# Structural Stormwater Control

# Policy Advisory Committee

October 25, 2022

1:00-4:00 p.m.

## Meeting Notes

### Welcome – Jim Nelson (1:02)

#### Reviewed PAC Purpose, Ground Rules, & Meeting Agenda

* See Jim’s PPT for details.

### Review Survey Methodology & Results (1:10)

* See survey results summary documents, emailed to PAC on 10/24/2022.

#### The Process – Ingrid

We sorted the unorganized feedback into broad themes, then decided to send out a survey to the PAC to clarify what topics are most important for the PAC to focus with their remaining time, and to inform Ecology’s efforts going forward.

#### The Seven Priority Topics – Jim

Jim shared his screen to show the spreadsheet used to determine the seven highest priority topics according to PAC survey responses.

#### Phase II Question Results – Jenny

Jenny shared the “PAC Survey Summary\_Draft” document on screen. Document shared with PAC members on 10/24/2022.

##### Question 13

Shows fairly high level of polarization.

**Aaron Clark:** These results clearly indicate that we all agree this question is important, but there is significant disagreement among the committee about what to recommend/how to proceed.

* This may not be the best question to focus a lot of PAC discussion on. We may be able to document the existence of opposing views, confirm that this issue is important, and leave the work towards consensus for a future venue.

**Jenny:** I agree that we may not want to spend group time trying to reach agreement as a committee, but some discussion might be helpful. There are a lot of underlying assumptions to this question, and I find myself wanting more clarification, and wanting to know if ECY had already decided about the SSC Phase II requirement or not.

**Abbey:** We are putting out ideas about the SSC requirements, but we are really looking for feedback and have not reached a conclusion yet.

**Blair:** May be useful for us to think through the lens of what category these priorities fall in and package them from there. Do we package these “as is” and offer them to Ecology, or do we categorize these and work on “Method TBD” items before offering to Ecology?

**Peter:** We are all being required to do a SMAP right now, but we don’t know how this piece of the puzzle will shake out. Just throwing that out there as something to consider. These pieces are all connected and decisions about the SMAP are being made now.

##### Question 14

Fairly strong support for option 14A: “Same framework with modifications.”

**Jim:** There were a lot of “TBD” items in here and a fair amount of polarity. It may take a lot of work to achieve clarity on this question.

**Jenny:** If we remove the “should there be a Phase II requirement” piece from this discussion and assume it does get added, then we may be able to advance the discussion from there.

**Larry:** The responses to this question surprised me the most. The level of “TBD” in this question stood out to me.

**Bill:** Our reasoning for submitting TBD was that a lot of the questions required more information before we could express support or not. We thought that narrowing down the number of items we wanted more information about would allow us to focus our scope.

**Ingrid:** We only really had two Phase II’s responding to this. Their perspective may modify these results as well.

**Aaron:** There wasn’t a clarification about whether we would use the same system for Phase I and Phase II permittees. That clarification likely would have affected the results as well.

##### Question 15

There’s a lot of support that the approach to Phase II’s be scaled.

**Jim:** There’s conceptual agreement here, but this points back to questions 9 and 10, where there are a lot of details to be ironed out.

#### Phase I Question Results – Ingrid

##### Question 1

Most support for 1B, but there is a lot of difference of opinion on this question.

**Abbey:** It would be helpful to Ecology if the PAC could clearly identify what modifications they would want to see if 1B were pursued.

**Aaron:** I think it would be a good use of PAC time to hone what modifications we would like to see under a 1B approach. We may be able to identify some changes that would be good for everyone.

**Blair:** Agree with Aaron’s comment. As examples, some changes for how we report this, and how much modelling is required to report, may be beneficial to everyone.

**Larry:** For Phase II, this could become really important if we are looking at one framework for Phase I and Phase II. If we are looking at modifications that would apply to Phase I only, it might not be a priority for Phase II’s to participate in this discussion.

**Ingrid: Sounds like a subgroup to discuss whether this framework would apply to Phase II and what modifications we should make would be a valuable use of PAC time.**

##### Question 2

2A had strong support (NGOs did not support). The rest of the options did not have general support.

