



June 6, 2016

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

Protecting and  
Preserving  
Puget Sound

**RE: Phase I Municipal Stormwater Permit Modification**

To Whom It May Concern;

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Puget Soundkeeper Alliance (Soundkeeper) is concerned by the lack of specificity in the proposed modifications to Appendix 10 of the Phase I Municipal Stormwater Permit. The proposed Part 2 lists each Phase I jurisdiction and states that the jurisdiction “is meeting relevant permit requirements.” The proposed language is unnecessarily vague and should instead state that each jurisdiction “is meeting the requirements of Special Conditions S5.C.5.a.i and S5.C.5.a.ii.”

[www.pugetsoundkeeper.org](http://www.pugetsoundkeeper.org)

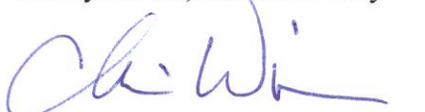
According to the *Fact Sheet for the 2016 Modification to the Phase I Municipal Stormwater Permit*, the intent of the proposed modification is to show that Ecology has determined that programs adopted by the municipalities meet permit requirements S5.C.5.a.i and S5.C.5.a.ii. The language in the permit itself should also make clear that Ecology has determined the programs adopted by each municipality meet the requirements of S5.C.5.a.i and S5.C.5.a.ii.

Precise language is necessary to ensure compliance with discharge permits and to protect water quality. Many permittees misunderstand the differences between their obligations under S5.C.5.a and S5.C.5.b of the Phase I permit. To avoid further misunderstandings, Appendix 10 should specify that the programs the municipalities have adopted are equivalent to Ecology’s *2012 Stormwater Management Manual for Western Washington* and satisfy only their obligations under S5.C.5.a.i and S5.C.5.a.ii. Soundkeeper urges Ecology to revise the proposed language in Appendix 10 to improve compliance with permit obligations and to protect water quality.

Sincerely,

  
Kimberly Wells, Legal Fellow

  
Katelyn Kinn, Staff Attorney

  
Chris Wilke, Executive Director