

# STORMWATER WORK GROUP

Wednesday, June 15, 2011 9:00 AM – 12:05 PM  
USGS, Columbia Room  
934 Broadway, Tacoma

## Draft Summary

OF THE MEETING'S KEY DISCUSSIONS, DECISIONS AND AGREEMENTS

### ATTENDEES:

*Work Group Members and Alternates, and the Organizations or Groups and Caucuses they Represent:*

**Mark Bieber** (Thurston Co.), Local Governments; **Jay Davis** (USFWS), Federal Agencies; **Dana de Leon** (Tacoma), Local Governments; **Jonathan Frodge** (Seattle), Local Governments; **Dick Gersib** (WSDOT), State Agencies; **Heather Kibbey** (Everett), Local Governments; **Adam Lorio** (Samish Indian Nation), Tribes; **Dino Marshalonis** (USEPA), Federal Agencies; **Bill Moore** (Ecology), State Agencies; **Kit Paulsen** (Bellevue), Local Governments; **Jim Simmonds** (King Co.), Local Governments and the Work Group's Chair; **Carol Smith** (WA Conservation Commission), Agriculture; **Heather Trim** (People For Puget Sound), Environmental Groups; **Bruce Wulkan** (Puget Sound Partnership), State Agencies.

*Others in attendance:* **Mindy Fohn**, Kitsap Co; **Mike Milne**, Brown and Caldwell; **Barb Wood**, Thurston Co.

*Work Group Staff:* **Karen Dinicola** (Ecology), Project Manager.

*A call-in phone line was also provided for interested parties to hear the discussion.*

### WORK GROUP FINALIZES COMMENTS ON ECOLOGY'S PRELIMINARY DRAFT PERMIT MONITORING LANGUAGE

The SWG's Pooled Resources Oversight Subgroup developed a draft comment letter for the work group to discuss. Extensive revisions to the draft letter were agreed upon by work group members and are included in the on-screen notes to be posted as an attachment to this summary. The issues that were discussed included:

- Work group members continue to disagree as to whether an opt-out provision for effectiveness studies should be provided in the permit, and what it should look like if it is included. The reasons permittees want the option range from (1) uncertainty as to what studies will be conducted with their funds; (2) a desire to continue to do their own high-priority work; and (3) an interest in conducting the regional studies themselves. Most work group members agree that the provision should not compromise the regional program by reducing the pool available for those studies. Few work members believe that permittees should be able to simply continue current programs instead of making necessary changes and participating in the new regional program. All work group members agree that permittees doing their own studies should be required to use SOPs consistent with the regional program, and that permittees with capacity and interest should compete to do the regional work.
  - A new subgroup was formed to continue to discuss this issue and propose recommendations: Dick Gersib, Heather Trim, Dino Marshalonis, and Ingrid Wertz volunteered to participate.
- Work group members continue to disagree as to the appropriate level of investment Ecology should require the permittees to make in regional effectiveness studies.
- Work group members agree that the current process should identify an initial list of topics as a starting point for conducting effectiveness studies via the permit, and that the process should continue so that the list evolves through the permit term.
- Work group members agree that the cost estimates and cost allocations need to be finalized and made more realistic so that permittees have a reasonable level of assurance that the work promised can be done without substantial changes to the scope of work. Work group members agree that permittees should not be asked to increase their contributions above the amounts set in the permit when it is issued. SWG

subgroups will help Ecology finalize monitoring cost estimates. Cost estimates need to include not only monitoring but also data management and administration. Contingency funds of 10% should be transparently added on top, prior to the cost allocation.

- Work group members agree that the scope of work and interagency funding agreement should accommodate an extension of the permit term and include a process for identifying monitoring tasks for years 6 and 7 if needed.
- Work group members reached a new consensus agreement that Ecology should be the administrative entity until another viable option is identified. The draft charter for the Pooled Resources Oversight Committee represents substantial progress toward addressing concerns with the regulator serving as the fund administrator.

Jim Simmonds will make final edits and send the letter to Ecology by the end of this week.

