

Building Cities in the Rain
Working Group
January 27, 2015
Meeting Summary

Participants: Larry Schaffner, Thurston County (by phone); Lorna Mauren, City of Tacoma (by phone); Erika Harris, Puget Sound Regional Council (PSRC); Bruce Wulkan, Puget Sound Partnership; Andy Rheaume, City of Redmond; Kerry Ritland, City of Issaquah; Doug Navetski, King County; Dan Gariepy and Anne Dettlebach, Department of Ecology (Ecology); Heather Trim, Futurewise; John Palmer, EPA; and Heather Ballash and Anthony Boscolo, Department of Commerce.

Role of the Work Group and Prioritization Guidance

The Work Group is an advisory group to Commerce and Ecology in developing this prioritization guidance for receiving areas in a stormwater control transfer program. The guidance will be developed by Commerce, but will be relied upon by Ecology in the same way as it relies on the LID guidance that was developed by the Puget Sound Partnership. While the group will hope to reach consensus, if consensus is not reached concerns will be documented in the guidance. This guidance will be separate from the Ecology guidance on stormwater control transfer programs.

Current Operating Assumptions

The Group went through a draft list of operating assumptions based on meeting discussions to date. The Group agreed to move forward based on these assumptions, with the recognized opportunity to revisit them if they need to be changed. The current operating assumptions are agreed to as follows (Note: Heather replaced the word “should” with “will” in #1 and 3 based on the general agreement not to use “should” in the guidance):

1. Using a prioritized watershed approach is expected to yield cost effective and better environmental outcomes than the default approach under the permit.
2. The guidance will focus on how to plan for stormwater control transfers per the request from PSRC and the South Central LIO, as well as the Phase II settlement agreement¹ (1/27/15).

Per this assumption, the group decided to add transfers of water quality and low impact development (LID) to flow control transfers in the stormwater control transfer program. It was acknowledged that the Ecology guidance addresses transfers of all three, as does the Redmond program. People noted that local governments are doing it anyway because it is being forced by other processes. And, the greatest benefit will come from addressing all three. However, it was also acknowledged that this will make the guidance much more complex. For example, the sideboards on toxics will make it more complex.

Heather Trim noted the environmental justice issue of transferring from like location to like location – that flow control is much easier to figure out how to transfer from one location to another than water treatment. However, it was also noted that a jurisdiction would be crazy to transfer water

¹ “Ecology agrees to continue to work with Phase II Coalition members, other permittees, and the Washington State Department of Commerce to explore options for meeting stormwater development/flow control standards on small, redevelopment sites in urban growth centers.”

quality treatment from a site where it is needed. This should be a sideboard for transfers of treatment.

It was noted that the options for transfer are basic or enhanced treatment. Redmond only allows transfers of basic treatment and not enhanced. However, the Ecology guidance allows transfers of enhanced treatment. The prioritization guidance could be more restrictive than Ecology's and just allow transfers of basic treatment.

The environmental community fought for better water quality in the permit and expects it to continue to improve in future permits.

3. Phased approach – the first phase of guidance will focus on sending areas in Regional Growth Centers. The group generally agreed to focus on regional growth centers as a first phase of the project, and to see how it goes. The group can then consider whether a broader application makes sense (10/27/14).

Regional Growth Centers (RGCs) are logical sending areas because of their characteristics. They are targeted for growth, they are already impacted, and they don't have high priority waters/streams associated with them. The goal is to put most of the growth in these centers. As to the ability of cities and counties without RGCs to do something like this, it was noted that they can do this now under the permit. So why are we focusing on RGCs as a first phase? If we expand beyond RGCs, it will expand the scope of the project and make the project much harder. There is support for starting with RGCs to protect greenfields. A city with a Regional Growth Center can use this guidance to obtain approval from Ecology, but the guidance can also be used even if they don't have a Regional Growth Center. The group agreed to stay with phasing starting with RGCs.

4. Broad policies adopted in the local comprehensive land use plan shall provide the basis for restoring receiving waters. (12/11/14, updated 1/27/15)
5. The goals and policies of the stormwater control transfer program must be clearly linked with land use under the GMA comprehensive plan and development regulations. (E.g. zoning for sending and receiving areas) (12/11/14 meeting)
6. Ecology's Watershed Characterization is an acceptable starting point for prioritization unless the local government has developed an equivalent watershed analysis. The local government will then make refinements based on local and regional data, such as Ecosystem Recovery Targets in the Action Agenda. (12/11/14, updated 1/27/15)
7. The stormwater control transfer program, including identification of sending and receiving areas, must be in a plan that is adopted by the local government and approved by Ecology. (12/11/14, updated 1/27/15)
8. Any stormwater control transfer program must, at a minimum, fully implement the current municipal stormwater permit and fully comply with the applicable aspects of the Clean Water Act. (1/27/15)

Parking lot issue: How will a receiving area be protected from future impacts of development? It will vary, but something could be put in the guidance to address this issue. We cannot assume that receiving

areas within cities will not continue to develop. Redmond uses a latecomer fee to charge a developer in a receiving basin for stormwater control.

Prioritization Criteria Discussion Questions

Other watershed frameworks comparable to Ecology's Watershed Characterization? No one was aware of watershed that a local government had done, other than possibly Thurston County or the City of Olympia. (Heather will check with Andy Haub at the City of Olympia)

Local data needed:

- Water body delineations and to where they drain/existing hydrology, including pipes
- Size of the basin shall be based on an appropriate scale – approximately 200-1000 acres for salmon. The scale for developed urban areas will be smaller (such as the 200-1000 acres), and rural and agricultural areas will be much larger. It will vary for shellfish beds. Commercial or recreational shellfish areas could be based on designated shellfish protection districts.
- Typing of streams
- Time targets for stream recovery

The group agreed to start the next meeting with a more in-depth discussion of local data and criteria. Heather will send out the list of data and criteria used for each of the six programs presented to the group.

The group's homework will be to send Heather suggestions for criteria that she will compile for the discussion at the next meeting next week. Group members should send:

- Local data that is essential/critical to have
- Local data that would be nice to have

The Group acknowledged that different levels of data will be needed for prioritization criteria versus accountability criteria versus criteria for location and design of retrofit projects.

Heather will check in with Andy Haub at the City of Olympia regarding any watershed characterization criteria that they may have developed.

Next meetings:

- Tuesday, February 3, 10:00 a.m. – 1:00 p.m., City of Tacoma, Center for Urban Waters.
- Tuesday, February 24, 10:00 a.m. – 1:00 p.m., Puget Sound Regional Council