



July 17, 2012

The Honorable Doug Domenech
Secretary of Natural Resources
Patrick Henry Building
1111 East Broad Street
Richmond, Virginia 23219

Dear Secretary Domenech:

The undersigned organizations are members of the Stormwater Workgroup of the Choose Clean Water Coalition, and we urge you to ensure the timely development of strong Municipal Separate Storm Sewer System (MS4) Permits in Virginia. We respectfully request that eleven Phase I MS4 permits be re-issued by December 31, 2012 and that the official Phase I permit template be made available no later than July 31, 2012.

Thank you for your leadership on the Chesapeake Bay cleanup, particularly the development of Virginia's Phase II Watershed Implementation Plan. Virginia continues to move forward in identifying the steps that are necessary in achieving the required pollution reductions.

In Virginia, pollution from wastewater discharges and agriculture has declined over the past twenty years, but urban stormwater pollution is increasing – now accounting for over 15 percent of the Commonwealth's nitrogen and phosphorus pollution to the Chesapeake Bay. We support efforts that you have taken to begin addressing the upward trend of urban stormwater pollution, such as adopting new stormwater management regulations and integrating the stormwater regulatory programs.

Moving forward, additional effort will be necessary to fulfill Virginia's commitments to water quality and safeguard its waterways for future generations. The Commonwealth must re-issue and strengthen MS4 permits to meet the critically important goals for the Chesapeake Bay cleanup. While the development of the Phase II MS4 General Permit has begun, we are disappointed that after a long delay, the Department of Conservation and Recreation has yet to propose a timeline for the development of the eleven long expired Phase I MS4 permits. These permits have been administratively continued since 2007 and contain language that dates back to 2002. This is of vital importance, as they cover the largest urban areas in the state.

These permits must be strengthened to include enforceable pollution limits, measurable outcomes and address the reductions called for in Virginia's Phase I and II Watershed Implementation Plans. Attached is a letter from the Coalition's Stormwater Workgroup reviewing each states' Phase II Watershed Implementation Plans and providing comments on their stormwater components to the U.S. Environmental Protection Agency. We trust that several of these points will be of use to Virginia in developing strong MS4 permits that protect the Commonwealth's resources.

We know you understand that the people of Virginia deserve fishable, swimmable and drinkable waters. Under Virginia law and the federal Clean Water Act, these MS4 permits are required to ensure that all permitted pollution discharges comply with the standards adopted by Virginia for protection of the state's waters.

We would like to request a meeting with you, before July 31, to discuss these issues. Please contact Peter Marx of the Coalition at peter@choosecleanwater.org or 443-759-3404 to discuss scheduling.

Thank you for your consideration and support.

Sincerely,

American Rivers
Audubon Naturalist Society
Chesapeake Bay Foundation
James River Association
National Wildlife Federation, Mid-Atlantic Regional Center
Natural Resources Defense Council
Potomac Conservancy
Rivanna Conservation Society
Shenandoah Riverkeeper
Southern Environmental Law Center
Virginia Conservation Network

Attachment

cc: Anthony Moore, Deputy Secretary of Natural Resources for Chesapeake Bay Restoration
David Johnson, Director, Virginia Department of Conservation and Recreation