

**Deschutes River, Capitol Lake, and Budd Inlet
TMDL Advisory Group Meeting**
Thursday, May 26, 2011 -- 9:10 a.m. to 11:55 a.m.
Tumwater Fire Department, 300 Israel Rd. SW, Tumwater

Attendees

Citizen

- Gary Larson

Deschutes Estuary Restoration Team (DERT)

- Cliff Mitchell

Ecology, WA State Dept. of

- Lisa Cox
- Lydia Wagner

LOTT Clean Water Alliance

- Karla Fowler

Olympia, City of

- Laura Keehan

Olympia Yacht Club

- Jim Lengenfelder

Pioneer Technologies (*for the Port of Olympia*)

- Troy Bussey

Thurston County Environmental Health

- Sue Davis

Thurston County Water Resources

- Jim Bachmeier

Thurston Public Utilities District

- Paul Pickett

Transportation, WA State Dept. of

- Jana Ratcliff

Tumwater, City of

- Dan Smith

Updates

Ecology and the EPA are having discussions related to the TMDL timeline and target submittal date. Ecology intends to provide an update and draft timeline at the June meeting.

Stormwater Discussion:

What is stormwater? It is rainwater running off surfaces such as rooftops, paved streets, highways, and parking lots. As the stormwater runs off these surfaces, it picks up pollution such as oil, fertilizers, pesticides, pet waste, and trash. It then carries this pollution into waters of the state (lakes, streams, rivers, and bays).

- **Nonpoint source:** Pollutants coming from a diffuse (nonpoint) source such as general urban, rural, or farm runoff.
- **Point source:** Pollutants coming from a discrete (point) source such as a municipal or industrial facility's discharge pipe. These sources may be required to have a National Pollutant Discharge Elimination System (NPDES) permit.

There was considerable discussion surrounding Ecology's draft permit language regarding low impact development (LID) and monitoring requirements for the reissuance of the 2012 Municipal Stormwater General Permits. Ecology is conducting an *informal* public comment period to get feedback on the proposed language from May 16 – June 17, 2011. They will use the comments and suggestions to improve the permit requirements. (*Update: Because this was an "informal" public*

comment period, Ecology is not preparing a Response to Comments. However, all comments received are posted online. The City of Olympia, Thurston County Water Resources Unit, WA State Department of Transportation, and the Puget Sound Partnership, among many others, provided comments. See link below.)

Ecology Stormwater website links:

- Stormwater Main Page: <http://www.ecy.wa.gov/programs/wq/stormwater/index.html>
- Phase II Western Washington Municipal Stormwater Permit: <http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseIIww/wwphiipermit.html>
- Stormwater General Permits Publications: <http://www.ecy.wa.gov/programs/wq/stormwater/permitfocussheets.html>
(Site includes information about the Municipal, Construction, and Industrial General Permits.)
- Low Impact Development and Monitoring Preliminary Draft Language Comments: <http://www.ecy.wa.gov/programs/wq/stormwater/municipal/LIDmonitorCOMMENTS/informalcomments.html>.

Nathaniel Jones, General Administration, provided to Lydia by e-mail, information about stormwater outfalls for Capitol Lake and the Deschutes River. This is available on the Deschutes TMDL Advisory Group website.

- CLAMP Management Objective #11 – Stormwater Strategy of 2005: <http://www.ecy.wa.gov/programs/wq/tmdl/deschutes/advgrp.html/052611-DeschutesAdvMtg-CLAMP-Mgmt-Obj11-SW-Strategy2005.pdf>
- Capitol Lake Stormwater Outfall Sites: <http://www.ecy.wa.gov/programs/wq/tmdl/deschutes/advgrp.html/052611-DeschutesAdvMtg-CapLk-SW-Outfall-SitesMap2003.pdf>
- Capitol Lake & Deschutes River – Stormwater Outfalls spreadsheet: <http://www.ecy.wa.gov/programs/wq/tmdl/deschutes/advgrp.html/052611-DeschutesAdvMtg-CapLk-SW-Outfalls2003.pdf>

Laura Keehan, City of Olympia, provided a brief overview of the City of Olympia program. (Eric Christenson is available to attend the June 23 meeting and provide more specifics.) Within Thurston County there are four municipalities. They are Lacey, Olympia, Tumwater, and Thurston County, and each has a NPDES Phase II Municipal Stormwater permit. There are two secondary permittees: the Capitol Campus and Port of Olympia. The WSDOT has a separate statewide municipal separate storm sewer systems (MS4) permit, covering both Phase 1 and 2 areas.

