



June 3, 2016

Bill Moore, Program Development Services Section Manager
Water Quality Program
Washington Department of Ecology
P.O. Box 47696
Olympia, WA 98504-7696

RE: Recommendations for Phase I and II NPDES Municipal Stormwater Permit Special Condition S8 Monitoring and Assessment (Permit Cycle 2018-2023)

Dear Mr. Moore:

The Stormwater Work Group (SWG) is pleased to submit to you the attached recommendations for permit Special Condition S8 Monitoring and Assessment. We have overall recommendations and specific recommendations for each subsection of S8. These recommendations were approved by complete consensus of the participating membership of the SWG. Only one of the recommendations has a minority concern which is included in the recommendation.

Where appropriate, we've also included specific implementation and adaptive management recommendations for clarity of intent or purpose behind the primary recommendation.

The portion of the Regional Stormwater Monitoring Program (RSMP) implemented via permit condition S8.B Status and Trends Monitoring applies only to permittees located in Puget Sound; the eight permittees located in the Lower Columbia River Basin are developing recommendations for receiving water status and trends monitoring in a separate process. The two remaining RSMP components (S8.C Effectiveness Studies and S8.D Source Identification and Diagnostic Monitoring) apply to all permittees in western Washington.

The SWG worked with Ecology to design, prioritize, implement, and oversee the RSMP since 2008. The RSMP is designed to provide adaptive management feedback as to the overall effectiveness of the municipal stormwater NPDES permits and local governments' stormwater management programs in Western Washington. The RSMP coordinates with the Puget Sound Partnership (PSP), Puget Sound Ecosystem Monitoring Program (PSEMP) and other regional recovery efforts; leverages state and federal monitoring programs; and is currently conducted by local, state, federal and private entities managed by the RSMP Coordinator.

The first permit cycle including this monitoring approach began in 2013. Since that time, the SWG has received regular reports from the RSMP Coordinator, heard findings from scientists conducting the work, and received important feedback from stakeholders and permittees, in particular, as to the successes, challenges, and impacts (positive or negative) of this transition to a regional, coordinated approach.



Overall, the SWG participating membership unanimously agreed that the Regional Stormwater Monitoring Program's (RSMP's) strategic, coordinated, and integrated approach to stormwater monitoring is a significant, positive evolution in municipal stormwater permit monitoring. Here are some key messages on each of the three components of the RSMP:

- **S8.B Status and Trends Monitoring** – The SWG is in complete consensus on the importance of maintaining the integrity of the regional status and trends monitoring program by providing a strong, but not exclusive, incentive for permittees to participate in the pay-in approach, Option 1. The SWG is also in complete consensus that coordination around the implementation of Option 2 needs improvement. There were varied and strongly-held opinions brought forward from the federal, state, and local caucuses as to what constitutes improved coordination; however, there is no clear consensus nor majority opinion on a specific approach. Therefore, several permittees and other stakeholders have, or will be submitting, their positions on this topic directly to Ecology via letter. Please consider each of those positions closely when deciding a path forward.

Results from the initial round of sampling and review of alternative sampling designs may result in changes to the RSMP status and trends monitoring approach. If these changes result in reduced funding needs for this RSMP activity, the permit requirements should reflect those reduced costs.

- **S8.C Effectiveness Studies** – The SWG is in complete consensus that this component be retained. In particular, the vast majority of the permittees participating in the Local Government Caucus feel that this component is the most useful and pertinent to Phase I and II Municipal Stormwater Permit management.
- **S8.D Source Identification and Diagnostic Monitoring** – The SWG is in complete consensus that allocation for this component be reduced, and the allocation offset be applied to S8.C Effectiveness Studies specifically to study source control effectiveness. The minority concern expressed by two Local Government Caucus representatives is that this reduction be substantial. The additional specificity provided is intended to clarify the purpose and utility of this RSMP component, something of great concern to the Local Government Caucus.

This is an exciting and challenging time for the SWG as we begin to apply lessons learned and utilize the RSMP's initial findings to adaptively manage the administration and implementation of the RSMP and further refine the SWG's purpose and role in guiding stormwater monitoring and management for Puget Sound.

In addition to continued oversight of the RSMP administration and implementation, the SWG is committed to the following key initiatives through 2017:

- Thoroughly assess and examine findings from the initial RSMP status and trends monitoring and effectiveness studies, as well as, alternative scientifically-credible monitoring and assessment approaches to refine and/or modify the RSMP as deemed necessary and appropriate
- Develop a new RSMP communication strategy through the Association of Washington Cities and Washington Association of Counties to more effectively share RSMP activities and findings, coordinate regional efforts, and garner additional participation and support



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<http://www.ecy.wa.gov/programs/wq/psmonitoring/swworkgroup.html>

- Discuss a strategy for expansion of the RSMP to other water bodies, types of NPDES-permitted activities, land uses, or geographic areas to move toward more complete coverage of all sources of stormwater and polluted runoff to Puget Sound
- Develop an implementation plan for agricultural runoff effectiveness monitoring
- Continue coordination with the PSP, PSEMP, and other regional recovery efforts
- Continue to provide recommendations, stakeholder feedback and lessons learned to Ecology and other regional partners on all aspects of stormwater monitoring, assessment and management

Lastly, the Pooled Resources Oversight Committee (PRO-C) is currently examining and evaluating Ecology's administrative performance. The SWG will provide this valuable feedback to Ecology this coming summer.

