

**The Department of Ecology's Response to:  
Richard Hoover – City of Bellingham (Comment 14)**

To be removed from a previous Category 5 (or 303d listed) determination, a waterbody segment requires verification of current conditions as described in WQ Program Policy 1-11. A verification of this waterbody would need to include continuous sampling for two consecutive critical periods. In this case, the critical period in which WQ standards are not met is July through August as shown by the preliminary City of Bellingham data and the data on which listing # 39223 listing is based. Continuous sampling is defined as at least one sample value collect per day. This includes grab samples each day or the use of an in-situ sampling probe at specified intervals.

Data used in previous assessments cannot be removed from the assessment unless it can be shown that the quality of the data is suspect and the values misrepresented the ambient conditions at the time of sampling.