



# KITSAP COUNTY DEPARTMENT OF PUBLIC WORKS

614 DIVISION STREET (MS-26), PORT ORCHARD, WA 98366-4699 | KITSAP1: 360.337.5777 | KITSAPGOV.COM

March 28, 2016

Patrick Lizon, Water Quality Program  
Washington State Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600

Dear Mr. Lizon,

Kitsap County Public Works Stormwater Division and Kitsap Public Health District are stormwater partners implementing the Clean Water Kitsap Program. Our efforts include marine and freshwater trend monitoring programs for public health protection, Category 4b and Total Maximum Daily Load water clean up programs, stormwater retrofit and maintenance, and proven approaches to gaining upgrades of shellfish beds and removing water body segments from the 303(d) list. We welcome the opportunity to provide ideas and participate in revisions of Water Quality Policy 1-11 Chapter 1.

A policy serves as a deliberate system of principles to guide decisions and incorporates procedures and protocols. The goal of WQP 1-11 is to guide decisions on how data is interpreted and applied to assign water bodies to various categories. This assignment has long-term implications for directing water clean up projects, plans and programs. We have identified sections of WQP 1-11 that are of highest priority to assist and complement our local efforts and promote targeting water clean up projects for maximum public and resource benefit.

## Section 1. Introduction and Background

Section 1 sets the tone and purpose for the policy. We recommend enhancing and clarifying the following:

- Stress a partnership between Ecology with those that generate quality data (including local jurisdictions such as ours) in order to maximize the effectiveness of the assessment program and assurance that water bodies are placed in the correct categories.
- Encourage watershed-based approaches in partnership with local agencies and organizations to reviewing data locations, data quality and placement of water bodies in categories.
- Clarify the role of EPA in approval of Category 4B submissions.
- Demystify use of Category 4B to encourage local programs to step in and be proactive, for example as implemented by the Clean Water Kitsap and Kitsap Public Health District Pollution Identification and Correction programs.
- Strive to allow the assessment list to be revised more frequently based upon recent and relevant data, such as shellfish classification.



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## Section 4. Public Participation and Submitting Information

Section 4 is the heart of the “call for data” and data submission. We recommend reviewing and clarifying multiple sections.

- How to manage and incorporate data of older than 5 years. This may need to be according to parameter as bacteria data fluctuates yearly whereas sediment or tissue data fluctuates on a longer time scale.
- Resolve the language regarding calendar year and water year.
- Resolve how to manage and accept continuous data. There is more of this type of data available and could be valuable for assessment.
- Consider a watershed approach to data collection, review and analysis. Meet with and collaborate with those that collect the data or utilize data to implement local programs.
- Promote trainings for local organizations on data quality, submitting data, the assessment and listing process, how to manage and navigate Category 4b, de-listing process, and the public process.
- How to manage data pre-2006 that has little or no quality assurance or documentation.

## Section 5. Categories

Section 5 presents policies for each category. We recommend reviewing and clarifying multiple sections.

- Category 1:
  - Align shellfish classifications with Category 1. This would incorporate the work of Department of Health and their assessment for shellfish harvest. If an area is classified as “Approved” it should automatically be placed in Category 1.
  - Define “critical condition” period and the role it plays in placement in Category 1.
- Category 3:
  - The application of this category for areas under consideration in a TMDL.
- Category 4:
  - Provide more guidance and strive for a procedure to encourage use of 4b.
  - Provide more guidance and strive for a procedure to allow application of 4c where applicable.
- Category 5:
  - Clarify language regarding how much data is required or used to remain in Category 5 when meeting standards.



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## Section 7. Other Assessment Considerations

Section 7 describes situations of special consideration. We recommend reviewing and clarifying multiple sections.

- Natural Conditions:
  - Provide more guidance and strive for a procedure to allow application of natural conditions where applicable.
- TMDL Boundaries
  - Include local stakeholders in determination of water bodies within TMDL boundaries.

## Section 8. Specific Submittal and Basis for Assessment Decisions

Section 8 describes assessment criteria for 10 parameters. We recommend reviewing and clarifying the parameters and are listed in priority.

- Bacteria
  - Number of samples required to list is less than the number required to de-list a water body segment.
  - Critical period sampling is required for de-listing, but not relevant for listing.
  - Change the language that if an area is upgraded to “approved” for shell fishing, then all stations are moved to Category 1. If upgraded to “conditionally approved” upgrade it to Category 2.
- Bioassessment
  - Consider the 2015 updated taxa list and scoring system.
  - Consider natural conditions which may suppress scores.
  - Consider the variability of scores and the number of samples required for impairment.
  - Follow the policy of identification of a stressor prior to placement in Category 5.
- Temperature
  - Application of continuous data and single temperature readings.
  - Application of natural conditions.

## Section 9. Prioritizing TMDLS

This section describes policies for prioritizing TMDLs. We recommend reviewing and clarifying multiple sections and listed in priority:

- Stronger language regarding regional TMDL leads following policies.
- Reconsider the primary criteria for TMDL selection.



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- Consider collaboration with local organizations that prioritize clean up projects based upon local trend programs.

Thank you for the opportunity to recommend sections of WQP 1-11 for discussion and revision. Kitsap County is interested in participating in a stakeholder process as a result of your request.

Sincerely,

Christopher May, Ph. D.

Senior Program Manager, Stormwater Division

Cc:

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