



PUBLIC WORKS

March 20, 2008

Ken Koch
Washington State Department of Ecology
Water Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

Subject: Draft 2008 Water Quality Assessment Comments

Dear Mr. Koch:

The City of Everett appreciates the opportunity to review and comment on the agency's draft 2008 Water Quality Assessment. The City does have some concerns regarding the proposed assessment. These concerns focus on the Category 5 listings.

The City is concerned with the unsupported Category 5 listings for dissolved oxygen and pH in the marine waters of the Whidbey Island Puget Sound Action Area.

Another issue of concern is the use of sediment data that is below detection levels as a basis for listing when the detection levels are higher than the applicable criteria.

Detailed comments on specific listings are attached.

Again, thank you for opportunity to comment on the draft Water Quality Assessment. If you have questions regarding our comments, please call me at (425) 257-7208.

Sincerely,

A handwritten signature in cursive script that reads "Julie Sklare".

Julie Sklare
Senior Environmental Specialist

cc: Tom Thetford
Jane Zimmerman
Jeff Wright

City of Everett - Detailed Comments on specific listings of the Draft 2008 Water Quality Assessment

Marine Water Listings

Dissolved Oxygen:

Possession Sound North (station 10155), Port Susan (station 10123), Holmes Harbor (station 10127) and Skagit Bay and Similk Bay (station 10139) were listed as Category 2 in 2004 and have been moved to Category 5 for dissolved oxygen. In all these cases, the basis for the listing is linked to an Ecology Marine Unit staff review which is referred to as the Grantham memo¹. Significantly, the Grantham memo does not call for listing the waters as Category 5 for dissolved oxygen.

The Grantham memo identifies these waters as “Possible dissolved oxygen exceedances” and specifically recommends that the locations be designated as Category 2, not Category 5. The exact wording, from page 2 of the Grantham memo (2005) says:

“Possible dissolved oxygen exceedances – The listings in this category are from areas with physical characteristics or circulation patterns that may increase their susceptibility to anthropogenic effects relative to other parts of Puget Sound. With this consideration, our professional opinion is that the observed dissolved oxygen concentrations at these locations may reflect human influences and therefore warrant further examination. However, we feel that the available data are sufficiently ambiguous that neither a category 5, nor a category 1 designation is prudent or appropriate. We therefore recommend that these locations be designated as category 2 (waters of concern).”

Ecology’s proposed 2008 303(d) list for the above four stations shows clearly that these were listed as Category 2 in 2004, but are proposed now as Category 5. The “Remarks” section of the individual listing documents cite the Grantham memo, but omit the last two sentences of the memo that recommend category 2. The Grantham memo does not support a Category 5 listing for Possession Sound North (station 10155), Port Susan (station 10123), Holmes Harbor (station 10127) and Skagit Bay and Similk Bay (station 10139).

¹ Memo from Brian A. Grantham, Supervisor, Coastal and Estuarine Assessment Unit, EM&T Section, EAP to Susan Braley, Water Quality, 2005 with Subject: Review of Natural Conditions Calls for Marine Waters of Washington State.

In addition to the Category 5 listings for the four stations described above, Ecology has listed 7 new stations in the Whidbey Island Puget Sound Action Area as Category 5 for dissolved oxygen. The stations are Saratoga Passage (48966), Port Susan (48967), Possession Sound North (48964 and 48965), and Puget Sound (N-Central) and Useless Bay (49025, 49027 and 49028).

For the Saratoga Passage, Port Susan, and Possession Sound stations, the logic of the Grantham memo should apply, supporting Category 2 listings, not Category 5.

The Grantham memo also identifies the dissolved oxygen excursions at Admiralty Inlet (inner) station (10131) as a natural condition, with no evidence of anthropogenic sources. This supported a 2004 and 2008 Category 1 listing for the station. Since the Puget Sound (N-Central) and Useless Bay stations are similar to the Admiralty Inlet station, the logic of the Grantham memo should apply and support Category 1 listings for these stations, not Category 5.

Summary :

Change the following stations from Category 5 to Category 2 for the reasons described above:

Possession Sound North (stations 10155, 48964, and 48965)
Port Susan (stations 10123 and 48967)
Holmes Harbor (station 10127)
Skagit Bay and Similk Bay (station 10139)
Saratoga Passage (station 48966)

Change the following stations from Category 5 to Category 1 for the reasons described above:

Puget Sound N-Central and Useless Bay (stations 49025, 49027 and 49028)

pH:

The Saratoga Passage (station 52882) is listed as Category 5 for pH. There is no reasonable anthropogenic source for the excursions, so the values observed were either natural or based on questionable data. Although we find no listings for station 10136 in the present Ecology list, we note that the Grantham memo did comment that there were no direct human causes for pH exceedances for station 10136 in Saratoga Passage. The reasoning applies to station 52882 as well. Therefore, the Category 5 listing for Saratoga Passage (station 52882) should be changed to Category 1.

Sediment listings

We are aware that Ecology has made decisions to list sediments based on “non-detect” chemistry values when the detection levels were higher than the applicable sediment criteria. The City disagrees with any Category 5 listing based on the premise that non-detects represent exceedances. Such data may be used for a Category 2 listing only.

Freshwater listings

Dissolved oxygen listings for North Creek.

North Creek (station 7455) is listed as Category 5 for dissolved oxygen. Ecology has adopted (and EPA has approved) a TMDL for North Creek. The North Creek TMDL states, that while written for fecal coliform, it is responsive to dissolved oxygen as well. The listings for North Creek should be changed to Category 4A because it has a TMDL.