### **WORK GROUP HEARS ABOUT PROGRESS ON EFFECTIVENESS STUDY SELECTION AND LITERATURE REVIEW**

The SWG Effectiveness Study Selection Subgroup met on May 25 and parsed the 175+ effectiveness study ideas into familiar groupings. Kit Paulsen briefly described the “universe” of ideas submitted to the SWG and Ecology in March-April, which includes: maximizing the effectiveness of combining street sweeping and catch basin cleaning; evaluating the effectiveness of bioretention and rain gardens; measuring the success of outreach and education efforts; and more. The subgroup thanked Kevin Buckley and Mike Milne for their work categorizing the study ideas.

The subgroup needs more time to address the issues raised by SPU and WSDOT in the two lone comment letters on the criteria. The criteria remain that we want regionally- and permit-relevant studies to be conducted with the pooled resources, and work group members agree that study topic ideas that don't meet key criteria should be eliminated from the pool. Once the criteria are refined, the ideas will be scored by the small groups for ranking.

Mike Milne reports that the literature review is underway with the keyword list finalized by the subgroup. WSDOT librarians are expected to complete the search by the end of this week. Mike will have some results to share at the next work group meeting July 20. Depending on the volume of findings, he might have an initial summary compiled.

The ranked list of study ideas will be cross-walked with the findings of the literature review. We also need a process by which to identify unpublished work currently underway. The subgroup will work on a communication plan to get input; another public workshop would be appropriate if funds are available.

Karen will help schedule the next meeting of this subgroup. We are looking for a volunteer to lead this subgroup.

### **EXTERNAL COMMUNICATION: REMINDER TO COMMENT ON DRAFT OVERSIGHT COMMITTEE CHARTER**

Work group members asked Karen to send a reminder to the SWG Reporter email list reminding folks to provide input by July 11 on the preliminary draft charter for the Pooled Resources Oversight Committee.

### **PUGET SOUND PARTNERSHIP ACTION AGENDA DEVELOPMENT WILL CONTINUE ALL OF THIS YEAR**

The Leadership Council will adopt ecosystem indicator targets for 2020 later this week. Bruce Wulkan asked SWG members to consider attending a June 28 workshop on target setting and updating strategies for urban stormwater management. Bruce also asked that those who are interested in participating in the next stage of small group discussions contact him directly for more information about the next meeting, scheduled for July 12.

PSP is also seeking comments by June 30 on a draft low impact development (LID) guidebook designed to help local jurisdictions incorporate LID requirements into local codes.

## WORK GROUP WISHES FOUNDING SWG MEMBER A HAPPY RETIREMENT

DeeAnn Kirkpatrick is retiring this week from NOAA Fisheries. Work group members wish her well and appreciate her contributions to our efforts and successes over the past two-plus years. DeeAnn has asked that we include [Sean Callahan](#) in future work group communications.

## UPCOMING MEETINGS

The work group's upcoming meetings and expected discussion topics are:

- Wednesday, July 20, 2011 from 9am-noon at the **Tacoma Central Treatment Plant Visitor Center**: (1) discuss initial rankings of effectiveness study topics and hear about initial findings of the effectiveness literature review; (2) discuss comments received on draft oversight committee charter; (3) hear initial findings of (a) streamflow gauging network analysis, (b) analysis of PSAMP sediment data, and (c) desktop survey of mussel populations in Puget Sound to support status and trends monitoring; and (4) determine messages and timing for the next SWG Reporter.
- No SWG meeting is scheduled in August; the next meeting will be Wednesday, September 21, 2011 from 9am-noon at the **USGS office in Tacoma**. At that meeting we will: (1) discuss the draft effectiveness literature review document; (2) approve a ranked list of effectiveness study topics to forward to Ecology; (3) approve a revised draft Oversight Committee charter; and (4) determine messages and timing for next SWG Reporter. Also at that meeting (5) Dave Hallock of Ecology's Environmental Assessment Program will lead a discussion of freshwater Water Quality Index the monitoring; and (6) Bill Moore will present a summary of Ecology's budget and what is known about the level of support and funding available for the SWG.