City of Olympia website links:

- Storm & Surface Water: <http://olympiawa.gov/en/city-utilities/storm-and-surface-water.aspx>
- Policies & Regulations – Storm & Surface Water Plan: <http://olympiawa.gov/city-utilities/storm-and-surface-water/policies-and-regulations/policies-and-regulations-storm-and-surface-water-plan.aspx>
- Maintenance: <http://olympiawa.gov/en/city-utilities/storm-and-surface-water/maintenance.aspx>

- Stormwater System Maintenance: <http://olympiawa.gov/city-utilities/storm-and-surface-water/Stormwater%20System%20Maintenance.aspx>
- Policies – Stormwater Permit Requirements: <http://olympiawa.gov/city-utilities/storm-and-surface-water/policies-and-regulations/policies-stormwater-permit-requirements.aspx>
- Policies – Western WA Municipal Stormwater Permit: <http://olympiawa.gov/city-utilities/storm-and-surface-water/policies-and-regulations/policies-western-wa-municipal-stormwater-permit.aspx>

Paul Pickett, Thurston Public Utilities District, mentioned a November 2010 memo from the EPA discussing stormwater. The memo addressed the issue that it is often difficult to identify the source of the stormwater discharge. It is often unclear where stormwater discharge is coming from. The EPA followed this memo by reissuing a public comment period earlier this year.

EPA website information about Revisions to the November 22, 2002 Memorandum “Establishing Total Maximum Daily Loads (TMDL) Wasteload Allocations (WLAs) for Storm Water Sources and NPDES Permit Requirements Based on Those WLAs”:

- November 12, 2010 Memo: http://www.epa.gov/npdes/pubs/establishingtmdlwla_revision.pdf
- EPA March 17, 2011 announcement: http://www.epa.gov/npdes/pubs/sw_tmdlwla_comments.pdf

Lisa Cox, Ecology, Municipal Stormwater Permit Manager, provided a brief overview of some of the municipal stormwater permit components. These include public education, public involvement, Illicit Discharge Detection and Elimination (IDDE), post construction stormwater treatment, construction stormwater treatment, and pollution prevention. Permits may specify particular best management practices (BMPs) in affected areas; require a pre/post assessment of the affected areas; mapping of all stormwater outfalls; or other measurable goals. They may also specify the need for local government to adopt ordinances to control construction sites.

While there is some overlap between Ecology and the local jurisdiction regarding enforcing the permit, the local jurisdiction has the lead responsibility. They are obliged to follow the permit requirements. Ecology inspectors can assist with specific issues and provide technical assistance.

Jim Bachmeier, Thurston County Water Resources, provided an overview of the county program. They expect to complete a stormwater outfall inventory within their jurisdiction in 2011. They may not be able to inventory every pipe going into the Deschutes River basin.

The inventory will be linked to an Asset Management System, which is a useful tool to look at flow-related activities. Benefits of this system include providing information on drainage flow, direction, and contributing areas for the infrastructure; annual inspection program; facility identification including those needing maintenance, cleaning, or corrective actions. Other jurisdictions have used a similar program. Eventually it can help identify and track retrofits and repairs.

Retrofits: The County can use this data to evaluate if retrofits are feasible and how to plan for such projects. They have jurisdiction within the public right-of-way and many retrofits will need additional

space and property. It takes years to develop a retrofit program and will need to identify a priority pollutant action to target. Funding this program is challenging and difficult. Many competitive grants require a “readiness to proceed” meaning the applicant must have design plans already developed. Most Phase 2 jurisdictions do not have the resources available to prepare these designs and have them sit on a shelf until a grant opportunity is available.

With the issuance of their municipal permit in 2007, the Thurston County Board of County Commissioners created the Thurston County Storm and Surface Water Utility. One of the responsibilities of the Advisory Board is to review stormwater policies and make recommendations to the Commissioners. The Storm and Surface Water Utility is responsible for the public infrastructure and regulates maintenance and compliance. They do not regulate water quality. Homeowners Associations (HOAs) or private entities are responsible for their stormwater facilities. This includes inspections, maintenance, and reporting.

The County has a new commercial site inspection program that is modeled after the residential program. Commercial sites often have facilities predating the drainage manual. There is currently no ordinance in place forcing property owners to maintain their facilities. The County has limited authority to stop discharge at certain points. The Board of County Commissioners is looking into a mandatory maintenance ordinance.

