



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

JUN 19 2012

OFFICE OF
WATER AND WATERSHEDS

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Marty Garman
HOV Design Engineer Manager
Tacoma Pierce County HOV Office
Washington State Department of Transportation
724 Quince Street Southwest, Suite 206
P.O. Box 47376
Olympia, Washington 98504

RE: Request for Permit Application under the NPDES Program for Storm Water Discharges to the Portion of the Puyallup River Subject to Federal and Tribal Jurisdiction

Dear Mr. Garman:

During a meeting on February 8, 2012, between representatives of the Washington State Department of Transportation (WSDOT) Tacoma/Pierce County High Occupancy Vehicle (HOV) Office, the U.S. Environmental Protection Agency (EPA) and the Puyallup Tribe, the WSDOT outlined its plan to construct and operate a new outfall that will discharge storm water to the portion of the Puyallup River which is subject to Federal and Tribal jurisdiction. Specifically, the WSDOT identified the future outfall as being necessary to drain the new northbound portion of the Tacoma/Pierce County HOV lanes of Interstate 5 between Portland Avenue and the Port of Tacoma.

During this discussion, the EPA staff confirmed that, in cooperation with the Puyallup Tribe, the EPA must issue a permit under the National Pollutant Discharge Elimination System (NPDES) permit program to authorize discharges from the new outfall into the portion of the Puyallup River which is subject to the Puyallup Tribe's water quality standards.

We have reviewed the maps and outfall inventory information provided to our office by the WSDOT on April 24, 2012, which depicts both future and existing WSDOT storm water outfalls within the Puyallup Tribe's boundary. We find that all outfalls listed in the table below comprise the portion of the WSDOT's municipal separate storm sewer system (MS4) discharging to waters subject to Tribal and Federal jurisdiction, and require discharge authorization under an EPA-issued NPDES permit:

Outfall Reference ID	Waterbody	Reference Maps/Documentation
2, 3, 5, 6,	Puyallup River	See: <i>Stormwater Discharges at Puyallup Reservation</i> , tsj:\2012projects\stormwater_victoriab\dischargepts.mxd; <i>WSDOT Stormwater Discharge along SR 167</i> Dated 4/2012.
4	Unknown	
9, 10, 11, 12	Unknown via another operator's MS4	
"New Outfall"	Puyallup River	See: <i>Existing- Drainage Basins 1-5: Portland Avenue to Port of Tacoma Rd Exhibit A</i> (Last Revised April 17, 2012); and <i>New-Drainage Basins 1-5: Portland Avenue to Port of Tacoma Rd Exhibit B</i> (Last Revised April 17, 2012)

Therefore, pursuant to the NPDES permit application requirements for “large” and “medium” MS4 discharges at 40 CFR §122.26(d), we request that the WSDOT submit a MS4 permit application for these outfalls to our office no later than 180 days from the receipt date of this letter.

Because these regulations required a two-part application to be submitted by a date which has passed, EPA now uses its discretion (with the concurrence of the Puyallup Tribe) to modify and consolidate the required MS4 permit application information found in 40 CFR 122.26(d)(1) and (2), as reflected in the document enclosed with this letter. The EPA recognizes that the WSDOT may include references and materials reflecting its current statewide storm water management program as part of this MS4 permit application.

Please send the MS4 permit application to my attention at the EPA address above no later than 180 days from the receipt of this letter. We request that a copy of the complete application package also be sent directly to the Puyallup Tribe of Indians at the following address:

Puyallup Tribe of Indians
Natural Resources Department
3009 East Portland Avenue
Tacoma, WA 98404

c/o Char Naylor, Water Quality Manager

If you have questions about this MS4 application process, please contact Misha Vakoc of my staff at (206) 553-6650, or vakoc.misha@epa.gov.

