

MEMORANDUM

Date: January 6, 2016

TO: Stormwater Work Group

FROM: Washington Department of Fish and Wildlife (WDFW) – Toxics in Biota Unit

SUBJECT: RECOMMENDATION TO DROP OPT-OUT LANGUAGE FROM S8.B STATUS AND TRENDS MONITORING IN PUGET SOUND

WDFW's Toxics in Biota unit has experienced a number of difficulties and inefficiencies as a result of the current opt-out approach to the S8.B Status and Trends Monitoring in Puget Sound, specifically in planning for and managing the 2015/16 round of RSMP Mussel Monitoring. As a result, we recommend dropping or changing the opt-out approach in future municipal stormwater permit monitoring requirements.

Problems and inefficiencies created by the opt-out approach for the RSMP Mussel Monitoring:

- The opt-out option increased the complexity of the RSMP Mussel Monitoring Quality Assurance Project Plan (QAPP) in a number of ways, including specific delineation of the responsibilities of the opt-out groups and additional details regarding laboratory procedures and chemical analyses, all of which would have been more efficiently managed by WDFW.
- WDFW had to enter into a separate contract with the opt-out group to cover the costs of chemical analysis and QA/QC of the mussel samples, which are analyzed by a subcontractor. This was so the opt-out mussel samples could be analyzed with the rest of the RSMP mussel samples (recommended for comparability). The necessity of additional contracts between WDFW and the opt-out groups to maintain data consistency with the RSMP Mussel Monitoring is inefficient.
- The opt-out group has interpreted the S8.B language in such a way that they are not required to perform *analysis and reporting* of the opt-out mussel monitoring data. Currently the opt-out group is willing to pay WDFW to have their mussel samples analyzed for chemistry, however they are not willing to pay WDFW for the staff time required to analyze their data, in the context of the larger study, or include their results in the final 2015/16 RSMP Mussel Monitoring study report. This will result in a loss of the opt-out data for the regional roll-up, unless WDFW includes the opt-out data in the analysis and report at their own expense, which is an unreasonable expectation.