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January 30, 2009

Mr. Gary Bailey
Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

Subject: Boatyard General Permit Modification Comments

Dear Mr. Bailey,

On behalf of the Port of Port Townsend Commission and our working water front, we are providing comments regarding Department of Ecology's Boatyard General Permit Modification.

First, know that we fully endorse the comments, dated December 16, 2008, provided to you by the Northwest Marine Trade Association. We especially want to draw attention to the fact the new benchmarks are being based on the 3 month test of new technologies, but only included three yards, and were not done during periods of heavy use. It is also our understanding that the vendor of the technology tested, will not guarantee the ability to meet the new benchmarks. In short, the proposed benchmarks are not well founded in science and still need a much more rigorous test before contemplating any changes.

The Port of Port Townsend has a long track record of working with Department of Ecology in trying to be an example of how to do it right. We even partnered recently with you, on creating a DVD on Best Management Practices for boatyard work. We have always strived to be good stewards of our environment. We are now at a point where we and our environmental consultants are not sure we could meet the new standards even with our best efforts.

Jefferson County, and particularly the Port Townsend community, are identified worldwide for its working waterfront. Our boatyard is our community's identity. If we are having difficulty meeting the current standards; what are the consequences of these new rules? In reviewing the proposed changes we could not find the associated Economic Impact Study. We also would like to see the comments from the Community, Trade and Economic Development Agency. Your Economic Impact Study must include

not just the current economic conditions nationwide, but the fact that there are small communities that have the largest employment sector tied to the local boatyard.

In our case, the Port of Port Townsend boatyard facilities support over 400 direct jobs and another 600 plus indirect jobs in the community. This does not count those marine trade businesses from around Puget Sound that come to use our facilities such as the Navy. We are the largest public boatyard in Puget Sound, and thereby attract vessels from Alaska to California. All total, the monetary output is over \$100 million. For a State-declared economically distressed county of only 28,000 people - this is a huge impact. All of the businesses represented in these numbers, are by state regulation, considered small businesses. Many are less than 10 employees.

A hallmark of good government is the principle of fairness. We assume Department of Ecology is applying the same intense scrutiny to all other storm water discharge entities, such as metropolitan areas. After all, boatyards account for only a very minute percentage of storm water in Puget Sound and similarly only a minute amount of the toxic materials we all are concerned about.

When one considers the combined concerns about the monthly sampling and associated expense, lack of good science based on year round testing, and no economic impact study - the new rules just are not ready for implementation. There needs to be more coordination with boatyard owners, operators and users. We are more than willing to discuss our concerns further. Please feel free to contact us directly at (360) 385-0656. Thank you for your time.

Sincerely,



Larry Crockett
Executive Director

cc: Governor Christine Gregoire
Senator Jim Hargrove
Representative Lynn Kessler
Representative Kevin Van de Wege
Karen Larkin, Assistant Director, CTED