Sincerely,



Michael Lidgard, Manager
NPDES Permits Unit

Enclosures

cc: Ken Stone, WSDOT – Headquarters
Larry Schaffner, WSDOT – Headquarters
Carrie Berry, WSDOT - Tacoma/Pierce County HOV Office
Bill Sullivan, Puyallup Tribe
Char Naylor, Puyallup Tribe

Stormwater Discharges at Puyallup Reservation

- (Discharge Points to Streams/ River
- (Discharge Points to Municipality
- Puyallup Reservation
- Existing McKinley Offsite Flow Area/Basin
- Ultimately Drains to Cleveland Way Pump Station Outfall
- Existing Puyallup Drainage Basin
- Ultimately Drains to Cleveland Way Pump Station Outfall
- Existing Erdahl Drainage
- Ultimately Drains to 48" Culvert and Erdahl Ditch
- State Routes (1:24k, increasing)
- Railroads

Vicinity Map

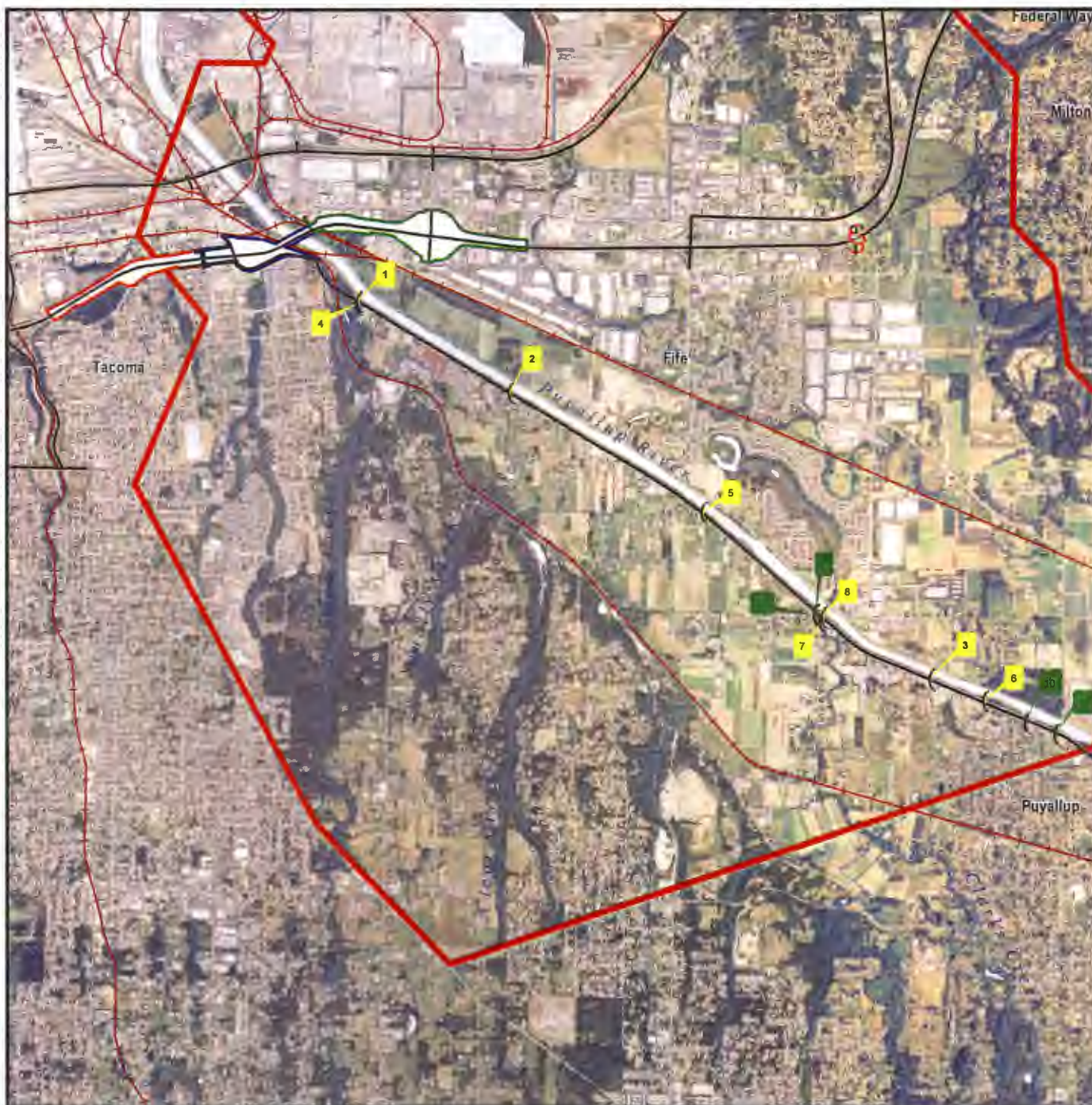


Data Source: Discharge Points, State Routes, and Railroads from WSDOT; Puyallup Reservation from Census Bureau.

