

Ad Hoc committee for SAM

See attached white paper summarizing SAM Ad Hoc committee comments.

2021 Stormwater Permit Ad Hoc group for the Stormwater Action Monitoring recommendations to Ecology for the 2024 permit revisions.

AdHoc NPDES S8 and SAM

The chair and co-chair have endeavored to include all comments and represent the intent of those comments in these notes. Committee member's level of support for individual comments has not been evaluated at this time.

16 permittees and private organization representatives expressed an interest in this committee. 13 attended the committee meeting to offer comments. 2 offered clarifications to the meeting's combined notes.

The committee chair requested that participants read Ecology's 2019 permit response to comments regarding S8 and the permit Fact Sheet for background. SAM is in the process of creating a history of how the SAM came to exist in its current structure so that future permittees and others interested in the permit have the historic perspective. Co-Chairs takeaway was that most attendees didn't understand the structure of SAM or how it fit into the bigger picture – where the money comes from.

- They could use help clarifying the questions they have and collaborating with other jurisdictions to turn their questions into a viable SAM proposal.
- They are too busy and don't have the time needed to take on getting educated enough to know where and when to plug in.
- A Request to fund studies of emerging chemicals as a priority, which SAM can do without changes to the permit was clear.
- Jurisdictions feel like they are doing a lot of sampling for a lot of different things. They aren't understanding the benefits regional studies have to their jurisdiction.
- NEEDS for group discussions moving forward:
 - a history of SAM,
 - something summarizing beneficial changes implemented in the permit from SAM studies would give the "too busy to be involved" staff something to use when talking to their bosses about SAM costs.

Comments generally fit into one of these six topics:

- 1. Support and non-support for limiting SAM funds to studies within the permit boundaries.**
 - 2. Recommendations on who is/should be at the table in SAM and how to reduce the burden on permittee volunteers.**
 - 3. Recommendations for reducing jurisdictions' Permit-mandated contributions to SAM and instead allow the jurisdiction's contribution to fund local or more regionally local monitoring efforts that support existing permit and TMDL requirements.**
 - 4. Recommendations to broaden SAM funding options and increase flexibility to allow SAM funds to support studies and programs not currently considered.**
 - 5. Recommendations to prioritize certain studies to address emerging chemicals of concern**
 - 6. Comments regarding coordinating funding with other agencies**
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1. Location and nexus of SAM projects to Permit:

Comments across the spectrum from requesting an audit of the funding program, further limiting the funding criteria, and expanding the funding criteria.

1. SAM should widen the boundaries of what can be funded.
2. Conduct third-party audit of the SAM funding program to assess the degree to which the funds have been spent for the purposes outline in the Permits.
3. Do not extending monitoring requirements beyond the MS4.
4. Do not fund SAM monitoring projects outside of the MS4.
5. Effectiveness studies that are run by the Sub-group are outside of the permit's boundaries.
6. Limit SAM funds to permit authority and data needs
7. Don't limit SAM funds to permit authority and data needs
8. Make sure studies support permit intent

2. Municipal Volunteer Staffing of SAM/SWG and who should be at the table:

These comments focused on the agencies represented and the time commitment involved. Praise for the system and coordination, requests to include other agencies that routinely would with permittees within their jurisdictional boundaries and responding comments that other agencies have mandates outside of permit responsibilities, which may dilute their focus and understanding of the permitted jurisdictions needs.

1. SAM is a great value for people who have no capacity
2. Great Regional coordination
3. There are too many groups, meetings and organizational requirements that compete for all permittees participation.
4. Create credit (via fee reduction) for actively participating on SWG and Subcommittees.
5. Fund a contractor to take over some of the administrative tasks to relieve permittees of this burden. Describe what body of work we could pay someone to do.
6. Cross overs on issues with other groups: Washington Stormwater center, STORM
7. De-silo federal and state agencies that we have within SAM. SAM should be broader than an oversight committee.
8. SWG serves the purpose of removing silos between the agencies and acts as an oversight committee for SAM. It is important for SAM to be run by permittees since it's our money that is funding the studies.
9. The Health Departments were not represented in Ad Hoc and SWG teams. They are critical contributors to ground water quality and should be involved in these groups. The SWG should invite them to table and make another seat available if needed.
10. Other organizations needed at the table: Salmon Groups and WRIA?
11. Salmon Groups and WRIA organizations may participate at the larger PSEMP organization level – Is that enough?

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3. Request for flexibility in monitoring requirements in the permit for local monitoring efforts.

This Group of comments offered suggestions for local programs sampling efforts that would replace the pay in option for monitoring. The comments were focused on jurisdictions priorities, which differed jurisdiction to jurisdiction.

