW), vesting, and/or other governmental functions;
- b. Said provisions impose burdensome and unreasonable new requirements;
- c. Said provisions adversely affect the economic health of Coalition members and their communities; and/or
- d. Said provisions impose economic burdens on Coalition members to an extent that renders the provisions impracticable and unreasonable.

3. Whether Low Impact Development (“LID”) provisions contained in Conditions S5, S5.C.1, S5.C.2, S5.C.3, S5.C.4, and/or S5.C.5 of the Permit, Appendix 1, the Manual, and/or documents referenced by or incorporated into the Permit, Appendix 1 and/or the Manual, are unlawful, unjust, unreasonable, and/or impracticable for one or more of the following reasons:

- a. The provisions interfere and/or conflict with land use planning, the Growth Management Act (chapter 36.70A RCW), vesting and/or other governmental functions;
- b. Said provisions impose burdensome and unreasonable new requirements;
- c. Said provisions rely on unproven technologies with potentially unintended consequences;
- d. Said provisions adversely affect the economic health of Coalition members and their communities; and/or
- e. Said provisions impose economic burdens on Coalition members to an extent that renders the provisions impracticable and unreasonable.