# Structural Stormwater Control

# Policy Advisory Committee

May 5, 2022

1:00-4:00 p.m.

## Meeting Notes

### Welcome – Jeff Killelea (1:02)

Jeff is the Section Manager of the Permit Development Services (PDS) Section in Ecology’s WQ program.

* PDS is involved with permitting and managing stormwater discharge.
* Ecology recognizes the folks who have been involved in the process since the beginning. Thank you for helping us get this far.
* Thank you to everyone for participating, being flexible, and offering your expertise.
  + Thank you to Jim Nelson and his facilitation team.
* Want to emphasize that ECY has a strong intention to listen, learn, and understand. We are all ears!

Introductions – Jim Nelson (1:06)

[Jim Nelson’s PPT Presentation](https://www.ezview.wa.gov/Portals/_1962/Documents/StructuralStormwaterControls/SSCPAC5.5.22_JNelson.pdf) (emailed to PAC 5/5/22)

#### Purpose of SSC

To discuss Structural Stormwater Control (SSC) topics and provide recommendations to help inform the SSC requirements in Ecology’s:

* 2024 Phase I Municipal Stormwater Permit
* Approach for Phase II retrofit program requirements

#### Today’s Objectives

* Meet other members of the PAC
* Overview of SSC needs
* Review and approve PAC Charter
* Discuss Topics for Future Meetings
* Plan for next meeting (May 31)

#### PAC Ground Rules

* Start and stop on time
* Share and encourage sharing by all

#### Zoom “Rules”

* Leave your video on if you can (the choice is yours)
* Mute yourself unless speaking
* Manage your background
* Use chat for questions or comments

#### Introductions (Name, organization, 1-word of wisdom. Bold = PAC member/alternate)

* **Aaron Clark**, Stewardship Partners and Environmental Caucus: Collaborate
* Abbey Stockwell, ECY: Thoughtful
* **Alyssa Barton**, PSA: Clean Water
* Amy Waterman, Observer for ECY
* Andrew Silvia, City of Lake Forest Park: Flexibility
* Angela Bolton, City of Mill Creek: Authentic
* **Arthur Lee**, Snohomish County: Mindful
* Austin Jennings, Observer for Pierce County: Humility
* Ben Shraker, City of Des Moines: Partnership
* **Bill Leaf**, Snohomish County Surface Water Management: Assume Good Intentions
* **Blair Scott**, King County: Clarity
* Chris Thorn, City of Auburn: Collaborate
* Colleen Griffith, ECY: Clarity
* Dan Taylor, City of Covington: Team
* Doug Howie, ECY: Compassion
* **Doug Navetski**, Observer from King County: Achievable
* Emma Trewhitt, Pierce County: Brainstorm
* **Ingrid Wertz**, Seattle Public Utilities: Focus
* **Jane Dewell,** Port of Seattle: Beneficial
* **Jason Quigley**, Skagit County: Outside the box
* Jeff Killelea, ECY: Forward
* **Jenny Gauss**, City of Kirkland: Creative
* Jessica Schwing, ECY: Partnership
* Karen Dinicola, ECY: Progress
* Katie Rathmell, ECY: Trust
* Keunyea Song, ECY: Balanced Decision
* Kristina Lowthian, Observer for City of Renton: Focus on Objectives
* **Larry Schaffner**, Thurston County: Inquisitive
* Laura Haren, City of Kent: Effective Outcomes
* Leah McColskey, City of Woodinville: Integrity
* Mark Melton, ECY: Listen
* Matthew Tietjen, ECY: Openness
* **Maureen Meehan**, Pierce County: Positive Intent
* **Merita Trohimovich**, City of Tacoma: Implementable
* **Peter Holte**, City of Redmond: Deep-Breath
* **Rod Swanson**, Clark County Public Works: Listen
* Shawn O’Leary, Kitsap County: Consistency
* **Sheena Pietzold**, WSDOT: Patience
* Stella Collier, City of Bainbridge Island: Happiness
* Vicky, Facilitation Team: Transparency
* Virginia, Facilitation Team: Respect

### SSC: Overview and reissuance needs – Abbey Stockwell & Colleen Griffith (1:33)

[SSC PAC Presentation PPT](https://www.ezview.wa.gov/Portals/_1962/Documents/StructuralStormwaterControls/SSCPAC5.5.22Final.pdf) (Abbey Stockwell)

#### Tentative Reissuance Timeline

* ECY is at the beginning of the permit reissuance process (listening sessions will be in June).
* ECY is currently gathering early feedback to inform the reissuance process.
* Currently planning to make final decision in July 2024

#### Project Selection

* Difference Required Projects and Optional Projects in Permit

#### “Level of Effort” Requirement

* First time in the permit
  + ECY understands that prioritized and planned projects can take years to implement
  + ECY allows up to 225 points to be projects that in the design or construction phase.
    - A minimum of 75 points must be from completed projects or activities.
    - Points from completed projects or activities can substitute for design and construction phase points, but not vice versa.

