



Note to SWG caucuses and other interested parties: the SWG discussed the collective recommendations of the local, state, and federal caucuses at its meeting on January 13, 2016. The purpose of this document is to provide a draft set of recommendations for the caucuses to discuss in advance of the next SWG meeting on March 16, 2016. The levels of consensus indicated below are a reflection of the discussions to date. A revised draft final set of recommendations will come out of the March 16, 2016 SWG meeting for another round of caucus discussions. A formal vote on the recommendations will be held at the SWG meeting on June 1, 2016 and the final recommendations will be submitted to Ecology shortly thereafter.

DRAFT

Recommendations for future implementation of and changes/improvements to Municipal Stormwater NPDES Permit Special Condition S8 Monitoring and Assessment and the Regional Stormwater Monitoring Program (RSMP) funded by permittees

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 leverages state and federal monitoring programs and is currently conducted by local, private, state, and federal entities coordinated by the RSMP Coordinator.

The portion of the RSMP implemented via current 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 separate process. The other RSMP components (S8.C Effectiveness Studies and S8.D Source Identification and Diagnostic Monitoring) apply to all permittees in western Washington.

The Stormwater Work Group (SWG) has regularly discussed RSMP implementation at formal stakeholder meetings since the program's inception. The RSMP Coordinator has done an excellent job of getting the RSMP going and implementing "lessons learned" while launching the overall effort. Overall, SWG members agree that the RSMP is a success and that the paradigm shift from individual permittee to collective, regional monitoring has been an improvement. The SWG offers Ecology the following recommendations for continuing to improve the RSMP, and for communicating to others about the RSMP:

SWG members are in agreement (had general consensus at the January 13, 2016 meeting) on the following recommendations for RSMP funding and administration through the permits:

1. Maintain the current level and allocation of funding in the current permit.
 - a. Include funding from the new permittees for this permit cycle in the next permit at the same population-based proportional amount.
2. Maintain a strong incentive for permittees to participate in the pay-in approach as the primary means of funding the RSMP.



- a. If an S8.B Status and Trends Monitoring opt-out approach is provided, it needs to be improved over what was done for the current permit.
- b. The S8.C Effectiveness Studies opt-out alternatives in the current permit should be continued.
3. Continue invoicing permittees in the spring of each year.
4. Continue to maintain funds for each of the three 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.
5. Continue distributing and posting RSMP quarterly budget and progress reports.
6. Continue to use the Pooled Resources Oversight Committee (PRO-Committee) to oversee RSMP expenditures and contracting decisions.
7. Increase the percentage of total budget allocated for administering the RSMP from 5% to 6% or 7% as determined by the PRO-Committee.
8. 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 multiple 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.

SWG members are not in agreement on the following recommendations for the S8.B Status and Trends Monitoring “opt-out” alternatives:

Context: In 2010, the SWG unanimously agreed that there should not be any “opt-out” alternative in the permits for this component of the RSMP. Ecology decided to include the option in the current permit and the SWG has not overseen the work being done by the two permittees that chose this alternative. SWG members agree that the current “opt-out” permit requirements are not working as intended, and need to be fixed. This discussion is aimed at identifying a good approach to fix the problem in the next permit.

The proposals from SWG caucuses to date include:

9. Do not allow an “opt-out” alternative as an approach to fulfilling permit requirements for the RSMP Status and Trends component.

Context: The SWG could reiterate the 2010 recommendation that Ecology not allow an opt-out approach. The more permittees that choose this option, the fewer resources are available for the RSMP monitoring, analyses, and reporting. Most SWG members agree that if there is an opt-out alternative, the required individual permittee monitoring should be a substantive effort that in the end costs more than contributing to the RSMP.

Range of perspectives: The SWG state agency caucus put forth this recommendation. One of the two permittees that chose the opt-out alternative for the current permit wishes to continue opting out but with a better set of requirements.
10. Fix the current opt-out approach.

Context: The “opt-out” monitoring conducted by individual permittees in the current permit does not provide substantive meaning for the regional analysis, in contrast to



what was intended. SWG members have not defined a “fix” but are open to considering proposals that are submitted in advance of the March 16, 2016 meeting. The permittees’ choices to opt in or out were based on scopes of work. RSMP QAPPs were not available when the current permit was issued but they are now published and available to use as the basis for future permit requirements.

11. Require opt-out permittees to contribute some minimum amount to the RSMP for regional analyses and reporting.

Context: All permittees benefit from the regional analyses but the current opt-out alternative does not require those permittees to contribute to this part of the effort.

12. Consider other opt-out approaches.

Context: SWG members have not defined either the “fix” or a better approach but are open to considering proposals that are submitted before the March 16, 2016 meeting.

SWG members are not in agreement on the following recommendations for RSMP fee reduction alternatives:

13. Give permittees financial credit for local status and trends monitoring programs, and/or require them to provide additional information to match the RSMP.

Context: An issue remains for many local jurisdictions that do not have an RSMP Status and Trends monitoring site located in a receiving water in their jurisdiction. It is not possible to have a statistically meaningful regional program with a site in each of the 93 jurisdictions in western Washington.

14. Give permittees financial credit for serving on SWG, subgroups, and caucuses through reduction in required S8 RSMP contribution amounts or reimbursement from the RSMP accounts.

- a. Refer to the public education and outreach component of the current permit for ideas as to how to implement this suggestion.

Context: It is a challenge to incentivize local government participation in the SWG and its subgroups, particularly for small jurisdictions.

Range of perspectives: Many SWG members believe that participating in the process is part of our collective jobs, and/or that this would not be a good expenditure of RSMP funds.

SWG members are not in agreement on the following recommendations for S8.D Source Identification and Diagnostic Monitoring:

Context: In 2010, the SWG unanimously recommended that Source Identification and Diagnostic Monitoring be included as a key, strategic component of the RSMP. A Source Identification Information Repository (SIDIR) was later described as having two distinct components: an analysis of the results and findings of permittees’ source control and Illicit Discharge Detection and Elimination (IDDE) programs, and means to improve effectiveness of the methods and approaches used in these programs.

This was the last RSMP component to be implemented, and only the results and findings analysis has begun – the analysis is intended to inform IDDE effectiveness studies. Initial results and progress were shared at the January 13, 2016 SWG meeting. Some SWG local government representatives believe that many permittees did not understand the SIDIR work and intent



when the recommendation was made to discontinue this RSMP component, and they would like to bring this topic back to the local caucus for more conversation. The SWG SIDIR Subgroup made a consensus recommendation that the work continue during this permit cycle and address permittees' concerns about duplicate/overlapping reporting requirements. The analysis has already identified areas of the permit where language can be improved and clarified.

The proposals from SWG caucuses and individual members to date include:

1. Continue this RSMP component in the next permit cycle. Learn from the work conducted during this permit cycle to:
 - a. Identify education and outreach topics and audiences,
 - b. Prioritize regional stormwater initiatives,
 - c. Identify ways state and federal agencies work to reduce sources of illicit discharges,
 - d. Inform the next permit S5.C and other relevant requirements,
 - e. Reduce permittees' duplicate record maintenance and reporting requirements, and
 - f. Report to councils and legislators on the value of IDDE programs.
2. Discontinue funding for this RSMP component in the next permit cycle.
3. Redirect the funding to effectiveness studies in the next permit cycle.
 - a. Use the analysis of the IDDE incident tracking data conducted during this permit cycle to direct the funding toward IDDE and source control effectiveness studies.
4. Redirect the funding to stream gaging as part of the RSMP status and trends monitoring.