

The Department of Ecology's Response to: John Kiess – Kitsap County Health District (Comment 64)

1. Bacterial Source Investigation data

Ecology staff reviewed the several waterbody segment listings where bacterial source investigations have occurred. Many of these listings are a part of the fecal coliform TMDL that is being developed for the Sinclair-Dyes Inlet area. Although Ecology acknowledges the proactive work that Kitsap County Health District is doing to actively identify bacterial sources so that sources can be controlled, we feel that it is most appropriate to not change these listings until the TMDL is completed, at which time they will be placed in Category 4A.

Supplemental data that KCHD provided has resulted in the following list changes:

Listing ID 7617

Moved to Category 1

2. Evidence of a biased dataset

Listing ID 53017 (BLACKJACK CREEK)

Ecology has reviewed this listing and agrees that this listing was in error. It has been removed from the list and placed in Category 3.

Listing ID 43032 (UNNAMED CREEK)

The waterbody name has been changed to Enetai Creek. Ecology has reviewed this listing and determined that without the full dataset an impairment determination cannot be made. This waterbody has been placed in Category 2 until a full reassessment can be completed. The Category 2 determination is based on the 2004 Water Quality Assessment information.

Listing ID 38919 (KLEABEL CREEK)

This waterbody was determined to be impaired due to fecal coliform data in previous assessments. Supplemental 2007 data provided by Kitsap County shows an exceedance of the percent criterion. In order for waterbodies to be moved from an impaired category, the waterbody must meet the Category 1 requirements as described in Water Quality Program policy 1-11.

3. Combine listings

Listing ID 7608 (BARKER CREEK)

Kitsap County data from station BK03 moved from Listing ID 7605 to 7608. No changes of Category resulted from this transfer of data.

Listing ID 7627 (CLEAR CREEK)

Ecology reviewed the location information and determined that data from station CC02 should be moved from this Listing 7625 to Listing ID 7623. Listing ID 7627 remains unchanged.

Listing ID 38663 (JOHNSON CREEK)

Ecology reviewed the location information and determined that data from station JC01 should be moved from this Listing 53088 to Listing ID 38663. Listing 53088 has been inactivated.

Listing ID 38667 (KINMAN CREEK)

Ecology reviewed these listings and determined that two segment were previously associated with the same sample location. Ecology made the he following listing adjustments associated with Location ID KCHD-KN01:

- Listing #53093 was consolidated under Listing #38677
- Listing #52978 was consolidated under Listing #38666
- Listing #53038 was consolidated under Listing #38668

Listing ID 38718 (MINTER CREEK)**Listing ID 53082 (MINTER CREEK)****Listing ID 13086 (MINTER CREEK)** [The correct listing ID is 10386]

Ecology has reviewed these listings and consolidated the information into Listing ID 10386. Listings 38718 and 53082 have been inactivated.

Listing ID 38882 (STRAWBERRY CREEK)

The data cited for Gorst Creek was assigned to the wrong waterbody. This basis information was removed from Listing #38882 and the category was changed back to the 2004 assessment determination, Category 2. The mis-assigned basis information was moved to the correct listing ID 38607, Category 5.

4. Consider for Category 1**Temperature****Listing ID 38482 (CARPENTER CREEK)**

Continuous monitoring for temperature during the critical season is required to place a waterbody segment in Category 1. Recent sequential data from at least two years must demonstrate consistent compliance with the criteria or established natural conditions.

pH**Listing ID 53026 (INDIANOLA CREEK)**

The category determination for this listing was in error. This listing was reassessed and moved to Category 2.

