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January 17, 2018

Dear Abbey,

The Stormwater Work Group (SWG) is comprised of representatives of a diverse set of stakeholder representatives. This letter is the final product of discussions among the SWG's local, state, and federal government agency representatives. We appreciate the opportunity to comment informally on Ecology's proposed draft municipal stormwater permit language for the 2019-2024 permit cycle. Our comments below are limited to the language Ecology has proposed for Special Condition S8 Monitoring and Assessment.

Overall, SWG members agree with the proposed framework emphasizing continued regionally relevant studies of receiving water status and trends, stormwater program effectiveness, and source identification. This "three-legged stool" of monitoring and assessment is needed to provide robust and meaningful adaptive management information for ongoing improvement of local governments' stormwater management programs (SWMPs) and activities, and for Ecology's permit requirements.

We appreciate that the proposed language continues to implement Stormwater Action Monitoring (SAM, formerly the Regional Stormwater Monitoring Program) through permit language that is quite similar to the current permit issued in 2012 and effective in 2013.

Overall, we agree with the key changes proposed in the informal draft language and have these specific observations related to sections of permit language:

1. The SWG agrees with Ecology's proposal to spread the payments over five years. This reduces each permittee's annual payment while preserving adequate funding for each SAM component. Having the payments listed in a separate appendix is helpful for transparency. However:
  - The SWG proposes that the overall SAM permit-cycle costs for permittees in the next permit cycle remain the same as the overall costs for this current permit cycle.
  - Specifically, the SWG proposes that, for the next permit cycle, the Ecology-proposed increases to the status and trends fund be retained but that the effectiveness studies per capita cost allocation be reduced by approximately the amount of overall increase for the status and trends per capita cost allocation. The population increase for status and trends should cover inflation-related cost increases to keep the regional status and trends monitoring program fully funded. This should preserve ample funding to provide for a diverse range of effectiveness studies during the years ahead.
2. The new requirement for permittees to provide data for SAM effectiveness studies will help SAM provide the permittees in turn with more meaningful findings, results, and recommendations.
3. Combining the SAM funds for source identification and effectiveness studies in S8.C will work; however the SWG wants to be clear that we will continue to identify the studies and

the proportion in which the combined funds will be spent.

- The SWG will update the set of questions for each of these SAM components in 2019. The combined S8.C funds in the next permit should be spent on effectiveness studies for all SWMP elements including source control and illicit detection and elimination, and for continued identification of the most common problems and sources of stormwater pollution and effective methods to address them. The focus for the source identification information repository (SIDIR) articulated in advance of issuing the current permit should be narrowed to monitoring and assessment activities that fall under these two categories and provide adaptive management information useful to permittees and Ecology's permit writers. A small portion of SAM funds will be used to communicate and help stormwater managers use our findings.
4. Alternatives to pooled funding contributions: SWG members agree that permittees should be allowed to choose to either contribute to the SAM funding accounts or to conduct their own individual monitoring. SWG members are not in agreement about how to define the individual monitoring requirements for permittees who choose not to contribute funding to the regional status and trends monitoring in receiving waters.
- a. For S8C: the SWG supports continuation of the effectiveness studies alternatives in the current permits, and:
- SWG members recommend that Phase II permittees should have an alternative similar to the Phase I alternative in the current permit to pay in half of their SAM cost allocation and to also conduct an effectiveness study of their own.
    - All Phase I and Phase II permittees selecting this option should be required to produce fact sheets and share their findings with other permittees in the region.
  - Ecology should more clearly articulate the goal for the stormwater discharge monitoring: is it to characterize the quality of storm event discharges? to quantify pollutant loading? to assess variation in water quality from different land use combinations? The question should inform and drive changes to permit Appendix 9. For example: what should be the antecedent dry period to answer the key question?
- b. For S8.B: Members **agree** that the final individual monitoring alternative should provide useful information to Ecology, to the SWG, and to SAM. The SWG members' shared concern with the alternative in the current permit is that those permittees did not contribute to the SAM administration costs or additional costs of incorporating their data. SWG members **agree** that if some form of the current alternative is included in the next permit, the requirement should include some level of pay in to cover these costs. The SAM program during this permit cycle was changed to reflect the budget available, and we are still learning how to move forward with this part of SAM. SWG members **disagree** as to what form the permit alternative to contributing to the regional receiving water status and trends monitoring should take.
- Overall, SWG state agency representatives agree with the proposed shift to stormwater discharge monitoring. Although the monitoring data collected by permittees that selected the alternative allowed during the current permit cycle was used in SAM studies, the statistical weight of their sites was a very small percentage of the weight of a SAM regional study site and did not affect the findings of the regional status assessments.



- Most of the local government representatives prefer the alternative in the current permit. This alternative is still a disincentive to choose not to contribute to the regional monitoring program. Local government representatives understand that an intent with this alternative was to provide local information that could be nested in the regional program – and that objective was achieved without affecting or substantially reducing the regional monitoring program. Ecology should clearly restate the goal of the regional status and trends monitoring. The current permit alternative did provide information that was useful to local governments.
  - Some suggest that a “half-way alternative” might work for this alternative.
- The federal agency representatives – and some local representatives – would prefer something different than either of these alternatives, but these individuals do not have a specific proposal in mind for the SWG or Ecology to consider at this time.

It is important to continue to underscore and distinguish the importance of both local and regional monitoring programs. Each is answering different questions, and neither can fully satisfy the other’s needs. Both are beneficial to local governments.

5. Areas outside established urban growth boundaries will continue to be included in SAM receiving water studies; the SWG does not support urban-only monitoring. SAM scientists are discussing how to allocate regional monitoring sites to represent conditions across the entire spectrum of urbanization in Puget Sound and still provide power for trends.

Thank you again for this opportunity to comment on proposed draft S8 Monitoring and Assessment language for the 2019-2024 municipal stormwater permits. The SWG appreciates Ecology’s commitment to supporting SAM and continuing this innovative approach to permit-required monitoring with priorities and projects identified by our group of stakeholder representatives. We look forward to the opportunity to comment on formal draft language later this year. If you have questions about these comments please contact me at (253) 502-2109 or SWG Project Manager Karen Dinicola at (360) 407-6550.

Sincerely,



Dana de Leon, Chair