

February 1, 2012

Jim Simmonds,
King County
Chair, Stormwater Work Group

Karen Dinacola,
Department of Ecology
Stormwater Work Group Lead Staff

Dear Jim and Karen –

The Pooled Resources Committee draft charter was reviewed by Seattle Public Utilities (SPU) staff who've also been working on Seattle's comments on the monitoring provisions of the draft permit. Some of these staff were not particularly familiar with the Pooled Resources Committee. Interestingly, their reactions were very much along the lines of what we discussed at the last local government meeting; in order for this regional monitoring effort to be successful, the roles (and staffing) of each committee and Ecology need to be well defined and delineated. Questions about resources, time commitment, overlap, inconsistency and lack of clarity still exists, including in this document.

It is our desire to work with other interested parties to help make this endeavor a successful one. Hopefully the specific comments provided below and on the draft Charter (also attached) will be helpful in further refining this document and clarifying the roles of the committees and the Department as the regional monitoring program moves forward. Please contact me if you have any questions.

Sincerely,

Susan Saffery, SPU

February 1, 2012

Seattle Public Utilities Staff Comments on the Pooled Resources Draft Charter:

The roles between Ecology, the SWG, the Pooled Resources Committee and the technical committees are confusing. The lines of responsibility are blurry rather than bright ones. Bright lines usually lead to fewer squabbles and more productive work. We'd recommend an appendix that spells out the specific roles and responsibilities of the Department and the various committees.

Case in point - the following statements are pulled from the draft Charter:

"Dear Reader: The majority of Stormwater Work Group members are in favor of having Committee recommendations approved by the balanced membership of the work group rather than authorizing the Committee to report directly to Ecology, as was suggested by the subgroup that wrote the draft charter. Do you have specific comments as to how we should balance concerns about timing, capacity, and efficiency with meeting the need for a transparent and credible oversight process?"

Then later:

"2. The Committee shall provide Ecology with grouped lists of recommended contracts that should be awarded to implement components of the RSMP. 3 The Committee will make recommendations to Ecology as to which contracts and agreements should be awarded to conduct the RSMP activities."

Then a little farther down:

"6. The Committee will provide the SWG with recommendations about contracts/agreements according to the component of the overall work plan being addressed, based on feedback from the technical subgroups:..."

While we recognize that the SWG has already voted overwhelmingly to have the Pooled Resources Recommendations come to the SWG, we continue to prefer that the Pooled Resources Committee make recommendations directly to Ecology. It is unwieldy to have the Pooled Resources Committee do their work and make a recommendation which then is re-considered by the SWG. What if the SWG doesn't agree with the Committee's recommendation? Does the Committee need to make a different recommendation or does the SWG forward just their own? What does this mean if permit holders preferences are outvoted at the SWG?

Regardless of the final reporting decision, however, the communication path needs to be clarified and the document, including the sections above, needs to be edited to accurately reflect the final outcome.

It is our understanding that the role of the Committee is to provide oversight of the Pooled Fund. However, the draft charter is inconsistent on this; there are places where it appears that the role is broader. There needs to be a realistic workload associated with the committee's responsibilities; the work should be focused on Ecology administration of Pooled Fund.

Similarly, it is our understanding that the role of the Pooled Resources Committee is to provide administrative review rather than technical, although again in several places the draft charter includes both. We believe the document should be edited to reflect that the role is administrative only and leave technical oversight to technical subgroups. Is the Pooled Resources Committee supposed to coordinate technical subgroups review? This seems inefficient, especially if all of the committees are then required to report to the SWG rather than work directly with Ecology. However, if it is determined that it is the role of the Pooled Resources committee to consult with the technical committees prior to making a recommendation to the SWG, that should be clearly spelled out in this document as well.

One key task is missing is Pooled Resources Committee's role in addressing potential cost overruns for the Pooled Fund. Karen indicated at the most recent local jurisdiction meeting that the Pooled Resources Committee would be responsible for making recommendations on moving funding between RSMP components, finding other RSMP funding sources (?) or reducing RSMP scope. This responsibility is not spelled out in the document, nor does it say how the committee would interact with others (Ecology, SWG, technical committees, others) in making these recommendations.

[Again](#), there is a to clearly articulate the roles, responsibilities, and relationships between Ecology, SWG, and the various committees. This will be critical if this effort is to move forward successfully. Thank you for the opportunity to comment.

Cc: Neil Aaland, Cities and Counties representative
Jonathan Frodge, Seattle SWG representative