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May 5, 2008

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

RE: DRAFT 2008 WASHINGTON STATE WATER QUALITY ASSESSMENT 303(d)
COMMENTS

Dear Mr. Koch:

The Kitsap County Health District (Health District) Water Protection Program has reviewed the draft Water Quality Assessment (assessment) for 2008. The Health District appreciates the opportunity to comment on the draft assessment and is requesting a meeting with Ecology Water Quality Program staff, prior to the draft assessment's submittal to EPA, to discuss both these comments and Kitsap County listings in general.

The Health District has reviewed the 249 listings Category 5 listings for all parameters in water media. Based on this review, the Health District recommends 101 category changes. Comments have been separated into two categories, general and specific listing.

GENERAL COMMENTS

The purpose of conducting the water quality assessment on a periodic basis is to review new data that may support a waterbody segment be considered for recategorization. Under Water Quality Program Policy 1-11, the use of data up to ten years in age negates the value of current data. The stated intent of the assessment is to provide a list of waterbodies that are impaired by pollutants and are not likely to meet applicable water quality standards within two years. In addition, the list provides a prioritization system for regulatory agencies to target waterbodies for cleanup efforts. The use of old data in the assessment process results in the development of a "impaired and historically impaired" list of waterbodies that does not meet the intent of the assessment process. Current data should be given more value in the assessment process.

During the review, it was noted that fecal coliform bacteria data was organized and assessed by calendar year. The Health District organizes and reviews data by water year (October 1 - September 30). The data that was submitted to Ecology ended September 30, 2006. Additional data to the end of the 2006 calendar year is available to Ecology and its inclusion in the FC data set will affect the categorization of multiple listings in the assessment. If Ecology concurs with including this data, the Health District will submit the information via Ecology's EIM system.

The Health District has been collecting both fresh and marine water quality data in Kitsap County since 1996 in accordance with the Health District's *Water Quality Trend Monitoring Plan, Streams and Marine Waters* (Trend Plan). This data is reviewed and also compared to the waterbody's historical data for the appropriate context. In May, 2005, the Health District provided Ecology with detail in regard to Health District comments about natural conditions causing either DO and/or temperature standards excursions. The Health District reiterates that many of the DO and temperature excursions are based on sampling methodology and sampling location and are not man made and should be recategorized.

SPECIFIC LISTING COMMENTS

- 52915 PUGET SOUND (S-CENTRAL) AND EAST PASSAGE
- 52916 PORT ORCHARD, AGATE PASSAGE, AND RICH PASSAGE
- 52917 DYES INLET AND PORT WASHINGTON NARROWS
- 52918 PORT ORCHARD, AGATE PASSAGE, AND RICH PASSAGE
- 52919 EAGLE HARBOR
- 52920 DYES INLET AND PORT WASHINGTON NARROWS
- 52921 HOOD CANAL (SOUTH)
- 52922 PUGET SOUND (N-CENTRAL) AND USELESS BAY
- 52923 PORT MADISON
- 52924 PUGET SOUND (N-CENTRAL) AND USELESS BAY

Data collected by the Health District's marine BEACH monitoring program between 2004 and 2006 was used as the basis for these proposed Category 5 listings. Exceedances of the secondary contact recreation criterion were cited, however, none of the beach monitoring data collected during this time period showed bacteria values above the Ecology approved BEACH program QAPP health advisory or beach closure criteria. The BEACH program was not designed to assess large marine water body segments, only nearshore recreational waters as specified in the QAPP. In addition, the BEACH program samples are collected near stormwater and freshwater outfalls which may not accurately reflect ambient water conditions. Recommend these waterbody segments be moved to Category 2.

7604 ANNAPOLIS CREEK

Data used for this listing (KCHD ID AP02) was collected as part of bacterial source investigations, this data should be classified as source data and the listing removed.

7608 BARKER CREEK

This listing should be combined with 7605 as the data was collected from the same sampling station.

7611 BEAVER CREEK

53107 BEAVER CREEK

Data used for this listing (KCHD ID BV02) was collected as part of bacterial source investigations, this data should be classified as source data and the listing removed.

7616 BLACKJACK CREEK

7617 BLACKJACK CREEK

53017 BLACKJACK CREEK

Data used for these listings (KCHD ID BJ02 & BJ03) were collected as part of bacterial source investigations, this data should be classified as source data and the listing removed. The creek met the pH standard in 2002-2005, the 2006 data was biased by not including the data for the whole calendar year, recommend removing the listing.

38482 CARPENTER CREEK

The creek has met the temperature standards since 2000, recommend Category 1.

16725 CHICO CREEK

The creek has met the FC water quality standards since 2003, recommend Category 1.