Fecal coliform

As an addendum to Kitsap County Health Department's comment Ecology received supplemental fecal coliform data to update listings in Kitsap County. These data included

marine and freshwater samples. Ecology used this data and included it in the assessment only if the data were sufficient to move a waterbody segment into Category 1. The following table is a summary of the changes that were made to the draft list due to this data. Please note that the sampling effort for the marine locations was not sufficient to move marine listings to Category 1 so the summary below only includes freshwater listings. For more specific information on Ecology's determinations on these listings, please see the remarks section for each listing using Ecology's online query tool.

listing ID	Original Draft Category	New Category based on Kitsap comments and information
45503	5	1
46113	5	1
7617	5	1
16725	5	1
38520	5	1
45418	2	1
53112	5	1
53083	5	1
38659	5	1
38703	2	1
10385	5	1
38722	5	1
53105	2	1
10388	4B	1
45871	5	1
45500	5	1
53104	5	1
38903	4A	1

Listing ID 16725 (CHICO CREEK)

Data from Location ID KCHD-CH01 shows an exceedance of the percent criteria in 2005. Once a waterbody has been determined impaired, the most recent data must meet the Category 1 requirements in WQ Program policy 1-11 to be moved from Category 5. If Kitsap has data from the end of 2006 or the 2007 season, we will reassess this listing based on additional data to determine if the category should change. Supplemental data that KCHD provided for listing #53112 was sufficient to move to Category 1.

Listing ID 45876 (DYES INLET AND PORT WASHINGTON NARROWS)

Ecology has reassessed this listing and agrees that it was inappropriately listed in Category 5. However, we have determined that it should go into Category 3 (not enough data to show a category 1).

Listing ID 53112 (FRAGARIA CREEK)

Data from Location ID KCHD-FG01 shows an exceedance of the percent criteria in 2005. Once a waterbody has been determined impaired, the most recent data must meet the Category 1 requirements in WQ Program policy 1-11 to be moved from Category 5. The impairment determination is based on exceedances of the percent criteria in 2003 and more recent data are also showing exceedances. Supplemental data that KCHD provided for listing #53112 was sufficient to move to Category 1.

Listing ID 38520 (COULTER CREEK)

Once a waterbody has been determined impaired, the most recent data must meet the Category 1 requirements in WQ Program policy 1-11 to be moved from Category 5. The most recent data does not meet the minimum data requirement to move this waterbody segment to Category 1. Supplemental data that KCHD provided for listing #38520 was sufficient to move to Category 1.

Listing ID 13931 (LIBERTY BAY)

Once a waterbody has been determined impaired, the most recent data must meet the Category 1 requirements in WQ Program policy 1-11 to be moved from Category 5. Although data from station KCHD-LB01 in 2003 is sufficient to move to Category 1, data collected in the same year and subsequent years still show exceedances. Therefore the most recent data does not meet the minimum data requirement to move this waterbody segment to Category 1. The basis statement has also been reorganized and the data is now grouped by year to make the listing more clear.

Listing ID 45713 (LIBERTY BAY)

Listing ID 45224 (LIBERTY BAY)

Listing ID 23707 (LIBERTY BAY)

Ecology agrees that there are some quality assurance issues with these listings. We are deactivating these listings and the associated data until we can determine whether the data is credible and can be used as part of the Assessment.

Listing ID 38799 (SINCLAIR INLET)

Data from Location ID KCHD-SN12 in 2005 is the basis for the Category 5 determination.

Once a waterbody has been determined impaired, the most recent data must meet the Category 1 requirements of WQ Program policy 1-11 to be moved from Category 5.

Dissolved Oxygen

Listing ID 52598 (CLEAR CREEK, W.F.) (The correct listing ID is 52958.)

This impairment determination was in error. This listing has been moved to Category 2 due to an excursion of the criteria in 2003. The available data from 2004 is insufficient to support a Category 1 determination.

Listing ID 38520 (DICKERSON CREEK) (The correct listing ID is 52963)

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

This impairment determination was in error. This listing has been moved to Category 3. The available data is insufficient to support a Category 1 determination.

Listing ID 38380 [HOOD CANAL (NORTH)]

Listing ID 38384 [HOOD CANAL (NORTH)]

These listings were reviewed by Ecology Marine Unit staff who recommended, based on the other available data from Hood Canal, that anthropogenic sources cannot be ruled out for these listings, therefore a natural conditions call cannot be made. This listing has been in Category 5 for dissolved oxygen since the approval of the 2004 Water Quality Assessment. The reference in remarks section of these listings only refer to a previous request to move this waterbody segment to Category 1 due to natural conditions.