1. Broaden SAM Funding options and increase flexibility to allow SAM funds to support studies on status and trends in additional types of receiving waters, education and outreach, research into new BMP effectiveness and tools for addressing stormwater and emerging chemicals of concern
2. Allow local jurisdictions to spend some portion of the funds they are currently required to pay into the monitoring to fund local sampling programs. Local sampling informs effective actions that would result in more and better stormwater improvements than regional effort.
3. Allow local status and trends stream sampling substitute for paying into Ecology's SAM program. Do not include requirement or provision for local monitoring under S.8 outside of the MS4
4. TMDL/effectiveness monitoring at the local level should reduce the pay in amounts for S.8.
5. Local sampling to support basin planning should reduce the jurisdiction's pay in amounts for S.8.
6. Include sampling of receiving water by local jurisdictions in lieu of paying into SAM funding.
7. Recognize groundwater as a receiving water and allow groundwater sampling as a status and trends sampling that lowers the local jurisdiction's amount that they must pay into SAM.
8. Allow local sampling groundwater for bacteria, nitrogen, Dissolved oxygen, and seasonal high-water table in lieu of paying into SAM. SAM should identify groundwater as a receiving water especially because of Ecology's focus on the UIC program. Ground water sampling contributes to stormwater knowledge, therefor it should either be funded by SAM or jurisdictions could reduce their pay in costs so that they could sample locally.
9. Allow SAM monetary credit for becoming a Salmon Safe community, or at a minimum coordinate the requirements and do not require duplicate effort.
10. Integrate Salmon Safe community requirements into or programs into the permit. These programs have a more robust sampling and response to sample results program than Ecology's permit and should be recognized as such rather than requiring a permittee to run it as a separate program. It is a dis-incentive to implementing local receiving water improvement programs.

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4. Broaden and add flexibility to what SAM can fund.

This group of comments recommended other funding efforts for SAM money. Several comments for Education and Outreach funding, joining SAM funds with other funds for a larger project effort (no specific project named), adding the WQ research, development of BMPs and other tools to the list of things SAM can fund and sampling other receiving waters in addition to small streams, specifically lakes, TMDL areas, rivers and groundwater. Some recommendations for specific studies of the efficacy of the construction permitting and evaluating stormwater program staffing needs across permitted jurisdictions.

1. Consider widening the definition of effectiveness studies, like funding Education and Outreach
2. Add SMAP Actions to SAM Effectiveness Study Topics
3. Portion some funding for outreach campaigns.
4. Permanently fund STORM with SAM money
5. Provides some funding to WA Stormwater Center for development/housing of regional tools
6. Use funds to develop modeling and GIS tools
7. Look at regional retrofit projects and SSC points to coordinate projects
8. Add flexibility to permit language so that SAM/local jurisdiction sampling can address all waters addressed in the permit. Include sampling of all receiving waters in SAM to develop data for a better understanding of how all stormwater impacts receiving water.
9. In addition to S8.A.2.a regional receiving water status and trends monitoring of small streams and marine nearshore areas add groundwater sampling programs for stormwater effects Groundwater is a receiving water in the permit, S2.A.
10. Ground water sampling should be an allowable type of sampling for SAM funds. We cannot understand what is happening in storm and surface waters without it.
11. What other monitoring efforts could take on the advisory role and have SAM interact with Salmon Recovery and PSEMP work (SAM is under the umbrella of PSEMP already; keep in mind permittees outside the Puget Sound basin).
12. Broaden beyond effectiveness studies to include innovation studies/research and development of regional tools and resources
 - Tools to find the answers/pollutants and resources to implement them.
 - Research would support TAPE or more, like emerging chemicals and treatment options.
 - Examples: Nature Conservancy's Heat map and Source control tools for SW management.
13. Fund the development and maintenance of SWM monitoring SOPs (Ecology did fund monitoring SOPs for stormwater grab sampling, statistics, and stormwater automatic sampling monitoring).
14. Study of Internal overburdened communities. SAM study to evaluate adequate staffing levels at local governments.
15. Study that tries to understand the efficacy of the stormwater management construction oversight processes
16. Add Study that tries to understand the efficacy of construction processes.

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5. Prioritize certain studies on emerging chemicals of concern for funding.

Comments requesting that SAM focus funding on emerging chemicals of concern. Projects ranged from identifying impacted streams, to BMP effectiveness. Jurisdictions are concerned overall with the state of the science and their ability to successfully address these chemicals jurisdiction by jurisdiction.

1. Funding TAPE to researching BMP treatment effectiveness for emerging chemical of concern.
2. Add 6-PPD Quinone as chemical of concern to all relevant existing studies.
3. Add pilot Capital projects for new chemicals of concern, (6-PPD Quinone, Nutrients (nitrogen)).
4. Specifically recommending that 6-PPD Quinone studies get priority because some jurisdictions are concerned with what they may need to spend individually. Add additional points to ranking for projects that include 6-PPD Quinone.
5. Prioritize other studies for Chemicals of concern: e.g., Nutrients, PFAS. - This could happen without changes to the permit language.
6. Fund a survey for where pre-spawn mortality is occurring due to MS4 discharges.

6. General SAM Program Comments:

These comments were specific to the SAM project proposals. Recommendations to narrow the focus and spend more on a high need effort, such as emerging chemicals of concern. Recommendations to combine SAM funds with other funds in order to fund larger and more in-depth projects and recommendations that SAM funds not fund projects that can be funded by other grant sources.

1. There now is a diminishing number of proposals submitted. Use SAM mechanism more effectively to target areas and topics of interest.
2. Recommendation to divide the SAM funding into buckets (reminder that we just combined two buckets into one).
3. We'd like to see Cross grant coordination while ensuring that SAM doesn't fund things that are funded routinely by another type of grant, such as a GROSS grant.
4. Expand SAM to incorporate other funding mechanisms (DNR, F&W, PSEMP)
5. Would rather have it be more competitive than fund studies with little benefit. Fund more expensive high-quality projects. Recently funds were adequate to fund all proposals submitted. There are concerns that these proposals weren't high quality projects.