53080 CHICO CREEK

Data used for this listing (KCHD ID CH04) was collected as part of bacterial source investigations, this data should be classified as source data and the listing removed.

52598 CLEAR CREEK, W.F.

DO results from 2005, 2004, 2003, and 2002 show the creek meets standard. Recommend Category 1.

7627 CLEAR CREEK

This listing should be combined with 7625 as the data was collected from the same sampling station.

38520 COULTER CREEK

Fecal coliform samples from 2006, 2003, and 2002 show the creek meets standard, the percent criterion was exceeded by only one sample in 2005. Recommend Category 2.

52970 CURLEY CREEK

38526 CURLEY CREEK

The temperature and DO excursions are due to natural conditions as the sample location is the Long Lake outfall. There are no human activities that affect this location. Recommend Category 1.

53095 DANIELS CREEK

Data used for this listing (KCHD ID DC4) was collected as part of bacterial source investigations, this data should be classified as source data and the listing removed.

43034 DEE CREEK

The name of this waterbody segment should be Enetai Creek. Part of the data used for this listing (KCHD ID DE02) was collected as part of bacterial source investigations, this data should be classified as source data and the listing moved to Category 4B, see below.

53077 DEWATTO RIVER

The portion of the Dewatto River watershed located in Kitsap County, has little to no development. Any fecal coliform bacteria found in the waterbody segment are from natural sources. Recommend Category 1.

38520 DICKERSON CREEK

DO results from 2005, 2004, 2003, and 2002 show the creek meets standard. Recommend Category 1.

38573 DYES INLET AND PORT WASHINGTON NARROWS

38585 DYES INLET AND PORT WASHINGTON NARROWS

45876 DYES INLET AND PORT WASHINGTON NARROWS

During review of the applicable pH data, the 5/9/06 pH values for the entire sampling event appear to have been in error, this data will be removed from the Health District's data set. Recommend Category 1. Fecal coliform samples from 2003, 2005, and 2006 show the waterbody meets standard. Sewage spill postings are advisory for possible combined sewage overflow events. Recommend Category 1.

53101 ENETAI CREEK

53102 ENETAI CREEK

Data used for these listings (KCHD ID DE03, DE04 & DE05) were collected as part of bacterial source investigations, this data should be classified as source data and the listing removed.

53112 FRAGARIA CREEK

Fecal coliform data shows the creek meets standard for 2006, 2005, and 2004. Recommend Category 1.

7647 GROVERS CREEK

7648 GROVERS CREEK

Data used for these listings (KCHD ID GC04 & GC05) were collected as part of bacterial source investigations, this data should be classified as source data and the listing removed.

38380 HOOD CANAL (NORTH)

38384 HOOD CANAL (NORTH)

Since 1996, there was 3 excursions of 40 samples at HC25 and 3 of 40 at HC28. The use of other data from the Hood Canal is not representative of this waterbody segment. In 2003, Ecology agreed that these excursions were naturally caused by low DO ocean water entering the Canal during the fall of each year. Recommend Category 1.

38790 HOOD CANAL (SOUTH)

38638 HOOD CANAL (SOUTH)

Since 1996, there was 1 excursion of 46 samples at HC14, 1 of 40 at HC04 and 1 of 42 at HC05. The use of other data from the Hood Canal is not representative of this waterbody segment. In 2003, Ecology agreed that these excursions were naturally caused by low DO ocean water entering the Canal during the fall of each year. Recommend Category 1.

53026 INDIANOLA CREEK

Since 2002, only 1 of 37 samples failed to meet the pH standard. Recommend Category 1.

38663 JOHNSON CREEK

This listing should be combined with deleted as 7605 as the segment is addressed by listing 53088.

38667 KINMAN CREEK

This listing should be deleted as it is based on the data used in listing 53093.

54154 KITSAP CREEK

38671 KITSAP CREEK

Data used for these listings (KCHD ID KQ01 & KC02) were collected as part of bacterial source investigations, this data should be classified as source data and the listing removed or reevaluated.

38919 KLEABEL CREEK

The creek met the FC standard in 2005 and 2006, the 2006 data was biased by not including the data for the whole calendar year, recommend Category 1.

13931 LIBERTY BAY

Since 2002, 3 of 52 Health District samples failed the FC standard. Recommend Category 2.

23700 LIBERTY BAY

23705 LIBERTY BAY

23709 LIBERTY BAY

FC data used as the basis of these listings was noted as being collected near stormwater outfalls and does not adequately portray the condition of the waterbody. Ecology recommended Category 2, the Health District also recommends Category 2.

23701 LIBERTY BAY

Since 2002, 1 of 29 Health District samples failed the FC standard. Recommend Category 2.

