



March 21, 2008

Susan Braley
Ken Koch
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600
Via email: 303d@ecy.wa.gov

RE: 2008 Water Quality Assessment and 303(d) List for Washington State

To Ms. Braley and Mr. Koch,

Thank you for the opportunity to comment on the *Draft 2008 Washington State Water Quality Assessment*, dated February 2008.

People For Puget Sound is a nonprofit, citizens' organization whose mission is to protect and restore Puget Sound and the Northwest Straits, including a specific goal to protect and restore the 2,000 miles of Puget Sound shoreline by 2015.

General comment

The Water Quality Assessment and 303(d) Lists are important documents for Washington because they trigger voluntary and required responses under the federal Clean Water Act. For this reason, we need to be able to fully understand:

- datasets that have been used to conduct the assessment,
- new proposed listings,
- listings that are proposed to be moved from one category to another, and
- proposed segments to be delisted.

While the query feature and the map are helpful to see the current proposed status of waterbodies, the information presented on the webpage for public review does not readily answer the above questions. These questions are critical to understanding the list and providing public comment.

Further, it was challenging to look at the listings without a summary of the types of listings in the assessment. Therefore, for reference, we tried to create a summary table (Table 1), but unfortunately, the numbers in our table do not match the query results – we are not sure of the reason.

Finally, we would have appreciated a pdf table that we could have downloaded which would have included the data associated with each listing. Constantly clicking back and forth to review the data was extremely time consuming.

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Our additional comments follow:

1. **Unassessed segments not shown in tables.** For the reader, it would be very helpful to know how many miles of rivers, acres of lakes and Puget Sound have not been assessed. Although depicted on the map, a simple GIS query would be able to provide this information, broken out by WRIA. Ideally, the assessment would also show (in table format) the number of segments that have been assessed per constituent. The information is in a database at Ecology and thus this information should be readily available.
2. **Toxics Listings.** We believe that toxics listings are woefully under-assessed. We are not sure that all of the available data have been collected. We also believe that a systematic toxics sampling program has been funded and implemented for the Puget Sound basin. A large proportion of the listings in the table are associated with major Superfund sites, some are from Ecology's SEDQUAL program, but otherwise, there are limited category 5 listings. We especially had a difficult time determining how many new toxics listings are in the assessment.
3. **Many listings are not updated.** Spot checking, we found a number of cases where listings were not updated. These are areas where recent high quality data have been collected under the jurisdiction of USEPA and Ecology. Two examples are:
 - a. Duwamish Waterway
 - b. Thea Foss

This lack of updated listings – for areas that Ecology is itself significantly involved - leads to concerns that the method of data collection for the assessment was ineffective as well as concerns about the overall completeness of the assessment based on existing, but unused data. Further, we have asked several times in the past, without success, for a comprehensive list of all data and or datasets used for the assessment in order to determine gaps.

4. **Invasive species.** We view invasive species as an impairment that can be addressed by TMDLS and should be on category 5.
5. **Puget Sound Listed Separately.** Puget Sound should be listed as its own category within the Assessment and 303(d) List, along the lines of a "Puget Sound Watershed Management Area." We make this request because of several reasons:
 - a. Many of the Puget Sound issues are not easily broken into WRIA boundaries. Elliott Bay, for example, is categorized under two WRIAs (informally, however, the two WRIAs have agreed to put it under WRIA 9). Many TMDLs that are needed for Puget Sound would not be limited to just one WRIA. The Sound-wide problems get lost in the shuffle when categorized by WRIA.
 - b. All of the other waterbodies of the state are designated as a whole waterbodies within single WRIAs, such as a lake, a river, etc. and are then further divided into segments, with the exception of the Columbia River. The Columbia River is divided into easily identifiable WRIA units that can be followed sequentially across the state. We feel that Puget Sound should be treated as one management area and not designated as an add-on to each of the major watersheds (or WRIAs). At the very least, the assessment should provide a column so that one can sort out Puget Sound waters and bays.

6. **Listing waterbodies by township/range.** The listing of waterbodies by township and range is not scientifically based. For assessments done in other states, waterbodies are divided into

reaches that reflect hydrogeology, hydromodification such as dams, and other features. To divide a waterbody into township and range “reaches,” creates a skewed picture of the pollution boundaries and does not reflect how a TMDL would ultimately be configured geographically.

7. **No legally binding order that a waterbody will meet standards.** In order to delist sites, Ecology must demonstrate that all of the listed contaminants will meet Washington’s water and sediment quality standards. The existing agreements do not meet these criteria. The listing criteria require that there be a legally enforceable plan in place that will result in water or sediment quality standards being met. There are no such plans in place on the Duwamish, thus there is no legal basis for off ramping the Duwamish. Therefore, these listings should remain in category “5” status until these standards are met.

Table 1. Draft Listings

	WA All categories	WA 4a/b (plan done or in works)	WA 5 (impaired)	Puget Sound All categories	Puget Sound 4a/b (plan done or in works)	Puget Sound 5 (impaired)
All parameters	18414	2364	3668	10,689	1442	2045
Toxic chemicals	9210	1084	848	6457	936	544
Ammonia, phosphorus, DO	2101	184	726	1182	45	471
Bacteria	2475	677	796	1395	382	556
Habitat (bioassessment, sediment, turbidity)	325	15	37	243	10	27
Invasives	242	0	0	66	0	0
pH	1554	32	319	893	7	96
Temperature	2507	372	942	910	62	351

Thank you for the opportunity to comment on the Water Quality Assessment. Please contact me with questions at (206) 382-7007 X215.

Sincerely,



Heather Trim
Urban Bays and Toxics Program Manager