Thank you for the opportunity to provide these recommendations and share our vision for the continued evolution and improvement of the work group and regional stormwater monitoring and assessment. We appreciate Ecology's dedication of funding, critical staff support, and earnest administration of the RSMP.

Sincerely,

A handwritten signature in blue ink that reads 'Cami A. Apfelbeck'.

Cami A. Apfelbeck, Chair
PSEMP Stormwater Work Group

cc: Sheida Sahandy, Executive Director, Puget Sound Partnership
Scott Powell, Chair, PSEMP Steering Committee
Karen Dinicola, SWG Project Manager
Brandi Lubliner, RSMP Coordinator
Stormwater Workgroup Representatives, Alternates, and other Interested Parties

Attachment



Overall recommendations for RSMP funding and administration through the permits:

1. Continue to use the SWG and its technical subgroups to set priorities for expenditure of RSMP funds and to modify program details such as parameter lists and site locations.
 - a. The SWG has ideas for focusing future monitoring priorities, but the RSMP findings are just beginning to come in and it is too early to make major changes to the RSMP.
2. Maintain the current formula for allocation of RSMP contributions in the current permit.
3. Require the cities who were new Phase II permittees for this current permit cycle to participate in S8 in the next permit and contribute to the RSMP at the same population-based proportional dollar amount as the other permittees.
4. Continue invoicing permittees in the spring of each year.
5. Continue to maintain funds for each of the RSMP components in separate accounts.
 - a. Pooled funds for S8.B Status and Trends Monitoring contributed by permittees located in Puget Sound should remain focused on Puget Sound status and trends monitoring activities.
6. Continue distributing and posting RSMP quarterly budget and progress reports.
7. Continue to use the Pooled Resources Oversight Committee (PRO-Committee) to oversee RSMP expenditures and contracting decisions.
8. Increase the percentage of total budget allocated for administering the RSMP from 5% to more fully reflect the actual costs, as recommended by the PRO-Committee. This increased amount will not exceed 7% of the total RSMP budget. The intent is to add additional staffing to reach a total of 1.25 FTE.

Recommendations for the S8.B Status and Trends Monitoring:

9. It is important to maintain the integrity of the regional status and trends monitoring program. This program needs to be fully funded to ensure that we can detect regional trends.
10. The permit needs to provide a strong, but not exclusive, incentive for permittees to participate in the pay-in approach as the primary means of funding the permit-driven regional status and trends monitoring program in Puget Sound receiving waters.
11. S8.B Status and Trends Monitoring "Option 2" for Puget Sound permittees needs to be better coordinated with the RSMP than what was done for the current permit.
 - a. "Option 2" needs to provide meaningful information to the RSMP.
12. Recommendations for future status and trends monitoring are expected in early 2017.
 - a. Review the existing status and trends data and strategy.
 - b. Evaluate alternative sampling designs and parameters that may be more efficient and provide information that is more specifically directed to stormwater management.
 - c. If strategic, scientifically credible changes are proposed for the approach to the status and trends monitoring that result in reduced funding needs for this RSMP activity, the permit requirements should reflect those reduced costs.
 - d. The study design for "Option 2" should reflect the recommendations for future RSMP status and trends monitoring.



Recommendations for S8.C Effectiveness Studies:

13. The current permits' S8.C Effectiveness Studies alternatives should be continued in the next permit.

Recommendations for S8.D Source Identification and Diagnostic Monitoring:

14. Ensure that permittees are required to enter IDDE information only one time in order to comply with permit requirements for real time spills and annual reporting.
15. Retain a reduced scope and budget for S8.D that is focused on using source identification and diagnostic monitoring data to move from anecdotes to data to set priorities on reducing sources of stormwater pollution, and to identify the best ways to solve (fix/reduce/eliminate) these problems.
 - a. Use the S8.D funds for ongoing analysis and reporting on sources of pollution, including changes over time in types of sources; geographic distribution; and frequency.
 - b. The amount of funding needed to do this in the next permit cycle should be determined through the analyses conducted during the remainder of this current permit cycle. In the next permit cycle, maintain only the minimum S8.D funding level needed to conduct the ongoing analyses.
Minority concern: two local jurisdiction representatives want to ensure that this is a substantial reduction.
16. Move the remainder of the current S8.D funding allocation to S8.C for source control effectiveness studies.
 - a. Use the S8.D analysis/information to inform our source control effectiveness monitoring work.