45713 LIBERTY BAY

45224 LIBERTY BAY

23707 LIBERTY BAY

FC data used as the basis of these listings seems to be confused and duplicate other Liberty Bay waterbody listings. In addition, the 23707 FC samples were noted as being collected near stormwater outfalls and do not adequately portray the condition of the waterbody.

Recommend changing to Category 2 or removing the listings.

38706 MARTHA JOHN CREEK

The DO excursions are believed to be due to natural causes as the stream is part of a large wetland complex and the majority of the creek corridor and riparian areas are intact. There are no anthropogenic causes for the DO excursions. Recommend Category 1.

38718 MINTER CREEK

53082 MINTER CREEK

13086 MINTER CREEK

These listings should be consolidated as the data was collected from the same sample location.

38547 PORT ORCHARD, AGATE, AND RICH PASSAGE

DO results from 2005, 2004, and 2003 show the waterbody meets the DO standard. Since 2003, 0 of 15 Health District samples were excursions. Recommend Category 1.

53063 PORT ORCHARD, AGATE, AND RICH PASSAGE

During review of the applicable pH data, the 5/9/06 pH values for the entire sampling event appear to have been in error, this data will be removed from the Health District's data set.

Recommend Category 1.

53104 SALMONBERRY CREEK

Data used for this listing (KCHD ID SM05) was collected as part of bacterial source investigations, this data should be classified as source data and the listing removed.

38799 SINCLAIR INLET

Fecal coliform data shows the waterbody met standard in 2003, 2004, and 2006. Recommend Category 2.

38800 SINCLAIR INLET

38880 SINCLAIR INLET

53044 SINCLAIR INLET

53046 SINCLAIR INLET

During review of the applicable pH data, the 5/9/06 pH values for the entire sampling event appear to have been in error, this data will be removed from the Health District's data set.

Recommend Category 1.

53100 STEELE CREEK

Part of the data used for this listing (KCHD ID WS01) was collected as part of bacterial source investigations, this data should be classified as source data and the listing reevaluated.

38882 STRAWBERRY CREEK

52960 STRAWBERRY CREEK

53085 STRAWBERRY CREEK

Data cited for 38882 was collected from Gorst Creek, recommend removing the listing. Between 2002 and 2006 there no DO excursions, recommend Category 1 for listing 52960.

FC data used for these listings (KCHD ID SR02 & SR03) were collected as part of bacterial source investigations, this data should be classified as source data and the listing removed.

52984 TAHUYA RIVER

The DO excursions are believed to be due to natural causes as the majority of the creek corridor and riparian areas are intact. There are no anthropogenic causes for the DO excursions.

Recommend Category 1. The stream has extremely low flow during the dry season.

43032 UNNAMED CREEK

The name of this waterbody segment should be Enetai Creek. The creek met the pH standard in 2002-2005, the 2006 data was biased by not including the data for the whole calendar year, recommend Category 2.

45759 UNNAMED CREEK

46483 UNNAMED CREEK

Data used for these listings (KCHD ID KT05 & KT03) was collected as part of bacterial source investigations, this data should be classified as source data and the listings removed.

38923 UNNAMED CREEK

Part of the data used for this listing (KCHD ID OB03) was collected as part of bacterial source investigations, this data should be classified as source data and the listing then reevaluated.

7604 ANNAPOLIS CREEK
38405 ANNAPOLIS CREEK
7605 BARKER CREEK
7608 BARKER CREEK
16725 CHICO CREEK
53080 CHICO CREEK
7623 CLEAR CREEK
7625 CLEAR CREEK
7627 CLEAR CREEK
7628 CLEAR CREEK
38931 CLEAR CREEK, W.F.
53094 DANIELS CREEK
53095 DANIELS CREEK
43034 DEE CREEK
53113 INDIANOLA CREEK
53117 JUMPOFF JOE CREEK
38934 KARCHER CREEK
38667 KINMAN CREEK
53093 KINMAN CREEK
53110 KITSAP CREEK
53091 LOFALL CREEK
53087 OSTRICH BAY CREEK, W.B.
53076 PHINNEY CREEK
38927 SACCO CREEK
38923 UNNAMED CREEK (TRIB TO OSTRICH BAY)

Where not otherwise addressed above, fecal coliform bacteria listings for each of these waterbody segments are being addressed through various Health District Pollution Identification and Correction (PIC) projects. Ecology has supported the exclusion of FC listings from the 303d list for similar Health District projects in the past based on the *Water Quality Assessment Category 4B Checklist*. Recommend moving all of these listings to Category 4B.

If you have any questions please feel free to call. I can be reached at (360) 337-5290.

Sincerely,

John Kiess, REHS
Water Protection Program Manager
Environmental Health Division