#### Appendix 12

* Contains the details of the SSC program.
  + The SSC Program Point Multipliers stem from the previous retrofit incentive points.
* Review in Appendix 12 of your Phase I permits for more details.

#### SSC Science Synthesis Project

* Began with efforts from the SSC/TAC
* SSC/TAC had three goals
  + **Benefit questions:** where the goal is to develop answers to a series of questions related to the intended stormwater-related environmental benefits and impacts of the SSC Qualifying Project Types.
  + **Application Questions:** develop answers to a series of questions related to permittees’ selection of SSC Qualifying Project Types.
  + **Policy Discussions:** draft a plan and schedule for a charter workshop for stakeholder discussions of the questions about Ecology’s SSC point system and future permit requirements, which is the second part of this two part process that we are starting now.
* Their work culminated with the draft charter for this committee and the Science Synthesis Report
  + Science Synthesis Report is the scientific guide we will use to inform our discussions in this committee
    - Discusses how metrics of benefits are regionally dependent

#### Early Input Highlights and Summary

* SSC Seminar Takeaways
  + Multiple factors that drive prioritization
  + Desire not to be constrained by SSC points when selecting projects
  + Want more clarity and simplicity in reporting
  + Concerns about impacts to salmon from tribes
  + Desire for use of natural stormwater infrastructure (e.g. trees)
  + Received letters pointing to specific project needs
* Ad Hoc Group Feedback
  + Best outcome for this committee would lead to permit actions that lead to improved Water Quality, flow control, and flexible options for different permittees in different regions
  + Phase II requirements need to be scalable due to variance in these permittees
  + Many concerns about how credits work/are assigned
  + Need for more enhanced maintenance projects
  + Explore a regional retrofit program
  + Use of SMAPS
  + Incentivize collaboration and prioritize 6ppd projects
  + Concerns about how this would be applied in EWA
* Letter from WA Environmental Council
  + Need for retrofits is great and effort for 2024 must result in more progress.
  + Consider distinct requirements for projects in urban areas vs urban fringe.
  + Remove floodplain projects from eligibility and clarity on projects with multiple objectives.
* Letter from RESources
  + Encourage adding SSC to PH II permit.
  + Need to incentivize projects in heavily impacted areas.
* The Nature Conservancy
  + Need for retrofits and collaboration

#### Preliminary Findings from Annual Report (Colleen Griffith)

* High level overview – Phase I permittees
  + Comparison of points between counties
    - Separated street-sweeping points from other points
      * Data is not complete, as not all points were reported by each permittee
      * Different reporting methods were used between permittees
* Shows how many of each project type was utilized
  + Compares cities vs counties
    - Types 1, 3, and 10 were not used at all

#### Request for feedback about the table in Appendix 12

* “Are we asking for the right things?”
* “Is this easy for permittees to use?”
* “Are multipliers clear to permittees?”
* Please provide your feedback to these questions via email to Abbey Stockwell
  + Email address: [abbey.stockwell@ecy.wa.gov](mailto:abbey.stockwell@ecy.wa.gov)

#### ECY’s Current Understanding of Topics Needing Recommendations

* Project Selection/Project Types
* Appendix 12
* Level of Effort
* Reporting
* Phase II Approach for Retrofit Requirements

### BREAK (1:57)

Resume in 15 minutes

### Review and approve SSC PAC Charter- Jim Nelson (2:12)

Review of the Charter

#### I. Mission and Charge

* Discuss SSC topics
* Provide recommendations to ECY regarding Muni Stormwater Permit reissuance.
* Use reference information in the charter.
  + - Know that additional materials can be added to list of reference materials to make the best committee decisions.

#### II. Responsibilities (specifically for PAC members)

* Keep your constituents informed and gather their feedback to help us hear their feedback.
* Come prepared.
* Share your feedback and edits openly with all PAC members.
* Be committed to learning and understanding the different topics and perspectives.
* Work cooperatively.
* Inform the facilitator (Jim) of concerns about meeting agendas, management, etc.
  + We want to make it best for everyone.
* Provide recommendations to inform the SSC requirements.
  + Help the facilitator understand the content and properly frame your recommendations.
* Pay attention to group ground rules, behave respectfully.

#### III. Decision Making

* Attempt to document levels of agreement
  + - Capture level of consensus, and accurately convey dissenting perspectives
      * You may not want to make recommendations on some topics. That is ok.

#### IV. Composition of Membership

* Up to 6 Phase I Representatives
* 3-6 Phase II Representatives
* 1 WSDOT Representative
* 2 Environmental Advocacy Group Representatives
* No Tribal Representatives Identified
  + - They will still be involved
* 2 Other State Agency Representatives (Besides ECY and WSDOT)
* EPA member has not yet been identified
* ECY staff are here to answer questions, provide info, etc., but are not voting members
  + - Abbey, Colleen, and Doug will be the main ECY contributors
  + Other staff may be in the background listening and learning

#### V. Topics

Seven Topics Identified in Charter

1. Define Benefits and Recommendations.
2. How to identify metrics to measure benefits when metrics and benefits data are not conclusive?
3. Identify benefits and drawbacks of current Phase I point system.
4. Identify metrics to measure benefits of SSC to receiving waterbodies.
5. Define level of effort for Phase I permittees to meet their requirements.
6. Should a similar approach be used for Phase II.
7. Refine approach to develop SSC requirements.
   1. Specifically for ECYs permit reissuance.

