

Clark Co. Comments on Preliminary SSC Language

Name	Organizat	Page/section	Comment
Rod Swanson	Clark Co.	Appendix 12	Incentivizing certain projects and activities reduces permittee ability to plan and complete SSC projects that it considers most appropriate for their municipality. Considering this, point weighting to promote certain types of projects could be in conflict with requirement S5.C.7.b structural stormwater controls program description requirements.
Rod Swanson	Clark Co.	Page 19	Suggested language change for defining when points should be given for overburdened communities: "projects which are in <u>benefit</u> overburdened communities". Overburdened community benefits could include projects and activities such as restored riparian areas that include passive recreation and multiple-use park/stormwater facility areas near the overburdened neighborhood. Others could include IDDE work to remove bacteria sources to urban streams with formal and informal access points.
Rod Swanson	Clark Co.	Fact Sheet and Appendix 12	SSC points should be use to measure permittee SSC program performance. Not prioritize certain project types.
Rod Swanson	Clark Co.	Fact Sheet and Appendix 12	500 points is manageable if maintenance/operations can be used for much of them. There is increasing difficulty finding feasible and impactful locations for retrofit projects. The most impactful, feasible retrofit locations are being used up. Also, scoring points through land acquisitions is hard to predict.
Rod Swanson	Clark Co.	Page 4 Fact Sheet	Superfund waters SSC points. The fact sheet should state the science-based reason for this point bonus.
Rod Swanson	Clark Co.	Page 19 Appendix 12	The permit should state the receiving water reaches where the Superfund bonus is applied.
Rod Swanson	Clark Co.	Page 19 Appendix 12	High pollutant Generating Area: This term needs to be defined, as does "high density urban land". Perhaps a metric such as trip miles per square mile by outfall catchment could be used as a definition for high priority urban areas for retrofitting. Clark County's watershed inventory under the 2019 permit used 25,000 trip miles per square mile as the threshold for designating degraded subwatersheds where SMAP planning for restoration was not considered. This threshold was based BIBI and water quality data compared to traffic intensity.
Rod Swanson	Clark Co.	Page 19 Appendix 12	High pollutant Generating Area: Perhaps this concept should only apply to roads where the MS4 exists, removing the need to quantify land use activities and relying on AADT or road class as the sole designation.

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Rod Swanson	Clark Co.	Appendix 12 Table 3	The point counting process should make a distinction between high pollutant areas and high priority receiving waters. They are two different things.
Rod Swanson	Clark Co.	Fact Sheet and Appendix 12	TMDLs and other clean up plans: The BMP should directly address the 303(d) listed pollutant. For example, basic treatment for sediment, infiltration for bacteria, or riparian restoration for temperature.
Rod Swanson	Clark Co.	Fact Sheet and Appendix 12	Points should also be awarded for projects that address a 303(d) listed pollutant in a receiving water without a cleanup plan. Points could be awarded for activities such as bacteria source removal programs, SSC projects targeting the 303(d) pollutants, and riparian plantings.
Rod Swanson	Clark Co.	Fact Sheet and Appendix 12	The term "Arterial Roads" needs to be defined. An AADT of 25,000 is really high and would only include the busiest parts of highways and major intersections in Clark County. High traffic roads should include those classified by WSDOT as arterials and collectors. See the links below for a statewide map tool and RCW 47.05.021 for statutory definitions.
Rod Swanson	Clark Co.	Appendix 12	https://wsdot.wa.gov/data/tools/geoportal/?config=FunctionalClasses
Rod Swanson	Clark Co.	Appendix 12	https://app.leg.wa.gov/RCW/default.aspx?cite=47.05.021
Rod Swanson	Clark Co.	Permit language	Projects completed after the December 31, 2022 point deadline should have points carry over into the next permit term if this is legal.
Rod Swanson	Clark Co.	Permit language	Considering that permittees are now in the second permit term under the point system, Ecology should consider moving the design and construction point compliance date to the March 2025 annual report to simplify the issue of permit term-based SSC point compliance.
Rod Swanson	Clark Co.	Page 17 Appendix 12	Under the heading Non Qualifying Projects, is this bullet item: <i>"Projects that do not have a nexus with the current MS4 or do not prevent future MS4 impacts."</i> Ecology should consider removing this language because it adds a limitation that is not in S5.C.7 and may not be consistent with listed SSC restoration and acquisition project types.
Rod Swanson	Clark Co.	Appendix 12 Page 17 and Permit language S5.C.7.a.iii	Non-qualifying project language in S5.C.7. and Appendix 12 should match.

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Rod Swanson	Clark Co.	Fact Sheet, permit language and Appendix 12	Ecology should consider eliminating collaboration as a project type. Instead, include a multiplier for SSC projects that result from collaboration, rather than giving points for the activity of collaborating. This way, there is a direct link to an actual SSC for collaboration points rather than an action that could result in SSC points.
Rod Swanson	Clark Co.	Fact Sheet and Appendix 12	Collaboration language should include projects between permittees and partners that are not permittees. For example, Clark County has collaborated with the Lower Columbia River Estuary Partnership on restoration projects.
Rod Swanson	Clark Co.	Appendix 12	A collaborative project may not require an interlocal agreement depending on the nature of the entities involved. Perhaps the term binding agreement or something Ecology attorneys suggest should be considered.
Rod Swanson	Clark Co.	S5.C.7.a.ii	Ecology should consider expanding allowable SSC projects to include credit for projects that restore one or more beneficial uses in a watershed within the permittee's jurisdiction, most notably removing fish passage barriers.
Rod Swanson	Clark Co.	Appendix 12	It seems simpler to have language that says a project gets collaboration points if it is completed by collaborating entities. Then remove language describing awarding points for creating a collaboration agreement.
Rod Swanson	Clark Co.	Appendix 12 Table 3, sixth row	It is unclear what the term "Meets water quality standards for target pollutant" means. The appendix should have a section describing this multiplier and how a SSC project can meet this standard. Suggested language concept: <u>If a facility treats its entire contributing basin to meet Appendix 1 MR #6 for a target pollutant (TSS, phosphorus, dissolved zinc or dissolved copper), it provides AKART under the presumptive approach and is therefore meeting a water quality standard under the permit and receives the target pollutant multiplier. The target pollutant is determined under MR# 6 considering the catchment land use and receiving water treatment level designation.</u>