**Jenny:** The main concern/point for Phase II’s is that flexibility be maintained/increased. Let them decide what is most important for their jurisdiction and accomplish.

**Ingrid:** I think we’ve heard that flexibility is very important for Phase I’s too.

**Sean:** We support flexibility, but flexibility within a specified ecosystem of projects. It may not be one specific type of project, but it should be projects that directly lead to WQ improvements.

##### Question 5

A lot of overall interest for adding these values in general. 5A, 5E, and 5G seemed to have the most support.

**Jim:** A lot of “TBD” responses in this question as well. Is this worth the PAC’s effort to explore?

**Larry:** I think the multipliers become a lot more germane as the LOE requirements come into play. The multipliers could also be a way to overcome differences in individual jurisdictions. Roadway ADT, multiplier for land uses may be a good areas of focus. Let’s try to get proposals for the easy ones.

Economies of scale work against small projects, but they can be highly beneficial. No immediate solutions, but this is worth more thought.

**Aaron:** Yes, this feels like a fruitful area to dig into. Try to strike the balance of benefitting highly beneficial projects without making it too complicated. Focus on the ones with most agreement and few disagreements makes sense.

**Merita:** We do have some info already prepped for LID projects. Those may be projects that we want to get more points.

**Blair:** We should have accompanying white papers where members can contribute the details of their ideas for different topics/projects. Would this be helpful to Ecology? LID and AADT seem like ones that are ready for discussion, but they all seem worthy to discuss.

Showing the value of smaller projects is something that’s in the mind of King County when we suggested the value stacking approach as a measurement metric.

**Abbey:** Yes, getting more clarity and ideas on areas where there could be agreement on PAC members. Especially beneficial if these can be tied to changes PAC would like to see in the points system.

Not sure if it would be helpful to get a lot of new ideas that aren’t vetted by the PAC. It would be good to have generated ideas filtered through PAC in some way before being presented to Ecology.

**Ingrid:** Seems like LID, AADT, land use, bioretention in Duwamish, are all topics ready for discussion. Combination of full group and subgroup work seems like best approach.

Want to note that a lot of people were supportive of the value stacking idea.

### BREAK (1:18)

**Return at 2:24 PM**

### Review Survey Methodology & Results, Cont. (2:24)

#### Collaboration Question Results – Blair

##### Question 12

A lot of overall PAC agreement.

**Blair:** This question shows a combination of agreement and “TBD”. Seems like a good question for the PAC to spend more time on.

**Larry:** This relates to the thoughts/white paper I shared with the PAC on the risks associated with UGAs due to annexation concerns. It is worth considering models to facilitate regional collaboration on projects.

**Blair:** I agree that this is a worthwhile area to focus on. We could build on existing thought that has gone into this from other committees.

**PAC is interested in exploring this question further.**

#### Lower Priority Question Results – Ingrid

##### Question 3

Most support for 3D. Rest of the choices had little support.

**Jenny:** Some of these things seemed like potential overreaches of the permits. They might be worth pursuing, but don’t belong in this permit.

**Peter:** 3D seemed like a “catch all” for all the other options. If you can make an argument for why the project is an issue for your jurisdiction, then you should be able to get points for it.

**Bill:** Procedurally, this would be proposed as a permit mod if it was appealed, but not likely for the 2024 permit.

**Blair:** Caution that this discussion would run into a discussion on what “nexus with the MS4” means. This may be a difficult topic to cover.

**Ingrid:** Sounds like this is NOT a good topic for the PAC to pursue further at this time.

##### Question 4

PAC expressed mixed views.

**Jenny, Blair:** This is one to just hand to Ecology. No further work to do.

##### Question 6

Mixed support for various options.

**Blair:** We still need to settle how we are going to make changes to the point system in general.

**Jenny, Ingrid:** If we are not giving points for these, we need flexibility to incorporate these because they are important.

**To be reported “as is”. No more work to do with the question at this time.**

##### Question 7

Almost everyone responded with support. The goal is to simplify the scoring system.

**Blair:** If we are going to be adding additional multipliers as tweaks to the current system, value stacking serves as a consistent frame within which to make those tweaks.

**Not an area for the PAC to focus on at this time.**

##### Question 8

Pretty evenly split.

