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Sent: Tuesday, February 10, 2026 at 05:43:02 PM PST

Subject: No Need for a Moratorium

Council Members;

Attached is the 2024 Stormwater Management Manual for Western Washington which dictates stormwater management and NPDES permit requirements.

Please note that Volume I - Chapter 3 - - Page 129 states:

Competing Needs Criteria

LID BMPs can be superseded or restricted where they are in conflict with:

· *A local code or rule adopted as part of a Wellhead Protection Program established under the Federal Safe Drinking Water Act; or adopted to protect a Critical Aquifer Recharge Area established under the State Growth Management Act.*

Thus, it appears you DO NOT need to impose a Moratorium because of a perceived conflict with the City's NPDES Permit or stormwater requirements.

If there is some other state/federal regulatory or permit citation that states otherwise, Council should postpone consideration of this Moratorium until such time that the specific of that information is provided. The proposed study does nothing to address what is otherwise being raised as a permit conflict as the basis for a Moratorium.

The Critical Area Code, in and of itself, provides all the necessary processes to protect a critical area WHILE ALLOWING Development that does not impact the critical area - a Deer Creek CARA Moratorium is not warranted or necessary!!!