Thurston County website links:

- Water Resources Program: <http://www.co.thurston.wa.us/stormwater/>
- Storm and Surface Water Utility: <http://www.co.thurston.wa.us/stormwater/utility/utility-home.htm>
- Environmental Monitoring Program: <http://www.co.thurston.wa.us/monitoring/>
- Stormwater Capitol Facilities Projects: <http://www.co.thurston.wa.us/stormwater/utility/utility-caprojects.html>
- Maintaining Neighborhood Stormwater Facilities: <http://www.co.thurston.wa.us/stormwater/facilities/facilities-home.html>
- NPDES Phase II 2011 Stormwater Management Program Plan: <http://www.co.thurston.wa.us/stormwater/utility/docs/npdes-plan.pdf>

Jana Ratcliff, WA State Department of Transportation (WSDOT), provided an overview and responded to questions about their municipal stormwater permit. The WSDOT stormwater permit was issued early 2009 and covers Phase 1 & 2 areas. There are nine TMDLs in the original permit. Each has separate parameters of concern and has identified the WSDOT as a key contributor. They were assigned wasteload allocations (WLAs) and implementation actions. A new requirement was to add EPA approved TMDLs into the WSDOT permit every 18 months. Ecology modifies the permit to reflect the TMDLs which EPA approved during this timeframe. Compliance with action items presumes compliance with the TMDLs.

The WSDOT has multiple discharge locations. They have concerns because national data is often used to assign a wasteload allocation (WLA) to their permit. Ecology shouldn't take a national value and apply it to their permit. Fecal coliform bacteria is often coming from local land use but is discharged into the WSDOT stormwater conveyances. They have to monitor for the overall municipal

permit but not the TMDL. The WSDOT will complete the implementation actions within the assigned timelines. Ecology will verify the effectiveness of those actions during the effectiveness monitoring phase of the TMDLs.

The WSDOT would like to see data supporting a WLA before it is incorporated in a TMDL. The data would provide a clear indication a WSDOT conveyance (for example, an outfall discharging into Woodland Creek) is the source of the pollutant. If there is no data, the WSDOT prefers Ecology include specific actions (best management practices) into their TMDLs. The WSDOT is willing to address the problems clearly associated with systems under their control.

The WSDOT has a Highway Runoff Manual (HRM) used to help design stormwater systems for transportation projects. The BMPs included to treat stormwater are more specific to linear highways. They also have a stormwater retrofit program. They are currently working on inventorying over 20,000 outfalls statewide. The information they are gathering will help them prioritize sections of roadways needing repair.

They are approaching the prioritization through multiple phases. Their permit dictates they fix all the high priority locations. If they completed these by the end of permit cycle, they move to the moderate priority locations. Part of their focus is identifying where actual improvements can help impaired waterbodies.

WSDOT website links:

- WSDOT Municipal Stormwater NPDES General Permit:
<http://www.ecy.wa.gov/programs/wg/stormwater/municipal/wsdot.html>
- WSDOT Highway Runoff Manual: <http://www.wsdot.wa.gov/Publications/Manuals/M31-16.htm>
- WSDOT Illicit Discharge Detection and Elimination:
<http://www.wsdot.wa.gov/Environment/WaterQuality/default.htm#IllicitDischarge>
- WSDOT Stormwater and Watersheds Program website:
<http://www.wsdot.wa.gov/Environment/WaterQuality/default.htm#Facilities>

Other questions and comments:

- *How many NPDES permits are in the Deschutes watershed?*
- *How do TMDLs affect permits?*
- *When Ecology issues a general Municipal Stormwater General Permit after EPA approves a TMDL, are the TMDL implementation actions items incorporated into the permit?*
- *How do we integrate all five parameters? We need to remember they interact and one will influence another. Consider the cost-benefit of intended, unintended, and beneficial consequences. As an example, the Thurston Public Utility District looks at water supply and this TMDL could affect that supply.*
- *The TMDL needs to identify regulatory boundaries for implementation actions. How will the TMDL address the different jurisdictions (county and city boundaries)? What about areas that are outside those boundaries? Who is responsible? For example, what is Thurston County responsible for outside the regulated boundary?*

- Technical Report, Page 185, “Deschutes River Watershed Wasteload Targets”, first paragraph, states, “However, nutrient levels will be revisited in a subsequent report that establishes load and wasteload allocations for Capitol Lake and Budd Inlet.” *What is the status of this effort?*
- Technical Report – *Will the draft study provide more analysis before Ecology finalizes it? Will the tables listing percent reductions required stay as written?* During the non-growing seasons there are no reductions assigned to the Deschutes River itself. It does not appear there is enough quantitative data in the study to control stormwater.

Open Comment: None

Next meeting

Date: Thursday, June 23, 2011
Time: 9:00 a.m. – 12 noon
Place: Tumwater Fire Department, 311 Israel Rd. SW, Tumwater
Agenda: Stormwater issues and TMDL draft timeline