More topics are welcome if the PAC members see key topics we’ve missed

* + **Ingrid:** Use of benefits needs to be defined. Think it’s being used in two different ways. Is there another term that could be used?
  + **Abbey:** Agreed. Benefit is being used in two different ways. Open to looking at other ways to clarify those pieces.
  + **Ingrid:** Maybe advantages/disadvantages, pros/cons, or drawbacks?
  + **Jenny:** Wouldn’t it be advantages/disadvantages to the permit holder?
  + **Bill:** Advantages/disadvantages is probably enough for now. Don’t need to define further for now.
  + **Alyssa:** Change first topic to “General advantages/disadvantages” would create overlap with topic #3.
  + **Jim:** This definition is just a place to start from, not a final definition.
  + **Jenny:** The first topic is how we define them, the third topic is what we consider benefits and drawbacks.
  + **Jim:** We will dig into this deeper in future meetings.

**VOTE:** PAC votes to ratify the charter. No opposition. Charter is accepted.

### Discussion (2:35)

#### Topics

* What were the main topics raised in interviews with PAC members?
  + Jim grouped feedback by topics, in attempt to grasp what’s important for PAC.
  + Jim will send out an evaluation for today’s meeting, asking PAC members to rank the current topics on our list based on how important they are for you.

#### Schedule

The current proposed schedule is a starting place. How can we make it better?

**Current Schedule:**

* **May 31:** Project selection and eligible project types.
* **July 6:** How to measure project benefits and point multipliers.
* **Aug:** Phase I level of effort.
* **Sept:** Discuss retrofit permit requirements approach for Phase II permit.
* **Oct:** Begin refining recommendations.
* **Nov:** Discuss remaining issues, begin finalizing recommendations.
* **Dec:** Optional meeting if needed to wrap up.

#### Proposed May 31st discussion topics

* Project selection by permittees
* Project selection differences – City vs. County
* Eligible project types
  + Start with list from Appendix 12
* Enhanced Maintenance
  + **Blair:** Broad, complex topics. Will the survey you’re going to send out help us refine these topics in advance? We may not be able to make it through these whole topics in each meeting.
  + **Jim:** Would love to have some PAC members help me put together agendas in a way that will work for you. Will ask for volunteers to help with agenda prep.
    - Hoping for a couple of people to help develop the agenda, then have the whole PAC review agendas in advance.
  + **Bill:** In the ad hoc committees I was co-chairing, we decided to use a discussion method where the committee set forth ideas/clear statements. Didn’t seek consensus, just let each member vote on their level of agreement/disagreement with each specific statement. I understand that this was deemed useful by ECY. Did ECY find this helpful? Could this be useful for our group?
  + **Abbey:** Yes, it is useful.
    - Showed the group an example on screen.
  + **Jim:** Having PAC members write clear statements to vote on has appeal.
    - * Jim to follow up with Bill and Abbey about adapting this.
      * Any PAC members are welcome to share their thoughts about this process with Jim via email
  + **Jenny:** Hopes we come up with new ideas for how to do things. Somehow there also needs to be a way to say “Ecology, here’s some new ideas.” Maybe they work, maybe they don’t, but at least they can be recorded for reference/consideration.
  + **Jim:** Yes, supporting creative process is important.
  + **Bill:** Using our process was effective in excluding items/ideas that didn’t have common support.
* **DECISION:** For May 31st agenda, we will try to use “voting statements” method to see if that helps us make substantive progress on the issues.
  + - * It’s ok if there’s more cleanup/discussion needed after the meeting.
  + Jim to circulate the agenda among PAC members for feedback.
    - * Jim will send out tomorrow.
    - PAC members will have a week to provide their feedback.
  + **Larry:** Administratively, it would be helpful if we could map out the dates/times for our future meetings.
  + **Jim:** We will do that by Doodle Poll outside of meetings.
    - * Jim will send out to the committee to get the rest of our meetings set.
  + **Larry:** Want to make sure we have clarity around feedback regarding the point system that we differentiate between Phase I perspective, Phase II perspective, and feedback that applies to both.

### Next steps and closing (3:08)

* **Ingrid:** Will not be available for some of these meetings. How do I manage an alternate?
* **Abbey:** Yes, identify an alternate. Does not need to be approved. Whoever you appoint will work. If they can attend other meetings to be well informed that’s great, but not required.
* **Jim:** We are not recording this meeting. How many of you would like future meetings to be recorded?
  + 1 vote in favor

### Adjourn (3:12)