Listing ID 38790 [HOOD CANAL (SOUTH)]

Listing ID 38638 [HOOD CANAL (SOUTH)]

These listings were reviewed by Ecology Marine Unit staff who recommended, based on the other available data from Hood Canal, that anthropogenic sources cannot be ruled out for these listings, therefore a natural conditions call cannot be made. This listing has been in Category 5 for dissolved oxygen since the approval of the 2004 Water Quality Assessment. The reference in remarks section of these listings only refer to a previous request to move this waterbody segment to Category 1 due to natural conditions.

Listing ID 38547 (PORT ORCHARD, AGATE, AND RICH PASSAGE)

Ecology staff consulted with the Marine Program regarding a natural conditions call. A TMDL study for South Puget Sound is underway that will include modeling for dissolved oxygen. For this reason, we are leaving dissolved oxygen listing in their current category until the TMDL is completed.

Listing ID 52960 (STRAWBERRY CREEK)

This impairment determination was in error. This listing has been moved to Category 3. The available data is insufficient to support a Category 1 determination.

5. Consider natural condition – no anthropogenic sources

Listing ID 52970 (CURLEY CREEK)

Listing ID 38526 (CURLEY CREEK)

Aerial imagery of these waterbody segments indicates that anthropogenic contributions can not be ruled out.

Listing ID 53077 (DEWATTO RIVER)

Anthropogenic contributions can not be ruled out. Aerial imagery of this waterbody segment show possible sources upstream of the listed waterbody segment.

Listing ID 38706 (MARTHA JOHN CREEK)

Anthropogenic contributions can not be ruled out. Aerial imagery of this waterbody segment show possible sources upstream of the listed waterbody segment.

Listing ID 52984 (TAHUYA RIVER)

Aerial imagery of this waterbody segment shows that anthropogenic contributions can not be ruled out.

6. Data in error

Listing ID 38573 (DYES INLET AND PORT WASHINGTON NARROWS)

The 5/9/06 data have been removed from the assessment. The more recent data available is insufficient to support a Category 1 determination. This listing has been returned to Category 2 based on the 2004 Water Quality Assessment determination.

Listing ID 38585 (DYES INLET AND PORT WASHINGTON NARROWS)

The 5/9/06 data have been removed from the assessment. This listing remains on Category 5 due to the excursion of the criteria in 2003 and 2004 according to WQ Policy 1-11. The data collected in 2005 is insufficient to support a Category 1 determination.

Listing ID 53063 (PORT ORCHARD, AGATE, AND RICH PASSAGE)

The 5/9/06 data have been removed from the assessment. The more recent data available is insufficient to support a Category 1 determination. This listing has been moved to Category 2 based an excursion of the criteria in 2003.

Listing ID 38800 (SINCLAIR INLET)

Listing ID 38880 SINCLAIR INLET

Listing ID 53044 (SINCLAIR INLET)

Listing ID 53046 (SINCLAIR INLET)

The 5/9/06 data have been removed from theses assessments. The more recent data available is insufficient to support a Category 1 determination. These listings have been moved to Category 2 based an excursions of the criteria in 2003.

7. Consider for Category 4b

The following listings were moved to category 4B after reviewing the PIC program results:

- Listing IDs
 - 53094 (DANIELS CREEK)
 - 53095 (DANIELS CREEK)
 - 43034 (DEE CREEK)
 - 53101 (ENETAI CREEK)
 - 53102 (ENETAI CREEK)
 - 53113 (INDIANOLA CREEK)
 - 53117 (JUMPOFF JOE CREEK)
 - 38667 (KINMAN CREEK)
 - 53093 (KINMAN CREEK)
 - 53110 (KITSAP CREEK)
 - 53091 (LOFALL CREEK)

8. BEACH Monitoring Program listings

Beach Program data for enterococci was reconsidered during the 2008 Assessment and a decision was made not to use this data for listing purposes because the water quality standards do not have enterococci criteria for primary contact recreation. Prior to the next listing cycle, Policy 1-11 will be revised to include guidance on how to appropriately use Beach Program enterococci data to accurately reflect the status of the waterbody adjacent to the monitored swimming beach. These listings have been inactivated for this listing cycle and will be reconsidered during the 2010 listing process.