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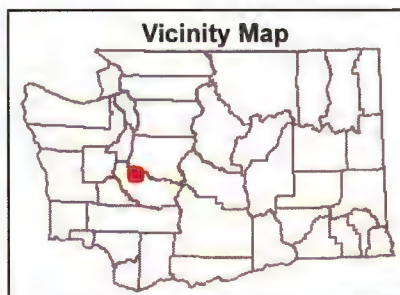


**Washington State
Department of Transportation**



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Data Source: Discharge Points, State Routes, and Railroads from WSDOT; Puyallup Reservation from Census Bureau.

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WSDOT Stormwater Discharge along SR 167

4/2012

Ref ID	To Description	Open/ Close	To Open Channel	From Description	Pipe size	Field Notes	Surface Water	Discharge	Year collected
1	Stream/River	Open	N/A	Pipe-Metal	12	OUTFALL FROM CB SERIES TO CLEAR CREEK - PIPE OUTLET NOT FOUND	Swam Creek	Surface Water	2009
2	Stream/River	Open	N/A	Pipe-Metal	12	CB CULVERT TO OUTFALL PIPE SIZE FROM CB	Puyallup River	Surface Water	2009
3	Stream/River	Open	N/A	Pipe-Concrete	24	CB SERIES OUTFALLING TO CREEK - OUTFALL NOT LOCATED	Puyallup River	Surface Water	2012
4	Other (Add Note)	Open		Pipe - Metal	12	cb to pipe to low wet area		Surface Water	2012
5	Stream/River			Pipe - Concrete	8	cb system to river	puyallup river	Surface Water	2012
6	Stream/River	Closed		Pipe - Other (Note)	0	unknown size and material	puyallup river	Surface Water	2012
7	Stream/River	Open	N/A	Ditch - Vegetated	0	cb to to clarks creek	clarks creek	Surface Water	2012
8	Stream/River	Open		Curb - Asphalt	0	from curb to slope to river	clarks creek	Surface Water	2012
9	Municipality	Open	N/A	Curb-Asphalt	0	SHEETFLOW FROM RD CONVEYED OFFSITE ONTO ROAD - NO CURB		Other Managed System	2009
10	Municipality	Closed	CatchBasin- Pipe	Pipe-Other (Note)	12	CB SERIES TO MS4		Other Managed System	2009
11	Municipality	Closed	CatchBasin- Pipe	Pipe-Other (Note)	12	CB SERIES TO MS4		Other Managed System	2009
12	Municipality	Closed	N/A	Curb - Asphalt	0	curb from wsdot to pierce county	N/A	Other Managed System	2012



EXISTING - DRAINAGE BASINS

I-5: Portland Ave to Port of Tacoma Rd

Exhibit A



Legend

- Existing McKinley Offsite Flow Area / Basin - Ultimately Drains to Cleveland Way Pump Station Outfall
- Existing Puyallup Drainage Basin - Ultimately Drains to Cleveland Way Pump Station Outfall
- Existing Erdahl Drainage Basin - Ultimately Drains to 48" Culvert and Erdahl Ditch



Washington State
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TACOMA / PIERCE COUNTY HOV PROGRAM

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Last Revised: April 17, 2012 Created By: Stephanie Williams



NEW - DRAINAGE BASINS

I-5: Portland Ave to Port of Tacoma Rd

Exhibit B



Legend

- New McKinley Offsite Flow Area / Basin - Ultimately Drains to NB Pump Station and Outfall
- New Puyallup Drainage Basin - Ultimately Drains to NB Pump Station and Outfall
- New Erdahl Drainage Basin - Ultimately Drains to 48" Culvert and Erdahl Ditch