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ASSOCIATION OF WASHINGTON CITIES

Washington State Association of Counties

Mr. Jay Manning, Director
Washington State Department of Ecology (DOE)
P.O. Box 47600
Olympia, WA 98504-7600

Department of Ecology
Water Quality Program
AUG 18 2005

RE: NPDES Phase II Stormwater Permit – monitoring proposal

Dear Mr. Manning;

As indicated in our letter to you on July 19, 2005, interested Phase II jurisdictions have come together to develop monitoring counter proposal to the language currently in the preliminary draft Phase II NPDES permit.

We would like to reinforce our position that Phase II jurisdictions respect the need to improve stormwater runoff water quality to protect aquatic resources and that Phase II cities and counties support the Phase II permit program and the six mandatory minimum guidelines as established by the Environmental Protection Agency (EPA) with the additional two program guidelines established by DOE.

Further, Phase II communities understand DOE's desire to have quality information to determine whether the programs are being fully implemented and are effective in protecting our states water resources. We support DOE's interest in identifying opportunities for improving stormwater management programs.

Many Phase II jurisdictions have stated concerns about the monitoring program as outlined in section S6 of the draft permit. It is their belief based on many years of experience as well as the Phase I efforts that the current Phase II permit monitoring proposal:

- will not provide an accurate reflection of the influences of stormwater management plans on water quality due to other pollutant sources that are not within the control of the stormwater management program.
- will not provide meaningful data for adaptively managing stormwater programs for continual improvement.
- will be inordinately expensive with little return.
- will duplicate other monitoring efforts at the regional and state levels.
- will not be implemented in a manner that will provide coordinated local, regional, and state level information.

The current monitoring program focuses on water quality and beneficial uses. In July, 2001, the State Legislature enacted Substitute Senate Bill 5637 relating to watershed health monitoring and assessment. The legislature recognized that many programs were attempting to monitor various aspects of watershed health. The bill was supposed to refocus existing agency

monitoring activities to "implement a comprehensive watershed health monitoring program," albeit with a focus on salmon recovery.

The framework for this watershed based, state level monitoring program was recently funded by the Salmon Recovery Funding Board and assigned to DOE and Washington Department of Fisheries to implement the structure. Although focused on salmon recovery, the program objectives are to "be based on a framework of greater coordination of existing monitoring activities; require monitoring most relevant to adopted local, state, and federal watershed health objectives; and facilitate the exchange of monitoring information with agencies and organizations carrying out watershed health, salmon recovery, and water resources management planning and programs." Phase II jurisdictions feel that the current permit monitoring proposal would be duplicative of this effort.

The Phase II jurisdictions we have been working with have developed a proposal that they believe would provide data on implementation effectiveness and information resulting in improvements to local stormwater management programs. The proposed program could be implemented by all Phase II jurisdictions, regardless of their resource levels or experience with stormwater management programs.

We believe the attached monitoring proposal is better aligned with the nature of the NPDES stormwater permit which is BMP focused, rather than establishing specific water quality outcomes for each jurisdiction's permit. Stormwater runoff water quality is highly variable and urban streams collect non-point pollution from a variety of sources, not just public stormwater systems. This makes quantifying cause and effect relationships difficult at best, impossible typically.

Rather than conducting yet more water quality studies, it would seem prudent to spend limited resources on the right kind of monitoring that actually reduces pollutants entering our streams, lakes, and marine resources. The attached proposal attempts to do just that.

Once again, we would like to express our appreciation for Ecology's work to date on this important issue.

Sincerely,

Dave Williams
Staff Associate
Association of Washington Cities

cc: Bill Moore, Department of Ecology