**Not an area for further PAC work at this time.**

##### Question 9

PAC expressed mixed views. No options had strong support.

**Peter:** Good to work on, but there isn’t enough time to work on these.

**Blair:** Perhaps the PAC’s role is to recommend that Ecology takes a role in commissioning a transparent study regarding how these measures might equitably implemented across jurisdictions.

**Bill:** Let’s fix what we have now, then look at new opportunities in the future.

**Not an area for additional PAC attention now.**

##### Question 10

General agreement that the LOE should consider community factors for Phase I jurisdictions. More diversity of opinion on what factors should be considered and how.

**Blair:** Seems worth more exploration IF there is going to be scaling the LOE for Phase II’s. Otherwise, it may not be worth it.

**Abbey:** LOE for Phase I is something that Ecology will have to put forward in the permit draft.

**Jenny:** There’s a difference between proposing a LOE requirement vs. scaling an LOE requirement.

We haven’t discussed LOE for Phase II much. That may be worth exploring more.

**Ingrid:** We considered including questions about LOE for Phase II’s, but we didn’t think there was enough info at this point.

**May be a priority for the PAC to focus on at this time.**

##### Question 11

More PAC members disagreed than agreed.

**Share results “as is”. No future work for the PAC to do at this time.**

##### Question 16

16A and 16C received the most support of all choices.

**Not an area for the PAC to focus on at this time.**

##### Question 17

Mostly a mix of support and “No Preference” responses.

**Not an area for the PAC to focus on at this time.**

##### Question 18

Strong agreement, no disagreement.

**Blair:** Merita, I see your comment as relating to our discussion about how to connect/support collaborative projects.

**Share results “as is”. No future work for the PAC to do at this time.**

### BREAK (3:19)

**Return at 3:24 PM**

### Next Steps and Close – Jim Nelson (3:26)

#### What are the Next Steps for the PAC?

**Merita:** A number of things we talked about all relate to what “what will be in the next permit?”. Is there any opportunity for Ecology to inform us on that, or will we not get information about what is in the permit until after the PAC is done?

Some of these discussions can only advance if we assume what might be in the permit, or know what Ecology is thinking for the next permit.

**Larry:** I agree with Merita. It would be helpful for us to focus our energies if we knew Ecology’s early thinking on direction for the next permit. One example was Ecology’s statement that they intend to propose a Phase II retrofit requirement. Having tidbits continues to narrow the focus of conversation.

**Blair:** I agree with Merita and Larry. Also, if there’s anything we’ve proposed or mentioned that’s off the table for the next permit cycle, it would be good to know that now and not focus on those areas in the coming months.

**Abbey:** The plan was to gather feedback from the PAC, and use that to inform what we proposed in the next permit.

Our goal is really to be open and hear your thoughts before we develop our permit requirements. We are open to providing feedback on our thoughts to the PAC, but we have not already gone through the process of developing proposed requirements.

The one concern is the tight timeframe for turnaround. We don’t want to hold up good discussions waiting on Ecology feedback.

**Jim:** Propose moving the next meeting to lengthen the turnaround time between now and the next and allow for time to develop Ecology feedback and allow for PAC review prior to the next PAC meeting.

* **PAC prefers to work within existing schedule.**

**Ingrid:** Seems that there are four areas for the PAC to focus on. We could create sub-comittees to work on the following topics between meetings and present.

**Phase II Type of Framework**

* Vicky & Virginia (Administration/Logistics)
* Jenny
* Peter
* Aaron
* Larry

**Simplify Metric for Point System**

* Merita (Lead)
* Merita
* Rod
* Emma
* Aaron

**Environmental Point Multipliers**

* Ingrid (Lead)
* Merita
* Emma
* Bill

**Collaboration**

* Blair (Lead)
* Merita
* Maureen
* Emma

**Abbey:** We should reach out to Sean Dixon to see if he wants to participate in any of these groups.

##### Action Steps

* Abbey to set up a Google Doc for each workgroup topic and send out to the PAC members.
* Groups will meet and populate their Google docs **by November 8th**. PAC and Ecology will **review before meeting on November 15th.**

#### Public Comments

* No public comments.

### Adjourn (4:01)